THE

PICTORIAL HISTORY OF ENGLAND:

BEING

A HISTORY OF THE PEOPLE,

AS WELL AS A HISTORY OF THE KINGDOM.

ILLUSTRATED WITH

MANY HUNDRED WOOD-CUTS

OF

MONUMENTAL RECORDS; COINS; CIVIL AND MILITARY COSTUME; DOMESTIC BUILDINGS, FURNITURE, AND ORNAMENTS; CATHEDRALS AND OTHER GREAT WORKS OF ARCHITECTURE; SPORTS AND OTHER ILLUSTRATIONS OF MANNERS; MECHANICAL INVENTIONS, PORTRAITS OF THE KINGS AND QUEENS; AND REMARKABLE HISTORICAL SCENES.

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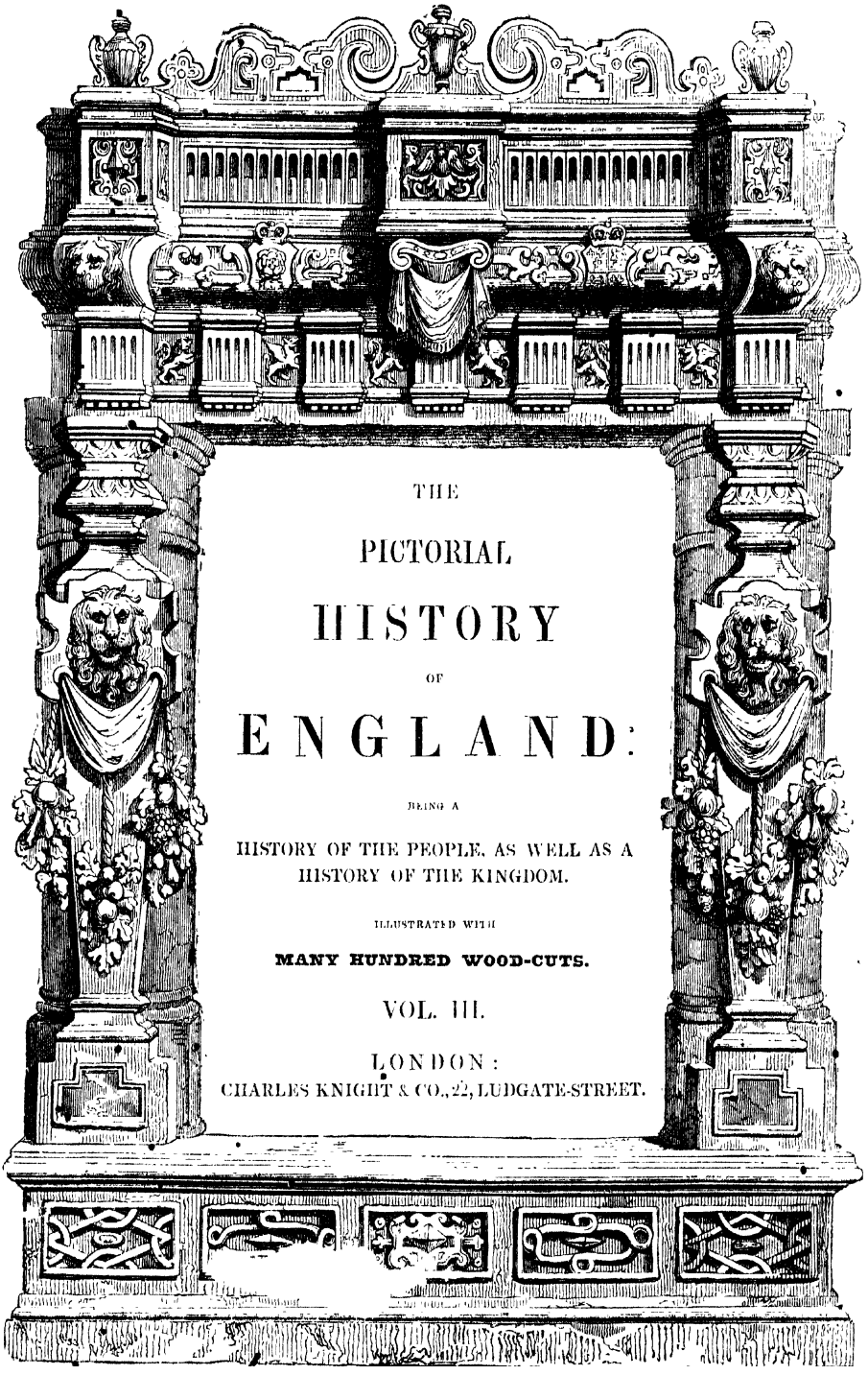

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BOOK VII

THE PERIOD FROM THE ACCESSION OF JAMES I. TO THE RESTORATION OF CHARLES II.

A.D. 1603—1660.

CONTEMPORARY PRINCES.

ENGLAND
1603 James I
1625 Charles I.
1649 Commonwealth.

FRANCE.
1610 Louis XIII.
1643 Louis XIV.

GERMANY.
1612 Matthias.
1619 Ferdinand II.
1637 Ferdinand III.
1658 Leopold I.

SPAIN.
1621 Philip IV.

PORTUGAL.
1640 John IV.
1656 Alfonso VI

SWEDEN
1604 Charles IX
1611 Gustavus Adolphus.
1632 Christina
1654 Charles X.

DENMARK
1648 Frederick III.

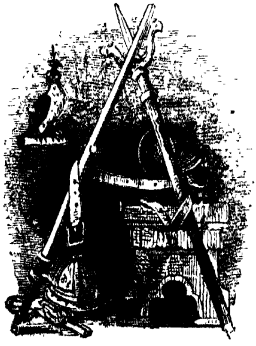
POPES.
1605 Leo XI.
1605 Paul V.
1621 Gregory XV.
1623 Urban VIII.
1644 Innocent X.
1655 Alexander VII.

JAMES I. From a Painting by Vandyke

CHAPTER I

NARRATIVE OF CIVIL AND MILITARY TRANSACTIONS.

JAMES I.—A.D. 1603.



S soon as Elizabeth breathed her last, Lady Scrope, a daughter of her relative, the late Lord Hunsdon, communicated the intelligence to her brother, Sir Robert Carey, who had been on the watch; and who, anticipating Cecil and the other lords of the council, stole out of the palace at Richmond, where the queen had expired at three o'clock on the morning of Thursday, the 24th of March, and posted down to Scotland, in order to be the first to hail James Stuart as king of England. This tender relative arrived at Edinburgh on the night of Saturday the 26th, four days before Sir Charles Percy and Thomas Somerset, Esq., who were dispatched by the council; but it was agreed with James to keep the great matter a secret, until the formal dispatch from London should reach him.* Sir Robert Carey had scarcely taken horse for the

* In Lodge's Illustrations of British History there is a letter to the king from one John Ferrour, who claims to have been "prime messenger of glad tidings about the decease of Queen Elizabeth," and begs a reward for that good service. But we can scarcely agree with Mr. Lodge in taking this letter as a proof that the old story told by Sir Robert Carey himself, in his Memoirs, and by Stow as well as Weldon, about Sir Robert Carey is incorrect. We are not informed that Ferrour's claim was allowed. This man may have fancied himself "prime messenger" without being so. We know that several eager courtiers ran a race to Edinburgh, and that James thought well to conceal their arrival. Afterwards, when all was settled, there would be no motive for keeping up the mystery, and then the court seems to have given the honour to Sir Robert.

north when Cecil, Nottingham, Egerton, and others, met in secret debate at Richmond, at an early hour, before the queen's death was known; and these lords, "knowing above all things delays to be most dangerous," proceeded at once to London, and drew up a proclamation in the name "of the lords spiritual and temporal, united and assisted with the late queen's council, other principal gentlemen, the lord mayor, aldermen, and citizens of London, a multitude of other good subjects and commons of the realm." This proclamation bore thirty-six signatures, the three first being those of Robert Lee, Lord Mayor of London, the Archbishop of Canterbury, and the Lord Keeper Egerton; the three last, those of Secretary Sir Robert Cecil, Sir J. Fortescue, and Sir John Popham. It was signed and ready about five hours after Elizabeth's decease; and they those who had signed it went out of the council-chamber at Whitehall, with Secretary Cecil at their head, who had taken the chief direction of the business, and who, in the front of the palace, read to the people the proclamation, which assured them that the queen's majesty was really dead, and that the right of succession was wholly in James King of Scots, now King of England, Scotland, France, and Ireland, Defender of the Faith, &c. They then went to the High Cross in Cheapside, where Cecil again read the proclamation, "most distinctly and audibly;" and when he had done, "the multitude with one consent cried aloud,—'God save King James!'" for all parties, or rather the three great religious sects, High Churchmen, Puritans, and Papists, all promised themselves advantages from his accession. Cecil next caused three heralds and a trumpeter to proclaim the said tidings within the walls of the Tower, where the heart of many a state-prisoner leaped for joy, and where the Earl of Southampton, the friend of the unfortunate Essex, joined the rest in their signs of great gladness. After consulting for a time in Sheriff Pemerton's house, they sent notice of the happy and peaceable proceeding into the country, and to the authorities in the provincial towns; but notwithstanding the expedition of the messengers, many gentlemen got secret intelligence beforehand, and, in divers places, James had been proclaimed without order or warrant.* Of the other thirteen or fourteen conflicting claims to the succession which had been reckoned up at different times during Elizabeth's reign, not one appears to have been publicly mentioned, or even alluded to; and the right of James, though certainly not indisputable, was allowed to pass unquestioned.† Such had been the able management of Cecil—such was the readiness of the nation to acknowledge the Scottish king, or their laudable anxiety to avoid a disputed succession and civil war.

There was one person, however, whose claim excited uneasiness in the cautious mind of Cecil,—this was the Lady Arabella Stuart, daughter of the Earl of Lennox, younger brother of James's father, Darnley, and descended equally from the stock of Henry VII.* This young lady was by birth an Englishwoman, a circumstance which had been considered by some as making up for her defect of primogeniture, for James, though nearer, was a born Scotchman and alien. Cecil for some time had had his eye upon the Lady Arabella, and she was now safe in his keeping. Eight hundred dangerous or turbulent persons, indistinctly described as "vagabonds," were seized in two nights in London, and sent to serve on board the Dutch fleet. No other outward precautions were deemed necessary by the son of Burghley, who calmly waited the coming of James and his own great reward, without asking for any pledge for the privileges of parliament, the liberties of the people, or the reform of abuses which had grown with the growing prerogative of the crown. But these were things altogether overlooked, not only by Cecil and Nottingham and those who acted with them, but also by the parties opposed to them, the most remarkable man among whom was Sir Walter Raleigh, who, like all the other courtiers or statesmen, looked entirely to his own interest or aggrandizement. Few or none could have been insensible to the advantage likely to accrue from the peaceful union of England and Scotland under one sovereign, with the cessation of those border wars which kept both sides of the Tweed in perpetual turmoil and confusion; and it may be that this bright prospect tended (together with the bright hope of personal advancement) to render the English statesmen subservient and careless at this important crisis.

Between the spiritual pride and obstinacy of his clergy, the turbulent, intriguing habits of his nobles, and his own poverty, James had led rather a hard life in Scotland. He was eager to take possession of England, which he looked upon as the very Land of Promise; but so poor was he that he could not begin his journey until Cecil sent him down money. He asked for the crown jewels of England for the queen his wife; but the council did not think fit to comply with this request; and,

* Stow.—Weldon.—Osborne.—Memoirs of Sir Robert Carey.

† The only pretensions, however, that could with any show of law or reason come into competition with those of James, were those of the representative of Henry VIII.'s younger sister Mary, Duchess of Suffolk, to whose heirs Henry was affirmed by his will to have limited the succession on failure of the heirs of his three children. But although this will, having been made under the authority of an act of parliament, would have been legally valid if authentic, it is more than doubtful if it ever really received the royal signature. (See in support of its authenticity the reasoning of Mr. Hallam, Const. Hist. i. 307—317; and the apparently conclusive reply of Dr. Lingard, Hist. Eng. vol. vi. note L. edit. of 1838.) At the time of the death of Queen Elizabeth, the supposed representative of the Duchess of Suffolk was the son of her grand-daughter Catherine, by Edward Seymour, Earl of Hertford, to whom it was asserted that she had been privately married. But that any such marriage took place was never satisfactorily proved. The boy in question, however, was called by his father's second title of Lord Beauchamp; and his eldest son, previously known as Earl and Marquis of Hertford,—the same who married the Lady Arabella Stuart, to be presently mentioned,—was restored to the title of Duke of Somerset in 1660. Whatever claim the House of Suffolk might have to the crown was afterwards transferred to the present Dukes of Northumberland, by the marriage of Elizabeth, daughter of the eighth Duke of Somerset, with Sir Hugh Smithson, the first Duke of Northumberland of the last creation.

* James's claim, however, was not at all through his father Lord Darnley, but through his mother, who, as the grand-daughter of James IV by his wife Margaret, eldest daughter of Henry VII., was, after Elizabeth, the next representative of that king. The Lady Arabella and her uncle Lord Darnley were descended from the same Margaret Tudor, but by her *second* marriage with Matthew Stuart, Earl of Lennox.

On the 6th day of April, he set out for Berwick, without wife or jewels. On arriving at that ancient town he fired off, with his own hand, a great piece of ordnance, an unusual effort of courage on his part. On the same day he wrote to his "right trusty and right well-beloved cousins and counsellors, the lords and others of his privy council at London," thanking them for the money which they had sent, telling them that he would hasten his journey as much as conveniently he might,—that he intended to tarry awhile at the city of York, and to make his entry therein in some such solemn manner as appertained to his dignity, and that, therefore, he should require that all such things as they in their wisdom thought meet should be sent down to York. He did not press the lords of the council to go so far north to meet him, "the journey being so long," but he hinted that their going would be agreeable to him. The body of Elizabeth was still above ground, and it would have been regular in him to attend her funeral in person. He assured the lords that he could be well contented to do that, and all other honour he might, unto "the queen defunct;" and he referred it to their consideration, whether it would be more honour for her to have the funeral finished before he came, or to wait and have him present at it. Cecil and his friends knew what all this meant, and hastened the funeral: there was no rejoicing successor present; but fifteen hundred persons, in deep mourning, voluntarily followed the body of Elizabeth to Westminster Abbey. In the same letter James asked for coaches, horses, litters, jewels, stuffs, and "the use of a Lord Chamberlain, which was very needful;" and as the Lord Hunsdon was indisposed, he thought proper to appoint the Lord Thomas Howard of Walden to exercise that office. The king was a slow traveller. Seven days after, or on the 13th of April, he had got no farther than Newcastle, whence he wrote another letter, commanding coins of different denominations to be struck in gold and silver, "forasmuch as the custom of his progenitors, kings of this realm, had been, to have some new nomes made in their own name against the day of their coronation." He gave minute directions as to arms, quarterings, and mottoes. Around the arms of France, and England, and Scotland, and the harp of Ireland, was to be written *Exurgat Deus, dissipentur inimici*: and, on the other side, around his head, crowned, was to be inscribed the style *Jacobus Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ Rex*, &c. By the 15th of April he had reached the house of Sir William Ingleby at Topcliff, and from that place he wrote a curious letter to the lord keeper, the lord treasurer, the lord admiral, the master of the horse, and the principal secretary for the time being. All his circumlocution and care could not conceal his ill-humour at their not coming to meet him, and their still delaying to send the crown jewels. He assured them that he would not stay anywhere on the road above one day until he came to Theobalds in Hertfordshire, where he hoped to be on the 28th or 29th of the month.* But he did not equal even this slow rate of travelling, loitering three days at York, and seldom going more than fifteen miles a-day. At York he was met and welcomed by the crafty Cecil, who had a secret conference with his majesty, which must have been very full of meaning. On the 21st he was at Newark-upon-Trent, where he gave people a foretaste of his disposition to arbitrary government. "For in this town, and in the court, was taken a cut-purse doing the deed, and being a base pilfering thief, yet was in gentleman-like in the outside: this fellow had good store of coin found about him, and, upon examination, confessed that he had, from Berwick to that place, played the cut-purse in the court. The king, hearing of this gallant, directed a warrant to the recorder of Newark to have him hanged, which was accordingly executed," the man being hanged without any legal trial.† It is said that James, in conversing with some of his English counsellors about his prerogative, exclaimed joyously, "Do I make the judges? Do I make the bishops? Then, God's wounds! I make what likes me law and gospel!" Though he had hardly ever had the due and proper authority of a king in his own country, he had long indulged in a speculative absolutism, and, as far as his cowardice and indolence allowed him, he came fully prepared to rule the people of England as a despot. To enliven his journey he hunted along the road. He was a miserable horseman, but his courtiers invented for him a sort of "hunting made easy;" yet, notwithstanding their system and his own great caution, his majesty got fall off his horse, near Belvoir Castle. "But God be thanked," adds Cecil in relating the accident to the ambassador in France, "he hath no harm at all by it, and it is no more than may befall any other *great and extreme rider* as he is, at least once every month."‡ As he approached the English capital, hosts of courtiers and aspirants after places hurried to meet him and pay their homage. Among these the last was not the great Francis Bacon, who, in a letter to the Earl of Northumberland, has left us a curious record of his first impressions:—"Your lordship," says Bacon, "shall find a prince the furthest from vain glory that may be, and rather like a prince of the ancient form than of the latter time: his speech is swift and cursory, and in the full dialect of his nation, and in speech of business short, in speech of discourse large. He affecteth popularity by gracing them that are popular, and not by any fashions of his own: he is thought somewhat general in his favours; and his virtue of access is rather because he is much abroad, and in press, than that he giveth easy audience: he hasteneth to a mixture of both kingdoms and nations, faster, perhaps, than policy will well bear. I told your lordship once before my opinion, that methought his majesty rather asked

* See the three characteristic letters of King James in Sir Henry Ellis's Collection.

† Stow.

‡ Sir Henry Ellis.

counsel of the time past than of the time to come."

Other persons who were not, as Bacon was, afraid of going farther into these tender arguments, expressed astonishment, if not disgust, at the very unroyal person and behaviour of the new sovereign, whose legs were too weak to carry his body,—whose tongue was too large for his mouth,—whose eyes were goggle, rolling and yet vacant,—whose apparel was neglected and dirty,—whose whole appearance and bearing was slovenly and ungainly, while his unmanly fears were betrayed by his wearing a thickly wadded dagger-proof doublet, and by many other ridiculous precautions. These contemporary portraits may be somewhat overcharged here and there: we may suspect a little of the national prejudice against the Scots; but, even after every rational deduction, we cannot doubt for a moment that the son of the beautiful and graceful Mary was totally deficient in all personal graces, those important ingredients in the composition of a prince. To such as hungered after the honours of knighthood he may have appeared in a more favourable light, for, as he went along, he profusely distributed these honours. Before he left Scotland he knighted the son of the lieutenant of the Tower of London; at Berwick he knighted two more Englishmen, at Widrington he knighted eleven, at York thirty-one, at Worksop, in Nottinghamshire, eighteen, at Newark Castle eight, *on the road* between Newark and Belvoir Castle four, at Belvoir Castle forty-five: in fact he appears to have bestowed the honour of knighthood on nearly every person that came to him during this hey-day journey. At last, on the 3rd of May, he reached Theobalds, the sumptuous seat of Secretary Cecil, where, as at other gentlemen's houses at which he had staid, he was astonished at the luxury, comparative elegance, and comfort he found. He was met by all the lords of the late queen's council, who knelt down and did their homage, after which the Lord Keeper Egerton made a grave oration, in the name of all, signifying their assured love and allegiance. On the morrow he made twenty-eight more knights.

But it was not for these operations that Cecil had induced him to take Theobalds on his way; and during the four days which the king passed there, that wily statesman ingratiated himself with his new master, and remodelled a cabinet very much (though not entirely) to his own satisfaction. The chief objects of Cecil's present jealousy were the Earl of Northumberland, Lord Grey, Lord Cobham, and the versatile, intriguing, and ambitious Sir Walter Raleigh, who, very fortunately for Cecil, had given grounds of offence to the king. Northumberland, who employed the cogent advocacy and eloquent tongue of Bacon, was promised a share in the king's favour; but Cobham and Grey were cut off from promotion, and Raleigh, who aspired to the highest posts, was deprived of the subordinate ones which he had held.* Cecil was retained, together with his friends Nottingham, Henry, and Thomas Howard, Buckhurst, Mountjoy, and Egerton, to whom James added four Scottish lords and his secretary, Elphinstone, a nomination which instantly caused jealousy and discontent.

On the 7th of May the king moved towards London, and was met at Stamford Hill by the lord mayor and aldermen of London, in scarlet robes; and about six o'clock in the evening he arrived at the Charter House, where he made some more knights. On the same day proclamation was made that all the monopolies granted by the late queen should be suspended till they had been examined by the king and council,—† that all royal protections that hindered men's suits in law should cease, and that the oppressions done by saltpetre-makers, purveyors, and cart-takers, for the use of the court, should be put down. These were valuable instalments if they had been held sacred; but a few days after James, "being a prince above all others addicted to hunting," issued another proclamation, prohibiting all manner of persons whatsoever from killing deer, and all kinds of wild-fowl used for hunting and hawking upon pain of the severest penalties.‡

From the Charter House James removed to the Tower, where he made more knights, and from the Tower he proceeded to Greenwich, where he made more. By the time he had set foot in his palace of Whitehall, he had knighted two hundred individuals of all kinds and colours, and before he had been three months in England he had lavished the honour on some seven hundred; nor was he very chary even of the honour of the English peerage, which Elizabeth held at so high a price. He presently made four earls and nine barons, among whom was Cecil, who became Lord Cecil, afterwards Viscount Cranborne, and finally Earl of Salisbury. Several of the English promotions excited surprise and derision; but these feelings gave place to more angry passions when he elevated his Scottish followers to seats in the House of Lords. Before he had done he added sixty-two names to the list of the peerage. This occasioned a pasquinade to be pasted up in St. Paul's, wherein was announced an art to help weak memories to a competent knowledge of the names of the nobility.§ The English had not yet forgiven Elizabeth the execution of their darling Essex, and other things which cast a gloom on the last years of her reign; but they were irritated at hearing so immeasurably inferior a person as James speak with contempt of

* Scrinia Sacra, a Supplement to the Cabala.

* He was allowed to retain the government of the island of Jersey, which had been given to him by Elizabeth.—*Sir Hen. Ellis's Letters*

† Lodge (Illustrations) gives a complete list of these monopolies One of them gives Symon Farmer and John Crafford an exclusive right "to transport all manner of horns for twenty-one years." One gives Bryan Amersley the sole right of buying *steel* beyond seas, and of selling the same within this realm. One confines to Edr Schets the sole right of exporting ashes and old shoes for seven years One gives *Sir Walter Raleigh* the faculty of dispensing licenses for keeping of taverns and retailing of wines throughout all England The whole list is curious.

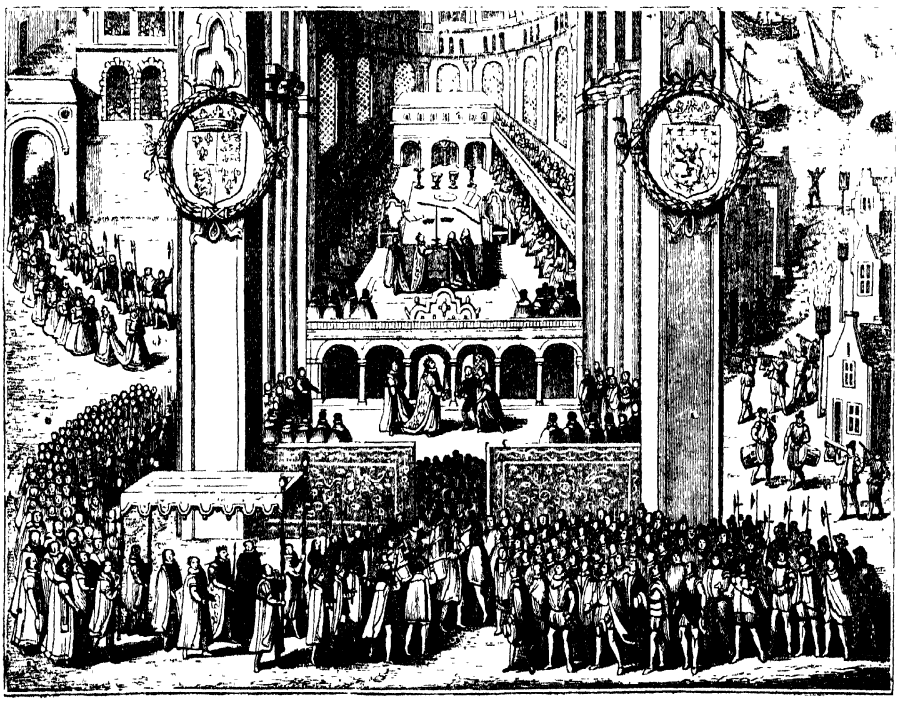
‡ Stow.—Roger Coke, Detection of the Court and State of England, &c.

§ Arthur Wilson, Life and Reign of King James I.

the judgment and abilities of that extraordinary woman. He owed her, indeed, little gratitude in his own case; and, as a son, he might have been excused for bearing little affection to the memory of the murderer of his mother. But prudence and decency—particularly on reverting to his own filial conduct—ought to have chained his tongue; and, besides, it was easily perceived that it was not on his mother's account that he maligned his predecessor, but rather out of a mean jealousy of her fame as a mistress of that kingcraft and wisdom which he pretended to possess in greater perfection than any prince since the days of Solomon.

Towards the end of June, James met his queen and his children (with the exception of Charles, his second son, who had been left behind in Scotland) at Windsor Castle, where the young prince Henry, who astonished the English courtiers with his quick witty answers, princely carriage, and "reverend performing his obeisance at the altar," was installed knight of the Order of the Garter. On the 22nd of July the court removed to Westminster, where the king, in his garden, dubbed knights all the judges, all the serjeants-at-law,* all the doctors of civil law, all the gentlemen ushers, and "many others of divers qualities." Splendid preparations had been made for the coronation of the king and queen with pageants and shows of triumph; but as the plague was raging in the city of London and the suburbs, the people were not permitted to go to Westminster to see the sight, but forbidden by proclamation, lest the infection should be further spread—for there died that week in London and the suburbs of all diseases 1103; of the plague 857. To increase the inauspicious aspect of things, the weather was darker and more rainy than had ever been known at such a season.† On the 25th of July the coronation took place. On the 5th of August, by the king's orders, there were morning prayers, sermons, and evening prayers, with bonfires at night—all men being charged to praise God for his majesty's escape from the murderous hands of the Earl of Gowry that day three years past; and on the 10th of August, James

* Among the serjeants thus knighted was Francis Bacon.
† Stow



Coronation of James I.

From a Dutch print dated 1603, arranged to exhibit the successive stages of the Ceremony

commanded a fast with sermons of repentance, the like to be done weekly every Wednesday, while the heavy hand of God continued in the plague.*

However weak might be the personal character of James, the power of the great nation he was called to govern was not to be despised by the contending states on the continent. Almost immediately on his arrival, special ambassadors began to flock from all parts, to congratulate him on his accession, and to win him each to the separate views and interests of his court. As an important state measure, James resolved to make a master of the ceremonies, to receive and entertain all these envoys and princes; and by his letters-patent he appointed Sir Lewis Lewknor, who was the first that held any such office in England. The first embassy that arrived was from the states of Holland, Zealand, and the United Provinces, which stood most in need of English assistance: it was most honourably composed; Frederick Prince of Nassau, son of the Prince of Orange, was at the head of it, and he was attended by the great statesmen, Falcke, Barnevelt, and Brederode. But they were scarcely arrived, when, to oppose them, there came from the opposite party the Count d'Aremberg, as ambassador from the Archduke of Austria, and indirectly as agent for the whole Spanish family. The suitors of Portia in the immortal drama scarcely arrived with more rapidity to woo the beautiful heiress, then did these rival diplomatists to win the good graces of James. Two days after the arrival of d'Aremberg, Rosny, afterwards Duke of Sully, the bosom friend of his royal master, came posting to London from Henry IV. of France, who greatly apprehended that the blandishments of d'Aremberg might induce the new and unwarlike king to make peace with Spain, and abandon the cause of the Hollanders, with whom he (Henry IV.) maintained his league. James had no sympathy for the emancipated subjects of Spain, who had prevailed in their struggle for independence, in good part through the assistance lent to them by Elizabeth; and when over his cups he spoke of the Hollanders as rebels and traitors to their lawful sovereign—for it was a fixed maxim with him, that the people, under no provocation and no extent of wrong, were justifiable in taking up arms against their rulers. The Hollanders, moreover, had not been very grateful for aid, which had been lent from selfish motives, and they were slow in paying the money they owed to England. The Archduke of Austria, on the other hand, showed a great disposition to liberality, and it appears pretty certain that his envoy d'Aremberg would have prevailed with James, had it not been for the address, the winning manners, and the gold of Rosny, who distributed bribes among the needy courtiers, and, it is said, bribed the queen herself. James agreed to, and even ratified a treaty, in which he bound himself with Henry, to send secret assistance in money to the states, and, in case of Philip's attacking France, to join in open hostilities. Rosny departed rejoicing; but it was soon found that King James had no money to spare, and that he was resolved to live in peace, even at the cost of the national honour. The great power of Spain had never recovered from the blow of the Armada and the ruinous war in the Netherlands, and it was now rapidly decaying under the imbecile Philip III. and his favourite and minister the Duke of Lerma. Pride prevented the Spanish court from suing directly for a peace, but Philip told some desperate English Catholic plotters that he wished to live in amity with James; and he soon sent over a regular ambassador to negotiate in his own name. Denmark, Poland, the Palatinate, some other German states, Tuscany, and Venice, had already dispatched their envoys, and to all of them the king had said, "Peace at home and abroad!—above all things peace."*

But he had already been made acquainted with a plot which he thought threatened not only to disturb peace at home, but also to deprive him of his throne and life. Sir Walter Raleigh, who was smarting with the pangs of disappointed ambition, and transported with jealousy of the prevailing influence of Cecil, formerly his friend, now his bitterest enemy, was further enraged by the king's depriving him of his valuable patent of the monopoly of licensing taverns and retailing wines throughout all England, and by seeing his honourable post of captain of the guard bestowed upon one of the Scottish adventurers. In spite of his consummate abilities, he was a rash politician, and our respect for his genius ought not to blind us to the fact that, in the pursuit of rank, power, and wealth, he could be a selfish, dangerous, and remorseless man. His political associate, Lord Cobham, who had joined with him and Cecil in ruining the Earl of Essex, was now equally a disappointed and desperate man, burning with the same hatred against Cecil, and, though dull, and slow to devise, ready to enter into any plot which promised the certain ruin of that astucious minister. The Lord Grey of Wilton, who had partaken in their disgrace, partook also in their discontent and ill-will against Cecil; but he was inspired by higher, or less interested motives, than Raleigh and Cobham. Each of these men had his partisans of inferior condition, and, up to a certain point, the disappointed Earl of Northumberland, whom James had amused with promises "as a child with a rattle,"† went along with them, and seems to have been a party in intriguing with Rosny and with Beaumont, the resident ambassador of France, who had both been instructed to sow dissensions in the English cabinet, and to overthrow, if possible, the power of Cecil.‡ Here, in part through an aci-

* Stow.

* Stow.—Coke.—Wilson.—Lodge.—The Memoirs attributed to Sully.—Birch, Negotiations.

† An expression of Lord Henry Howard, afterwards Earl of Northampton, in a letter to Mr David Bruce.—Lord Hailes, Secret Correspondence of Sir Robert Cecil with James VI., King of Scotland.

‡ Dispatches of Beaumont, as quoted by Carte.

dent which happened to him, and in part through irresoluteness, Northumberland stopped. The other three proceeded, at times in concert, at times separately, and with diverging views. They would all have been powerless and clientless, but for the unhappy disputes and heartburnings in matters of religion, and the disgust which many men felt at the king's being admitted without any pledge or assurance for the redress of grievances, and the better observance of the rights of parliament. The Puritans, who were still growing in power and consideration, wished for the establishment of a Presbyterian church, somewhat like that which had been set up by Knox and his associates in Scotland; the Catholics wished, for themselves, toleration, and *something more;* some minor and very weak sects would have been satisfied with simple toleration; but the high church party—the only true Protestants by act of parliament—were determined to oppose all these wishes and claims, and to press for a uniformity of faith to be upheld by the whole power of the penal statutes. Before his coming to the crown of England, James had made large promises to the Catholics; but, on his arrival in London, he threw himself into the arms of the high churchmen, who easily alarmed him as to the intentions of the Papists and the anti-monarchical influences of the court of Rome. He swore that he would fight to death against a toleration; and he sent some Irish deputies to the Tower for petitioning for it.* The oppressed and impatient began to conspire several weeks before the coronation, and their plots, loosely bound together by their common discontent, were pretty certain to fall asunder of themselves. It should appear that the Catholics, the most oppressed party, took the initiative; but the fact is not certain, and it is impossible to explain by what means they were brought to coalesce with the Puritans, who were more intolerant of their faith than the high churchmen. It is common, however, in the contests of party for the most opposite sects to unite, in order to carry any point in which they are equally interested at the moment. Sir Griffin Markham, a Catholic of small property or influence, and still less ability, joined with two secular priests, Watson and Clarke, and with George Brooke, a brother of Lord Cobham's, and an able but unprincipled man.* The priest, Watson, had been with James in Scotland previously to Elizabeth's death to gain his favour for the Catholics; and he said afterwards to the council, that the king's broken promises and determination to allow of no toleration to his church had induced him to enter into the plot. He was for a time the chief mover in it: he drew up and administered a terrible oath of secrecy, and, together with Clarke, laboured and travelled incessantly to induce the Catholic gentry to join the cause. He was, however, remarkably unsuccessful; for, of the Catholic gentry, scarcely one joined the conspirators of any weight or consequence, except Anthony Copley, of the west of England. It was probably on this failure (he must have moved and acted rapidly) that Watson won over the chief leaders of the Puritans by concealing from them the greater part of his views. It might be, that he aimed at working his own ends by their means, and then casting them off; as, on the other side, the Puritans might have entertained precisely the same intention with regard to the Catholics, when they should once have gained the victory over the established church. Lord Grey of Wilton was a Puritan, and, though a young man, the leader of his party, and he entered into the plot, and engaged to furnish one hundred men well mounted. Lord Cobham, and, perhaps, Raleigh, were privy to this conspiracy; but it appears that they took no active part in it, being engaged in a separate plot of their own. Cecil says that Grey was drawn into the "priest's treason" in ignorance that so many Papists were engaged in the action, and that as soon as he had knowledge of their numbers, he sought to sever himself from them by dissuading the execution of their project till some future time. This project was, to seize the king's person, and to keep him in confinement (as the Scotch had done before them) till he changed his ministers, and granted a toleration, together with a free pardon to all who had been concerned in the plot. More atrocious designs were imputed to nearly all the parties, but they were never clearly proved. Such was the constitution of the "Bye Plot," as it was called. The "Main," in which Raleigh and Cobham were engaged, was far more compact, but still weak and wild; and George Brooke, the brother-in-law, and *suspected* tool of Cecil, was engaged in it, as well as in the "Bye." Its objects will be best explained in our account of the trial of Raleigh, though we cannot promise an elucidation of the many mysteries it involves.

On the 24th of June, the day appointed by the "Bye" for seizing the king on his road to Windsor, Lord Grey and his hundred men were not at the place of meeting, and the priest Watson and his Catholic friends were too weak to attempt anything. On the 6th of July Anthony Copley was arrested; and as he was timid and ready to confess, and as Cecil knew already (if not through Brooke, through other parties) of the whole plot of the "Bye," Sir Griffin Markham, the priests Watson and Clarke, and the rest of Copley's confederates, were presently apprehended. Cecil, who appears to have been as well acquainted with the "Main" as with the "Bye," met Sir Walter Raleigh on the terrace at Windsor, and requested his attendance before

Dispatches of Beaumont, the French ambassador.

Mr Jardine ('Criminal Trials') says, "it is difficult to ascertain what could be Brooke's motive for joining the conspiracy, as he was actuated neither by political nor religious considerations." Mr. Tytler ('Life of Raleigh') thinks it extremely probable that Cecil, aware of the intrigues of the Catholic priests, engaged Brooke, who was his brother-in-law, to become a party to their discontents, that he might discover and betray their secrets. And Mr. Tytler quotes several cotemporary documents which go to establish this conviction. Such a scheme was quite in keeping with the character and policy of the son of Burghley.

the lords of the council, then secretly assembled in the castle. Raleigh obeyed the summons, and was instantly questioned touching his friend Cobham's private dealings with *the Count d'Aremberg*. At first he asserted that there could have been no unwarrantable or treasonable practices between Cobham and that ambassador; but on being further pressed, he said that La Rensy, d'Aremberg's servant, might better explain what passed than he could do. Sir Walter was allowed to depart a free man, and he forthwith wrote a letter to Cecil, recommending him to interrogate La Rensy. It is said that Raleigh then wrote to Cobham, warning him of his danger, and that this letter was intercepted by Cecil. Cobham was called before the council, where, by showing Raleigh's letter to himself, advising him to question d'Aremberg's servant, and by otherwise working on his temper, Cecil made Cobham believe that he had been basely betrayed by Raleigh, and then confess that he had been led into a conspiracy by his friend Sir Walter. Both were secured and committed to the Tower, where, on the 27th of July, two days after the king's coronation, Raleigh is said to have attempted his own life.*

On account of the plague, which made the king's ministers, judges, and lawyers flee from place to place, and partly owing to the presence of d'Aremberg, who did not leave England till October, no judicial proceedings were instituted till the 15th of November, when the commoners implicated in the "Bye" were arraigned in Winchester Castle. "Brooke, Markham, Brookesby, Copley, and the two priests," says a narrative of the affair written at the moment, "were condemned for practising the surprise of the king's person, the taking of the Tower, the deposing of counsellors, and proclaiming liberty of religion. They were all condemned upon their own confessions, which were set down under their own hands as declarations, and compiled with such labour and care, to make the matter they undertook seem very feasible, as if they had feared they should not say enough to hang themselves. Pirra† was acquitted, being only drawn in by the priests as an assistant, without knowing the purpose; yet had he gone the same way as the rest (as it is thought) save for a word the Lord Cecil cast in the way as his cause was in handling, that the king's glory consisted as much in freeing the innocent, as condemning the guilty."‡ It had not been thought convenient to place the able Raleigh with these poor blunderers, or to try him for his privity to the "Bye." He was tried upon the "Main;" his trial "served for a whole act, and he played all the parts himself." Raleigh's trial lasted from eight in the morning till eleven at night. "He carried himself both so temperate in all his answers, and answered so wisely and readily to all objections, as it wrought both admiration in the hearers for his good parts and pity towards his person. His answers were interlaced with arguments out of divinity, humanity, civil law, and common law."* The only evidence produced against him was the wavering and partly contradictory confession of Cobham, together with a letter written by Cobham the day before, in which he accused Raleigh as the first mover of the plot. The points of treason laid in the indictment were these:—that Sir Walter Raleigh, with other persons, had conspired to kill the king,—to raise a rebellion, with intent to change religion and subvert the government,—and, for that purpose, to encourage and incite the king's enemies to invade the realm. The overt acts charged were, that, on the 9th of June, Sir Walter Raleigh had conferred with Lord Cobham about advancing Arabella Stuart to the crown of England; that it was then agreed between them that Lord Cobham should go to the King of Spain and the Archduke of Austria, in order to obtain from them six hundred thousand crowns for the purpose of supporting Arabella Stuart's title; that Arabella Stuart should write letters to the King of Spain, the Archduke, and the Duke of Savoy, and undertake with them these three things: Peace with Spain,—toleration of the Popish religion in England,—and to marry according to the King of Spain's will. The indictment further charged, that it was agreed that Cobham should return from the continent by Jersey, and there meet Sir Walter Raleigh (who had been allowed to retain the government of that island) to consult further as to the best means of working out the plot, and as to the public men and others who were to be bribed and bought with the six hundred thousand crowns; that, on the same 9th of June, Lord Cobham communicated the plot to George Brooke, who assented to it; that, on the 12th of June, Cobham and Brooke said, "that there never would be a good world in England till the king and his cubs were taken away;" that Raleigh delivered to Cobham a book written against the king's title to the crown; that Cobham, at the instigation of Raleigh, persuaded Brooke to urge Arabella Stuart to write the letters aforesaid; that, on the 19th of June, Cobham wrote letters to the Ambassador d'Aremberg for the advance of six hundred thousand crowns, and sent the letters by La Rensy; that d'Aremberg promised the money; and that then Cobham promised Raleigh that he would give him eight thousand crowns of it, and Brooke one thousand crowns.

To this indictment, which, indisputably, included many absurdities of the invention of James and the crown lawyers, Sir Walter pleaded not guilty. The king's serjeant, Heale, opened the points of the indictment: in the conclusion of his speech he said, with some simplicity, "as for the Lady Arabella, she hath no more title to the crown than I have; and, before God, I utterly renounce any." Raleigh smiled. The great Coke, as attorney-

* Cayley, Life of Raleigh.—Howell, State Trials.

† The party acquitted was Sir Edward Parham. Pirra is a nickname, or a misprint.

‡ Letter from Sir Dudley Carleton to Mr. John Chamberlain (in Hardwicke State Papers), dated November 27, 1603. See also Howell's State Trials.

* Michael Hicks to the Earl of Shrewsbury in Lodge, Illustrations.

general, then took up the case with excessive heat and bitterness. He began by describing the horrible intentions of the "Bye," among which he mentioned, *that the traitors had intended to make proclamation against monopolies.* "I pray you, gentlemen of the jury," said Raleigh, "remember I am not charged with the 'Bye,' which was the treason of the priests." "You are not," said Coke, "but it will be seen that all these treasons, though they consisted of several parts, closed in together, like Samson's foxes, which were joined in their tails though their heads were separated." After a deal of pedantry, and some punning, Coke, still connecting the prisoner with the "Bye," Raleigh asked what was the treason of the priests to him. "I will then come close to you," said Coke, "I will prove you to be the most notorious traitor that ever came to the bar: you are indeed upon the 'Main,' but you have followed them of the 'Bye' in imitation." He proceeded with increasing violence, charging Raleigh with things not in the indictment, calling him "a damnable atheist,"—a "spider of hell,"—"the most vile and execrable of traitors!" "You speak indiscreetly, barbarously, and uncivilly," said Raleigh. "I want words!" roared Coke, "I want words to express thy viperous treasons!" "True," replied the witty prisoner, "for you have spoken the same thing half a dozen times over already." In some parts of his remarkable defence Raleigh rose to a rare eloquence. "I was not so bare of sense," said he, "but I saw that if ever this state was strong and able to defend itself, it was now. The kingdom of Scotland united, whence we were wont to fear all our troubles; Ireland quieted, where our forces were wont to be divided; Denmark assured, whom before we were wont to have in jealousy; the Low Countries, our nearest neighbours, at peace with us; and, instead of *a lady whom time had surprised*, we had now an active king, a lawful successor to the crown, who was able to attend to his own business. I was not such a madman as to make myself, in this time, a Robin Hood, a Wat Tyler, or a Jack Cade. I knew, also, the state of Spain well,—his weakness, and poorness, and humbleness, at this time; I knew that he was discouraged and dishonoured. I knew that six times we had repulsed his forces, thrice in Ireland, thrice at sea, and once at Cadiz, on his own coast. Thrice had I served against him myself at sea, wherein, for my country's sake, I had expended, of my own properties, four thousand pounds. I knew that where before-time he was wont to have forty great sails at the least in his ports, now he hath not past six or seven; and, for sending to his Indies, he was driven to hire strange vessels, a thing contrary to the institutions of his proud ancestors, who straitly forbad, in case of any necessity, that the kings of Spain should make their case known to strangers. I knew that of five and twenty millions he had from his Indies, he had scarce any left; nay, I knew his poorness at this time to be such that the Jesuits, his imps, were fain to beg at the church doors; his pride so abated as, notwithstanding his former high terms, he was glad to congratulate the king, my master, on his accession, and now cometh creeping unto him for peace. Then, was it ever read or heard of that any prince should disburse so much money without sufficient pawn? And whoso knows what great assurances the King of Spain stood upon with other states for smaller sums will not think that he would so freely disburse to my Lord Cobham six hundred thousand crowns. And if I had minded to set the Lord Cobham to work in such a case, I surely should have given him some instructions how to persuade the King of Spain and answer his objections; for I know Cobham to be no such a *minor* as could persuade a king, who was in want, to disburse so great a sum without great reason and some assurance for his money. I know the Queen of England lent not her money to the States, but had Flushing, Brill, and other towns in assurance for it: she lent not money to France, but had Newhaven (Havre) for it. Nay, her own subjects, the merchants of London, did not lend her money without having her lands in pawn. What pawn had we to give the king of Spain? What did we offer him?"

Coke said that the Lord Cobham was "a good and honourable gentleman till overtaken by this wretch." Raleigh said that Cobham was "a poor, silly, base, dishonourable soul!" He produced a letter written to him by Cobham in the Tower, in which his lordship protested, upon his soul, and before God and his angels, that he never had conference with Raleigh in any treason, nor was ever moved by Raleigh to the things whereof he had accused him. But Coke produced the letter before alluded to, written by Cobham the day before the trial, and repeating his former accusations.* To this Raleigh replied, that Cobham had received a letter from his wife, telling him that there was no way of saving his life but by accusing his friend. He demanded that he and

* This letter was as follows:—"I have thought fit to set down this to my lords. Wherein I protest on my soul to write nothing but the truth. I am now come near the period of my time. Therefore I confess the whole truth before God and his angel. Raleigh, four days before I came from the Tower, caused an apple to be thrown in at my chamber window—the effect of it was to entreat me to right the wrong I had done him in saying that I should come home by Jersey—which, under my hand, I have retracted. His first letter I answered not, which was thrown in the same manner, wherein he prayed me to write him a letter, which I did. He sent me word that the judges met at Mr. Attorney's house, and that there was good hope the proceedings against us would be stayed. He sent me another time a little tobacco. At Aremberg's coming, Raleigh was to have procured a pension of 1500*l.* a year, for which he promised that no action should be against Spain, the Low Countries, or the Indies, but he would give knowledge beforehand. He told me the States had audience with the king. He hath been the original cause of my ruin; for I had no dealing with Aremberg but by his instigation. He hath also been the cause of my discontentment. He advised me *not to be overtaken with preachers, as Essex was;* and that the king would better allow of a constant denial than to accuse any." Upon this letter Coke commented in this manner.—"Oh, damnable atheist! he hath learnt some text of Scripture to serve his own purpose. He counselled him (Cobham) not to be counselled by preachers as Essex was. Essex died the child of God. God honoured him at his death; thou (Raleigh) wast present when he died. *Et lupus et turpes instant morientibus ursæ.* . . I doubt not but this day God shall have as great a conquest by this traitor, and the Son of God shall be as much glorified as when it was said *Vicisti, Galilæe.* You know my meaning."

his accuser should be brought face to face: he appealed to the statutes of Edward VI., which required two witnesses for the condemning a man to death on a charge of treason; and to the law of God, or the Jewish law, which made that number of witnesses necessary to prove any capital charge. "If," he said, "you proceed to condemn me by bare inferences, upon a paper accusation, you try me by the Spanish inquisition." At the end of another most eloquent speech, he exclaimed, "My lords, let Cobham be sent for: I know he is in this very house! I beseech you let him be confronted with me! Let him be here openly charged upon his soul,—upon his allegiance to the king,—and if he will then maintain his accusation to my face, I will confess myself guilty!" The Lord Chief Justice Popham assured him that the statutes of Edward VI., to which he had appealed, had been annulled in the reign of Philip and Mary, and that he must therefore be tried by the common law as settled by 25 Edward III., according to which one witness was sufficient, and the accusation of confederates or the confession of others full proof. To his prayer for producing Cobham in court, the crown lawyers paid no attention whatever, persisting in their denunciations and abuse with astounding volubility. But there was not a man less likely to submit easily to the common process of "being talked to death by lawyers:" he could talk with the best of them, and he fought them all, hard and firm, to the last. "I *will* have the last word for the king!" said Coke. "Nay, I will have the last word for my life!" replied the prisoner. "Go to!—I will lay thee upon thy back for the confidentest traitor that ever came to the bar!" cried Coke. Here Cecil, who, in many a court intrigue in the days of Elizabeth, had been the confederate of Raleigh, and who on this occasion had thought fit to make a decent show of moderation towards his victim, interfered, and told Coke that he was too harsh and impatient. "I am the king's sworn servant," retorted the attorney-general, "and must speak. You discourage the king's counsel, my Lord, and encourage traitors." And here Coke sat down in a chafe. In the end, the jury returned a reluctant verdict of guilty. Upon being asked, in the usual form, why judgment should not be passed against him, Sir Walter replied, with perfect self-possession, that he was innocent of that whereof Cobham

ANNE OF DENMARK, QUEEN OF JAMES I.

From a Painting by Cornelius.

had accused him; that he submitted himself to the king's mercy, and recommended to his majesty's compassion his wife and son of tender years, "unbrought up." The frightful sentence, with all its revolting details, was then pronounced. Sir Walter after this used no words to the court openly, but desired to speak privately with the Earl of Suffolk, the Earl of Devonshire, the Lord Henry Howard, and my Lord Cecil, whom he entreated to be suitors in his behalf to his majesty, that, in regard of the places of honour he had held, his death might be honourable and not ignominious. The lords promised to do their best for him: the court rose, and the undaunted prisoner was carried up again to the castle. Raleigh's conduct gained for him the admiration of his bitterest enemies, and, with the exception of the court cabal, which dreaded his wondrous wit and abilities more than ever, there was scarcely a man in the kingdom but would have become a petitioner for his pardon. "He answered with that temper, wit, learning, courage and judgment, that, save that it went with the hazard of his life, it was the happiest day that ever he spent. And so well he shifted all advantages that were taken against him, that were not *fama malum gravius quam res*, and an ill name half hanged, in the opinion of all men he had been acquitted. The two first that brought the news to the king were Roger Ashton and a Scotchman; whereof one affirmed, that never any man spoke so well in times past, nor would do in the world to come; and the other said that, whereas, when he saw him first, he was so led with the common hatred that he would have gone a hundred miles to have seen him hanged, he would, ere he parted, have gone a thousand to have saved his life. In one word, never was a man so hated and so popular in so short a time."*

The fair and accomplished Lady Arabella, whose name was repeatedly mentioned in the evidence against Raleigh, and who was soon to be far more hapless and helpless than the prisoner at the bar, was present at the trial. Cecil said that she, the king's near kinswoman, was innocent of all these things; only she received a letter from my Lord Cobham to prepare her, which she laughed at, and immediately sent it to the king. And the lord admiral (Charles Howard, Earl of Nottingham, formerly Lord Howard of Effingham), who was with the Lady Arabella in a gallery, stood up and said, that the lady, there present, protested, upon her salvation, that she never dealt in any of these things.† It is, indeed, generally admitted that she never entertained a hope or a wish of establishing her claim to the throne, and that she was perfectly innocent of any project or plot; yet there was one witness that spoke very grossly and rudely concerning her ladyship.* The Lords Cobham‡ and Grey were arraigned separately before a commission consisting of eleven earls and nineteen barons.† "Cobham," says an eye-witness, "led the way on Friday. . . . Never was seen so poor and abjected spirit. He heard his indictment with much fear and trembling, and would sometimes interrupt it, by forswearing what he thought to be wrongly inserted. . . . . He said he had changed his mind since he came to the bar; for whereas he came with an intention to have made his confession, without denying anything, now, seeing many things inserted in this indictment with which he could not be charged, being not able in one word to make distinction of many parts, he must plead to all not guilty."‡ He denied having had any design to set up the Lady Arabella, only saying that she had sought his friendship, and his brother Brooke had sought hers. He was all submission and meekness to his judges—all violence against his companions in misfortune. He laid all the blame of what had been done amiss upon Raleigh, exclaiming bitterly against him. He inveighed still more bitterly against his own brother, George Brooke, terming him a corrupt and most wicked wretch, a murderer, a very viper. He accused young Harvey, the son of the lieutenant of the Tower, of having carried letters between him and Raleigh during their confinement, and said that the last letter which had been produced on the trial was the one that contained the truth. "Having thus accused all his friends, and so little excused himself, the peers were not long in deliberation what to judge; and, after sentence of condemnation given, he begged a great while for life and favour, alleging his confession as a meritorious act."§ To obtain favour, he represented that the king's father was his godfather, and that his own father had suffered imprisonment for the king's mother.‖ During the trial the Lord Chancellor Ellesmere, Cecil, and others declared more than once, as from the king, that he would not allow of any toleration in religion, though it should be at the hazard of his crown.¶ The Puritan lord was far more manly. "Grey, quite in another key, began with great spirit and alacrity, spake a long and eloquent speech. . . . He held them the whole day, from eight in the morning till eight at night; but the evidence was too perspicuous." They had condemned the coward without hesitation, but they hesitated long ere they would give their verdict

* Sir Dudley Carleton, in Hardwicke State Papers.—By connecting him with papists, and particularly with Spanish papists, the government took the sure course to render him odious to the mass of the nation, but Raleigh laboured under a great weight of unpopularity on account of his indefensible conduct towards the unfortunate Essex, wherein he was allied with Cecil, who now sought his life. "It is almost incredible with what bitter speeches and execrations he was exclaimed upon all the way he went through London and towns as he went; which general hatred of the people should be to me more bitter than death; which they say he neglected and scorned as proceeding from base and rascally people. They threw tobacco-pipes, stones, and mire, at him, as he was carried in the coach."—*Letter of Michael Hickes to the Earl of Shrewsbury, in Lodge's Illustrations.*

† Lodge, Illustrations.

* Lodge.

† "The Duke of Lennox, the Earl of Marr, and many Scottish lords stood as spectators, and of our ladies, the greatest part, as the Lady Nottingham, the Lady Suffolk, and *the Lady Arabella, who heard herself much spoken of these days.*"—Sir Dudley Carleton.

‡ Sir Dudley Carleton.

§ Id.

‖ Michael Hickes, in Lodge's Illustrations.

¶ Id.

against this brave young man; "and most of them strove with themselves, and would fain, as it seemed, have dispensed with their consciences to have showed him favour."* When the Lords had given their verdict, and he was asked in the usual form why sentence of death should not be pronounced, these were his only words:—"I have nothing to say;"—here he paused long;—"and yet a word of Tacitus comes in my mind—*Non eadem omnibus decora:* the House of the Wiltons hath spent many lives in their prince's service, and Grey cannot beg his. God send the king a long and prosperous reign, and to your lordships all honour!"† The only favour he asked was, that he might be attended by a divine of his own persuasion.‡ King James was not a sovereign of sufficient magnanimity to admire this high bearing. The coward Cobham was considered on the surest side, for he was thought least dangerous, and Cecil undertook to be his friend. Every one thought that Grey and Raleigh would assuredly die. "It was determined" (to use the unfeeling language of a contemporary) "that the priests should lead the dance;" and, on the 29th of November, Watson and Clarke were executed at Winchester. They "were very bloodily handled; for they were both cut down alive; and Clarke, to whom more favour was intended, had the worse luck; for he both strove to help himself, and spake after he was cut down. They died boldly, both; and Watson (as he would have it seem) willingly—wishing he had more lives to spend, and one to lose for every man he had by his treachery drawn into this treason. Clarke stood somewhat upon his justification, and thought he had hard measure, but imputed it to his function as a Catholic priest, and therefore thought his death meritorious, as a kind of martyrdom."§ Except among a few Papists, who were careful to conceal their emotions, the fate of these men excited no sympathy—their atrocious execution (their bowels were torn out while yet alive) no horror, no disgust among the spectators! On the 5th of December Cobham's brother, George Brooke, who had been "persuaded to die well," by the Bishop of Chichester,‖ sent from the court for that purpose, was brought to the scaffold also at Winchester; but *he* was merely beheaded like a gentleman, and was pitied by the people.¶ His last words, with other circumstances, go to confirm the suspicion that Brooke had been first employed by, and then abandoned by Cecil, to whom (as Clarendon has said of him) "it was as necessary there should be treasons as it was for the state to prevent them." By the king's orders, the Bishop of Chichester went from the bleeding body of Brooke to his brother, the Lord Cobham; and, at the same time, the Bishop of Winchester was sent to Raleigh; "*both* by express order from *the king;* as well to prepare them for their ends, as to bring them to liberal confessions. . . . The Bishop of Chichester had soon done what he came for—finding in Cobham a readiness to die well; with purpose at his death to affirm as much as he had said against Raleigh: but the other bishop had more to do with his charge; for though, for his conscience, he found him (Sir Walter) well settled, and resolved to die a Christian and a good Protestant, touching the point of confession he found him so straight-laced, that he would yield to no part of Cobham's accusation; only a pension, he said, was once mentioned, but never proceeded in."* Lord Grey, who was also told to prepare for death, was left alone with his Puritan preacher, without being comforted, or troubled, by any bishop of the king's sending: he was devout, and spent much time in praying; but so careless was he "in regard of that with which he was threatened that he was observed neither to eat or sleep the worse, or be any ways distracted from his accustomed fashions."† Markham was told he should likewise die; but he was so assured by secret messages from some friends at court, that he would not believe it. The lords of the council, or some of them, advised the king, as he was in the beginning of his reign, to show examples of mercy as well as of severity; "but some others, led by their private spleen and passions, drew as hard the other way; and Patrick Galloway, in his sermon, preached so hotly against remissness and moderation of justice, in the head of justice, as if it were one of the seven deadly sins." James let the lords know that it became not them to be petitioners for mercy; but he told Galloway, or those who, taking the fanatic cue, pressed for immediate execution, that he would go no whit the faster for their driving.‡ He was revelling in the delights of a maze and mystery the clearing up of which, he fancied, would impress his new subjects with a wonderful notion of his dexterity and genius. Men knew not what to think; but from the care he seemed to take to have the law take its course, and the executions hastened, the friends and relatives of the prisoners concluded that there could be no hope of mercy. He signed the death-warrants of Markham, Grey, and Cobham, on Wednesday; and on Friday—"a fouler day could hardly have been picked out, or one fitter for such a tragedy,"§ at about ten o'clock, Markham was brought to the scaffold, and allowed to take a last farewell of his friends, and

* Sir Dudley Carleton. All reports of the trial agree in praising the courage and eloquence of Grey of Wilton. Some notes of his speech are still to be seen in the State Paper Office. Mr. Jardine says, "It is an excellent speech, and replete with good sense and high feeling."—*Criminal Trials.*

† Id.

‡ He asked for the celebrated Puritan preacher Travers, the antagonist of Hooker, if his life were spared two days; for one Field, whom he thought to be near, if he was to die presently. "There was great compassion had of this gallant young lord; for so clear and fiery a spirit had not been seen by any that had been present at like trials. Yet the lords steward condemned his manner much, terming it Lucifer's pride, and preached much humiliation; and the judges liked him as little, because he disputed with them against their laws."—*Sir Dudley Carleton.*

§ Id.

‖ Dr. Barlow, who had also been sent to attend the Earl of Essex in his last moments.

¶ Stow tells a curious story of a quarrel on the scaffold about the dying man's clothes. "He was apparelled in a black damask gown, a suit of black satin, with a wrought nightcap. His gown being taken off it was delivered to the sheriff's man, but the headsman demanded it, and being denied it, he made answer, that unless he had it, the sheriff should execute the office himself."—*Annals.*

† Sir Dudley Carleton. † Id. ‡ Id. § Id.

to prepare himself for the block. But, when the victim had suffered all that was most painful in death, one John Gib, a Scotch groom of the bedchamber, secretly withdrew the sheriff for a while; whereupon the execution was stayed, and Markham left upon the scaffold, to his own wretched thoughts. The sheriff, returning at last, told him, that as he was so badly prepared, he should have two hours' respite to make his peace with Heaven; and so led him from the scaffold without giving him any more comfort, and locked him up by himself. The Lord Grey, whose turn was next, was led to the scaffold by a troop of young noblemen, and was supported on both sides by two of his best friends. He had such gaiety and cheer in his countenance, that he looked like a young bridegroom. In front of the block he fell upon his knees, and prayed with the fervency and zeal of a religious spirit for more than half an hour, when, as he was ending, and was expecting the signal to stretch his neck under the axe, the sheriff suddenly told him he had received commands from the king to change the order of the execution, and that the Lord Cobham was to go before him. And thereupon Grey was likewise removed from the scaffold and locked up apart; "and his going away seemed more strange unto him, than his coming thither . . . .: neither could any man yet dive into the mystery of this strange proceeding." While the people were lost in amazement, the third prisoner was led up to the block. "The Lord Cobham, who was now to play his part, and who, by his former actions promised nothing but *matière pour rire*, did much cozen the world; for he came to the scaffold with good assurance, and contempt of death. . . . Some few words he used, to express his sorrow for his offence to the king, and crave pardon of him and the world; for Sir Walter Raleigh he took it, upon the hope of his soul's resurrection, that what he had said of him was true." He would have taken a farewell of the world, when he was stayed by the sheriff, and told that there was something else to be done,—that he was to be confronted with some other of the prisoners, naming no one. And thereupon Grey and Markham were brought back, separately, to the scaffold, each believing that his companions were already executed: they were nothing acquainted with what had passed any more than were the spectators with what should follow, and they looked strange and wildly one upon the other, "like men beheaded and met again in the other world." "Now all the actors being together on the stage (as use is at the end of a play), the sheriff made a short speech unto them, by way of interrogatory, of the heinousness of their offences, the justness of their trials, their lawful condemnation, and due execution there to be performed; to all which they assented: then, said the sheriff, see the mercy of your prince, who of himself hath sent hither the countermand, and given you your lives. There was then no need to beg a *plaudite* of the audience, for it was given with such hues and cries that it went from the castle into the town, and there began afresh." Raleigh, who had a window in his prison opening upon the castle green, the scene of these strange doings, was hard put to it to beat out the meaning of the stratagem. His turn was to have come on the Monday following; but the king gave him pardon of life with the rest, and ordered him to be sent with Grey and Cobham to the Tower of London, there to remain during his royal pleasure.* The lively letter-writer, from whom we have borrowed these details, says, that no one could rob the king of the praise of the action; for the lords of the council knew nothing about it, but expected that execution was to go forward till the very last moment, when his majesty called them before him, and told them "how much he had been troubled to resolve in this business; for to execute Grey, who was a noble, young, spirited fellow, and save Cobham, who was as base and unworthy, were a manner of injustice: to save Grey, who was of a proud insolent nature, and execute Cobham, who had showed great tokens of humility and repentance, were as great a solecism; and so went on with Plutarch's comparisons in the rest, still travelling in contrarieties, but holding the conclusion in so indifferent balance, that the lords knew not what to look for till the end came out—*and therefore I have saved them all.*" But one thing had like to have marred the play; for the respite was closed and sealed, and delivered to John Gib, the Scottish messenger, *without the royal signature.* James, however, remembered this himself, called the messenger back, and signed the paper. But this made it Thursday at noon before the messenger took the road to Winchester, and the prisoners were ordered for execution on the next morning. A lame horse, a lost shoe, a fall, and many another little accident, might have caused the messenger, who had three men's lives in his pocket, to arrive too late. It appears, in fact, that he did not reach Winchester till the fatal hour; and there, "there was another cross adventure; for John Gib, who was little known, could not get so near the scaffold that he could speak to the sheriff, but was thrust out amongst the boys, and was fain to call out to Sir James Hayes;† or else Markham (who had been brought up to the block) might have lost his head."‡ It is not without reason, that a recent writer exclaims—"What a government, with the penal justice of the nation in such hands, and the lives of men at the hazard of such sad buffooneries!"§ The sapient James, however, congratulated himself on the effect produced by his wonderful sagacity. Many persons had disbelieved Cobham's confession—some had even doubted whether there had been any serious plot at all, be-

* Sir Dudley Carleton, Letters to Mr. John Chamberlain in Hardwicke State Papers. The editor of this important work says—"There are in the Salisbury Collection several letters from these prisoners during their confinement, which probably would throw light on their respective cases, *if they were published.*"

† Or Hay, one of the Scottish favourites, afterwards Earl of Carlisle.

‡ Sir Dudley Carleton.

§ Continuation of Sir James Mackintosh, Hist. Eng.

yond a design on Raleigh's part to get money from the court of Spain, for promoting a favourable treaty of peace; but now they had heard Cobham repeat his confession in sight of the axe;* and though in the case of state prisoners many dying speeches had been notoriously false, men were still disposed to give great weight and credit to such orations and depositions. Unfortunately, however, James did not derive all the advantage from the proceeding that he had expected; for, upon reflecting on the bold carriage of the pusillanimous Cobham, who had never been brave before, there were some who were led to suspect that he, at least, was in the king's secret, and had a promise of life when he made his last dying speech on the scaffold. It should be remembered, however, that Cobham was neither the first nor the last coward that could die with firmness—that found, when death was near and inevitable, that it was stripped of many of those terrors which had agonized the imagination at other seasons. At least nothing more positive than a doubt ought to be entertained on this, as on several other points of the perplexing story. The laborious Rushworth, who wrote near the time, confesses that it was "a dark kind of treason," and that in his days the veil still rested upon it; nor has this veil been removed by the hypotheses of modern writers or the few contemporary documents that have been brought to light since Rushworth's time. If it had not been for the "reason of state," and the diplomatic etiquette which prevented the court from pressing hard upon the Spanish ambassador and other ministers, and from producing their letters and the documents in which they were implicated, we might have been better able to form an opinion.†

The king took possession of the estates of the conspirators, but for some time refused to give away any of their lands to his covetous courtiers. Lord Cobham, whose understanding did not improve under imprisonment and poverty, was, after some few years, rather suffered to stray out of his prison in the Tower than released in form: he did not wander far; a beggar, and an object of contempt, he found an asylum in a miserable house in the Minories, belonging to one who had formerly been his servant, and upon whose charity he meanly threw himself. There, in a wretched loft, accessible by means of a ladder, he died, probably of starvation, in 1619, the year after the bloody execution of Raleigh. The Lord Grey was more closely looked to; and he died a prisoner in the Tower in 1614. Raleigh remained in the same fortress till the month of March, 1615, when we shall meet him again, daring and enterprising as ever. Markham, Brooksby, and Copley, were banished the kingdom. Markham retired to the Low Countries, where, to rescue himself from indigence, he became a spy to Sir Thomas Edmonds, an intriguing courtier, and cunning diplomatist, who rose to eminence under the patronage of Cecil and the Earl of Shrewsbury.*

In declaring that he would allow of no toleration, James pledged himself to become a persecutor; and there were men about him disposed to urge him to a rigid enforcement of the penal statutes, both against Catholics and Puritans. The former, knowing their weakness, were silent; but the Puritans soon drew up what they called their "millennary petition;"† wherein they called for reformation of certain ceremonies and abuses in the church, and for *a conference*. The latter was the sort of thing that James, who deemed himself the most learned and perfect of controversialists, loved above all others. To his ears there was no music in the shrill trump, the spirit-stirring drum, the ear-piercing fife; but he enjoyed the thumping of thick folios of dusty divinity, the eager voices of polemics, and disputation, for disputation's sake, particularly when, as on the present occasion, he was sure to have the better of the disputants, whatever he had of the argument. He had, besides, a long-standing debt to square with the Puritans, who had not merely been a main cause of his unhappy mother's defamation and ruin—this he might have overlooked—but they had also set his authority at nought, contradicted him and pestered him from his cradle till his departure for England, and had made him drain the cup of humiliation to its very dregs. He had been obliged to fall in with their views of church government, to conform to their gloomy creed; and, as he must be doing, he had at one time taken up the pen to proclaim them the only church of Christ, and had delivered to them studied orations in praise of their orthodoxy and godliness: but now he no doubt hated them the more for those forced exercises of his wit which he had considered as things necessary to prop him on his throne. In the general assembly at Edinburgh, in 1590, "he stood up with his bonnet off, and his hands lifted up to heaven, and said, he praised God, that he was born in the time of the light of the gospel, and in such a place, as to be king of such a church, the sincerest (purest) kirk in the world." "The church of Geneva," continued the royal orator, "keeps pasch and yule (Easter and Christmas); what have they for them? They have no institution. As for our neighbour kirk of England, their service is an evil-said mass in English; they want nothing of the mass but the liftings. I charge you, my good ministers, doctors, elders, nobles, gentlemen, and barons, to stand to your purity, and

* Cecil said that the king's object was to see how far Cobham, at his death, would make good his accusations of Raleigh.

† Beaumont, the French ambassador, told his court, in one of his dispatches, that in the month of August a Scotchman had been taken at Dover, on his return from Brussells, whither he had carried a packet from d'Aremberg, written upon his conference with Lord Cobham. And Beaumont further stated that the English court "were satisfied that d'Aremberg had encouraged the plot, not only from the Scotchman's confession, but from two original letters of d'Aremberg's, which the king showed to M. de Beaumont; and that he (the ambassador) was perfectly satisfied of Raleigh's guilt by various circumstances and relations upon which he could absolutely depend, and by the knowledge he had of his and Cobham's designs, from the proposals made to himself and Sully, and their correspondence in France."—Dispatches, quoted by Carte.

* Howell, State Trials.—Jardine, Crim. Trials.—Weldon.—Wilson.—Stow.—Hardwicke State Papers.—Cayley, Life of Raleigh.—Oldys.

† In allusion to its having nearly a thousand signatures of clergymen attached to it. The exact number was eight hundred.

to exhort the people to do the same; and I, forsooth, as long as I brook my life, shall maintain the same."* From the year 1596, however, James had gone upon a directly opposite tack in ecclesiastical matters. In 1598, as has been related in the preceding Book, he had completely changed the constitution of the Scottish church, by appointing certain of the clergy to hold seats in parliament, which was in substance nothing else than making bishops of them, although he found it convenient to declare at the time that "he minded not to bring in papistical or Anglican bishops." The whole course of his policy as to ecclesiastical matters from this time forward tended to transform the Scottish establishment from a Presbyterian to an Episcopalian church. In 1599 he wrote and published for the instruction of his son Prince Henry, his "Basilicon Doron," a master-piece of pedantry, a model of abuse, against the Puritans and the whole church polity of Scotland! Nothing, he said, could be more monstrous than parity or equality in the church;—nothing more derogatory to the kingly dignity than the independence of preachers. Therefore he advises his son "to take heed to such Puritans, very pests in the church and commonwealth, whom no deserts can oblige—neither oaths nor promises bind,—breathing nothing but sedition and calumnies, aspiring without measure, railing without reason, and making then own imaginations (without any warrant of the word) the square of their conscience." "I protest before the Great God," he continued, "and since I am here upon my testament, it is no place for me to lie in, that ye shall never find with any highland or border thieves, greater ingratitude, and more lies and vile perjuries, than with these fanatic spirits; and suffer not the principal of them to brook your land, if ye list to sit at rest; except ye would keep them for trying your patience, as Socrates did an evil wife."†

These were the real sentiments of James; but the English bishops had neither a perfect confidence in his steadiness of purpose, nor a full acquaintance with his feelings, and for a while he kept them in an uncomfortable state of suspense. Like the chief personages in the tragi-comedy at Winchester, Markham, Cobham, and Grey, who did not know but that they were to be beheaded, the bishops, almost to the last moment, did not know but that their system would be overthrown. In their anxiety they implored for a private conference with the king, who, even then, is said to have played the Puritan, and to have carried this humour so far that the prelates threw themselves on their knees before him, and entreated him neither to alter the church government, nor give the Dissenters victory in the disputation about to be held, lest the Popish recusants should say that they had just cause to insult them as men who had travailed to bind them to that which was now confessed to be erroneous. On the 14th of January, 1604, James held his first field-day in his privy chamber at Hampton Court. On the one side were arrayed nearly twenty bishops and high dignitaries of the established church, the lords of the privy council, and sundry courtiers, all determined to applaud to the skies the royal wisdom and learning: on the other side were only four reforming preachers—Doctors Reynolds and Sparks, professors of divinity at Oxford; and Knewstubs and Chatterton, of Cambridge: the king sate high above them all "proudly pre-eminent," as moderator. On the first day the learned doctors did not enter upon the real controversy, but, after a day's rest, they met again on the 16th, when the Puritans proceeded roundly to business, beginning by demanding, among other things, that the Book of Common Prayer should be revised; that the cap and surplice, the sign of the cross in baptism, baptism by women, confirmation, the use of the ring in marriage, the reading of the Apocrypha, the bowing at the name of Jesus, should all be set aside; that non-residence and pluralities in the church should not be suffered, nor the commendams held by the bishops; that unnecessary excommunications should cease, as also the obligation of subscribing to the Thirty-Nine Articles. The bishops chose to make their chief stand upon the ceremonies, the Book of Common Prayer, and the Articles; and London and Winchester, assisted by some of the deans, spoke vehemently and at great length. Then, without listening to the four Puritans, James himself took up the argument, and combated for the Anglican orthodoxy, in a mixed strain of pedantry, solemnity, levity, and buffoonery. He talked of baptism, public and private, of confirmation, of marriage, of excommunication, and absolution, which latter he declared to be apostolical and a very good ordinance. But, as it has been remarked, it would be endless to relate all he said, for he loved speaking, and was in his element whilst disputing. In the heat of his argument he treated St. Jerome very disrespectfully, for saying that bishops were not by divine ordination, closing his speech with this short aphorism:—"No bishop, no king." When he was tired, Dr. Reynolds was allowed to talk a a little. The doctor stated his objections to the Apocrypha, which was ordered to be read by the Book of Common Prayer, and particularly to the book of Ecclesiasticus. James called for a Bible, expounded a chapter of Ecclesiasticus in his own way, and then turning to his applauding lords, said, "What trow ye make these men so angry with Ecclesiasticus? By my soul, I think Ecclesiasticus was a bishop, or they would never use him so." The bishops smiled decorously—the courtiers grinned. In answer to a question started by the abashed and browbeaten Puritans—How far an ordinance of the church could bind without impeaching Christian liberty? he said "he would

* Calderwood, Hist. of Church of Scotland.

† King James's Works. He afterwards said to his English bishops and courtiers—"I will tell you I have lived among this sort of men (Puritans or Presbyterians) ever since I was ten years old; but I may say of myself, *as Christ said of himself*, though I lived among them, yet, since I had ability to judge, I was never of them."

not argue that point, but answer therein as kings are wont to do in parliament, *le roy s'avisera*, adding withal, that the query smelled very rankly of Anabaptism." And then he told a story about Mr. John Black, a Scottish preacher, who had impudently told him that matters of ceremony in the church ought to be left in Christian liberty to every man. "But," added James, "I will none of that; I will have one doctrine and one discipline—one religion, in substance and in ceremony." It would have been policy to act and speak as if from a spiritual conviction that Episcopacy was preferable to Presbytery, and essential to salvation; but, as has been observed, James was all his life rather a bold liar than a good dissembler;* and he soon let out the very worldly motives of his preference, which had their roots in his high notions about the royal prerogative and supremacy. "If," he said, "you aim at a Scottish Presbytery, it agreeth with monarchy as God with the devil. Then Jack, and Tom, and Will, and Dick shall meet, and at their pleasure censure me, and my council, and all our proceedings. Then Will shall stand up and say, It must be thus: then Dick shall reply and say, Nay, marry but we will have it thus; and, therefore, here I must once more reiterate my former speech, and say, *le roy s'avisera.*" Reynolds was esteemed one of the acutest logicians and most learned divines then in the kingdom, but James treated him in this manner:—"Well, Doctor, have you anything more to say?" The Doctor, who had been constantly interrupted and insulted, replied, "No, please your majesty." Then the king told him, that if he and his fellows had disputed thus lamely in a college, and he, the king, been moderator, he would have had them fetched up and flogged for dunces; that, if this was all they could say for themselves, he would have them conform, or hurry them out of the land, or else do worse. On the morrow of this glorious day James rested from his labours. On the morning of the 18th he again assembled the bishops, and deans, and lords of the council; but the dissenting divines were not admitted till a late hour, and then not to renew the disputation, but only to implore that conformity should not be enforced till after a certain interval. James granted their request, dismissed them, and gloried in the victory he had obtained. The bishops and courtly ministers had not waited for the *finale* to shower down their plaudits. Bancroft, Bishop of London, throwing himself on his knees in a paroxysm of gratitude and adoration, had protested during one of the acts, "that his heart melted with joy, and made haste to acknowledge unto Almighty God the singular mercy in giving them such a king, as, since Christ's time, the like had not been."† Whitgift, the primate, without falling upon his knees, exclaimed, that undoubtedly his majesty spake by the special assistance of God's spirit. And that the laity might not be left all behind, the Lord Chancellor Ellesmere said, that the king and the priest had never been so wonderfully united in the same person; and the temporal lords generally avouched his majesty's speeches as proceeding from the spirit of God, and from an understanding heart.* This was pretty well! but not the most grateful of bishops, nor the most servile of courtiers, could praise James more than James praised himself. "I peppered them soundly," said he; "they fled me from argument to argument like schoolboys." And he soon after wrote a most conceited letter to one Blake, boasting of his own superior logic and learning. In his wisdom, however, and of his own prerogative, without consulting either the bishops or parliament, he thought proper to make a few slight alterations in the Book of Common Prayer and the church service; but this step irritated or afflicted the high churchmen, without reconciling any of their opponents to their discipline. Shortly after the conference he put forth a proclamation commanding all ecclesiastical and civil officers strictly to enforce conformity, and admonishing all men not to expect nor attempt any further alteration in the church.† Some months later, when he was hunting near Newmarket, a deputation of Puritan ministers waited upon him to present a petition for further time that their consciences might be better satisfied. According to his courtiers, he again argued the matter very fully, and put them to a *non-plus.*‡

But the king loved hunting as much as he loved polemics, and a proclamation was devised, that none should come to him on hunting days—which days of sport occupied one half of James's year! He had already enjoined the bishops to proceed against all their clergy who did not conform and observe his orders. Whitgift died—some said of mortification at the king's interference—and Bancroft, who succeeded him in the primacy, wanted no royal spur to urge him on in the paths of persecution and severity. Three hundred clergymen were driven from their livings to poverty—some to wander in foreign countries, some to suffer with their wives and children absolute want at home. Ten leading men of those who had presented the millenary petition were arrested; the judges declared, in the Star Chamber, that theirs was an offence fineable at discretion and very near to treason and felony, as it tended to sedition and rebellion; and they were all committed to prison. Spies, such as had been trained to the work in hunting down Papists and private masses, found their way to prayer-meetings and secret conven-

* Mr. Hallam, Const. Hist.

† Bancroft had been on his knees before, to beseech his majesty "to stop the mouth of a schismatic."

* "The king talked much Latin, and disputed with Dr Reynolds at Hampton; but he rather used upbraidings than arguments, and told the petitioners that they wanted to strip Christ again; and bid them away with their snivelling.....The bishops seemed much pleased, and said his majesty spoke by the power of inspiration. I wist not what they mean; but the spirit was rather foul mouthed."—*Harington, Nugæ Ant.*

† Fuller, Church Hist.—Howell, State Trials.—Barlow (Bishop of Chichester), in Phœnix Britannicus.—Rymer.—Winwood.—Harington, Nug. Ant.—Hearne, Titus Livius.—Calderwood.—Neale, Hist. Puritans.

‡ Letter of the Earl of Worcester, in Lodge's Illustrations.

ticles; and the gaols of the kingdom soon began to be crowded with unlicensed preachers. The Puritans soon added to a contempt of the king's person a hatred of the whole system of government. Still, however, they were as distant as ever from any notion of toleration; and when James proceeded to a still more cruel persecution of the Catholics, they only complained that he was not sharp and rigorous enough. Even while smarting themselves under the iron rod of a despotic church, they did not conceal that their wish and object was to get the rod into their own hands, that they might enforce upon all a strict conformity to their own peculiar doctrines.

It was scarcely to be expected, notwithstanding their great loss of spirit, that James would face an English parliament so bravely as a few intimidated preachers. The pestilence was for many months a sufficient reason for not calling one; and his first parliament was not assembled till the 19th of March, 1604, or until he had been nearly a year on the throne. There were probably few people in England or anywhere else, that had taken the pains to read his pedantic writings; but those who had done so must have known that he had expressed the greatest contempt for all parliaments. In his discourse 'On the True Law of Free Monarchies, or the Reciproque and Mutual Duty betwixt a Free King and his Natural Subjects,' which had been printed in Scotland some years before, he had stated in the broadest terms, that the duty of a king was to command—that of a subject to obey in all things; that kings reigned by divine right, and were raised by the Almighty above all law; that a sovereign might daily make statutes and ordinances, and inflict such punishments as he thought meet, without any advice of parliament or estates; that general laws made publicly in parliament might, by the king's authority, be privately mitigated or suspended upon causes known only to himself; and that, "although a good king will frame all his actions to be according to the law, yet he is not bound thereto, but of his own will and for example-giving to his subjects." Even in his proclamation for calling together this, his first parliament, he studiously put forth his lofty notions about the prerogative, and schooled his subjects as to the representatives whom they were to choose. For several reigns—certainly under all the princes of the Tudor dynasty—the court had constantly interfered with the freedom of elections; but they had done so with address, and had not made any pedantic exposition of the thing as a fixed principle of government. James, on the contrary, was ostentatious: he ordered that if any returns of members were found to be made contrary to the instructions contained in this his proclamation, the same should be rejected as unlawful and insufficient, and the cities or boroughs fined for making them; and any person, knight, citizen, or burgess elected contrary to the purport, effect, and true meaning of the proclamation, should be fined and imprisoned. The electors were commanded to avoid "all persons noted in religion for their superstitious blindness one way, or for their turbulent humour otherways"—that is, they were to elect neither Catholics nor Puritans. But, in spite of king and proclamation, this parliament swarmed with Puritans, who had naturally more courage and confidence than their four baited preachers at Hampton Court. Indeed, the Commons met him on their threshold with a debate about privilege. At the election for Buckinghamshire—that county by a series of curious circumstances so distinguished in the struggle between the people and the Stuarts—Sir Francis Goodwin had been chosen in preference to Sir John Fortescue, the court candidate and a privy councillor; and the writ had been duly returned into Chancery. Goodwin, some years before, had been outlawed; his return was, therefore, sent back to the sheriff as contrary to the late proclamation; and, on a second election, Sir John Fortescue was chosen. But the Commons objected to these proceedings, and, after a full hearing of the case, voted that Goodwin was lawfully elected and returned, and that *he ought* to take his seat, and *not* Fortescue. The Lords, by the mouth of Sir Edward Coke and Dr. Hone, requested that the matter might be discussed in a conference between the two Houses, "first of all before any other matters were proceeded in." The Commons replied with spirit, that they conceived it did not stand with the honour of their House to give any account of their proceedings and doings. The Lords rejoined, through Coke, that, they having acquainted his majesty with the business, his highness "conceived himself engaged and touched in honour that there might be some conference of it between the two houses." Upon this message the Commons sent their Speaker and a good number of their members to wait upon the king, to explain why they could not confer with the lords on any such subject. James was greatly chagrined; he insisted that they ought not to meddle with the returns, and directed them to confer with the judges. The Commons, after a warm debate, unanimously agreed not to have a conference with the judges; but they drew up a written statement, in reply to his majesty's objections, and sent the paper to the lords, requesting them to deliver it to the king and be mediators with his majesty in their behalf. This was moderate enough. James, who liked to do things in an odd way, sent privately for the Speaker, and told him that he was now much puzzled as to the merits of the case; but after some logical splitting of straws, he *commanded*, "as an absolute king," that there might be a conference between the house and the judges. When the Speaker delivered this message "there grew some amazement and silence." But at last one stood up and said: "The prince's command is like a thunderbolt; his command upon our allegiance like the roaring of a lion! To his command there is no contradiction; but how or in what manner we should proceed to perform obe-

dience, that will be the question." It was at length resolved to confer with the judges in presence of the king and council, and the Commons named a select committee for the purpose. In this conference the king, after some wheedling, gently suggested that both Goodwin and Fortescue should be excluded, and a new writ issued. The Commons, who had been disputing the point for nearly three weeks, accepted the compromise with joy, being anxious "to remove all impediments to their worthy and weighty causes." This joy, however, was not universal; and some members said that, by giving up Goodwin's election, they had drawn on themselves the reproach of incongruity and levity. But James felt as if they had gained a victory over his absolute prerogative, and, in the course of the session, he was vexed by other demonstrations.* The Commons instituted an inquiry into monopolies, which, in spite of James's proclamation, seem to have flourished as much as, or more than, ever. They also attacked the monstrous abuses of purveyance, and the incidents of feudal tenure, by which, among other things, the king became guardian to wards, and received the proceeds of their estates till they came of age, without accounting for the money. The Commons asserted that, notwithstanding the six and thirty statutes which had been made to check the evil, the practice of purveyance was enforced by the Board of Green-Cloth, who punished and imprisoned on their own warrant; that the royal purveyors did what they list in the country, seizing carts, carriages, horses, and provisions; felling trees without the owners' consent, and exacting labour from the people, which they paid for very badly, or not at all. On the subject of wardships they were equally cogent, and the disgust at this lucrative tyranny was increased by the popular belief that Cecil derived a good part of his enormous income from this particular branch of the prerogative. This grievance, with others, was referred to a committee, in which the rising Francis Bacon played a conspicuous part, trying to unite the opposite characters of a patriot and courtier, a reformer and sycophant. Speaking before the king in council, he said that the king's was the voice of God in man,—the good spirit of God in the mouth of man. But in the House of Commons he could speak boldly of the abuses of government and the sufferings of the people. The Lords refused to go with the Commons, and, in the end, and by their advice, the matter was dropped as premature, and somewhat unseasonable in the king's first parliament. None of the other proposed reforms were carried, or even pushed; but as the court did not seem inclined to yield anything, the Commons resolved not to be over generous with the people's money. They passed the usual bill, granting tonnage and poundage for the king's life, and there they stopped, without hunting at any further supplies. James, though in great want of money, was anxious to preserve his dignity, and apprehending that a demand on his part would be met with a flat refusal, he sent down a message to the Commons, *begging them not to enter upon the business of a subsidy.* The Commons having a fearful eye to a relapse into Popery, urgently pressed for execution of the penal statutes against Catholics. As the bishops, into whose arms James had thrown himself, united with the Puritans in these demands, no opposition was encountered, and the rivalry of the two divisions of Protestants increased the severity of the existing laws. On the 7th of July the parliament was prorogued to the 7th of February of the following year.

Meanwhile the new king spent most of his time in hunting, his love of field-sports increasing with his means of gratifying it. Whitehall, London, the scenes of business and ceremony, were all deserted for Royston and Newmarket. The affairs of the state might wait, but James would not lose his sport. Men first wondered, and then began to complain and to satirise. Towards the end of the year "a reasonable pretty jest" was played off at Royston. "There was one of the king's special hounds, called Jowler, missing one day. The king was much displeased that he was wanted; notwithstanding, went a hunting. The next day, when they were on the field, Jowler came in amongst the rest of the hounds; the king was told of him, and was very glad; and, looking on him, spied a paper about his neck, and in the paper was written: 'Good Mr. Jowler, we pray you speak to the king (for he hears you every day, and so doth he not us) that it will please his majesty to go back to London, for else the country will be undone: all our provision is spent already, and we are not able to entertain him longer.' It was taken for a jest, and so passed over, for his majesty intends to lie there yet a fortnight."* Except the Earl of Worcester, none of the council,—no not a clerk of the council nor privy signet,—was with his majesty the while. A little later, Matthew Hutton, Archbishop of York, in writing to Cecil, then Lord Cranborne, against Papists and recusants, took the liberty to offer some advice about the king's long absences. "I confess," says the prelate, "that I am not to deal in state matters, yet, as one that honoureth and loveth his most excellent majesty with all my heart, I wish less

* At their first meeting, the Commons, who were fully aware of James's high pretensions, took care to tell him, by the mouth of their Speaker, that he could not be a law-giver by himself,—"that new laws could not be instituted, nor imperfect laws reformed, nor inconvenient laws abrogated by any other power than that of the high court of parliament,—that is, by the agreement of the commons, the accord of the lords, and the assent of the sovereign." And at the end of the session they told him,—"Your majesty would be misinformed if any man should deliver that the kings of England have any absolute power in themselves either to alter religion, or make any laws concerning the same, otherwise than as in temporal causes, by consent of parliament."

* Lodge, Illustrations. The letter containing the anecdote about the hound, or "Mr. Jowler" (as old Shrewsbury indorsed it) was written to the Earl of Shrewsbury by Mr. Edmund Lascelles, who appears to have lost the king's favour by his jokes. He wasted the whole of his small fortune at court without gaining preferment, and in 1609 he was obliged to fly to the continent from his creditors, leaving a wife and three children behind him in absolute want.

wasting of the treasure of the realm, and more moderation in the lawful exercise of hunting, both that poor men's corn may be less spoiled and other his majesty's subjects more spared." Cecil wrote a truly courtier-like reply to the archbishop, telling him that, as for the toleration in religion, which he seemed to fear, he well knew that no creature living durst propound it to his religious sovereign; and that, as for the hunting, "as it was a praise in the good Emperor Trajan to be disposed to such man-like and active recreations, so ought it be a joy to him to behold the king of so able a constitution, promising long life and a plentiful posterity." Cecil caused both letters to be laid before his majesty by the Earl of Worcester, who presently reported to his ally the impression they had produced on the royal mind. "He was merry at the first," says the earl, "till, as I guessed, he came to the wasting of the treasure, and the immoderate exercise of hunting. He began, then, to alter countenance, and, in the end, said it was the foolishest letter that he ever read, and yours an excellent answer, paying him soundly, but in good and fair terms."* In the same epistle Worcester informed his friend that his majesty meant to go from Royston to Newmarket, to hunt there for three or four days, and then from Newmarket to hunt at Thetford. Whither he would have gone hunting after this is not known; but, in the month of March, Worcester entreated Sir James Hay not to urge the king any further, and Hay considerately promised that he would not. During these ambulatory proceedings the Puritan ministers, whom the new primate, Bancroft, (quaintly described as "a man of a rough temper and a stout foot-ball player,")† had been active in expelling from their livings in the church, gave James some disturbance by waiting upon him to present petitions, and their party caused him further trouble by writing and printing certain letters. Against the authors of these papers, and against others who had ventured to remonstrate, James let loose Cecil, whom he was accustomed to call his "little beagle." Upon quitting the sports of the field his serious attention was devoted to solve the problem, whether a man could preach good sermons and speak exceeding good Hebrew and Greek in his sleep, being, when awake, no divine, and ignorant of both those learned languages. "The king took delight, by the line of his reason, to sound the depths of such impostors. The man, who practised physic in the day and preached by night, was Richard Haddock, of New College, Oxford, and all the fellows and scholars of the college were wont to go and hear him preach in his sleep, as they would go to any regular sermon; and though some of his auditory were willing to silence him, by pulling, hauling, and pinching him, yet would he pertinaciously persist to the end of his discourse, sleeping all the while."* And, to complete the miraculous story, when he awoke he knew nothing of what he had said, but wondered to see so many persons around him. All this was told the king by two or three persons that had heard him, and the king, thinking it a very strange thing, sent for him to court. There Haddock was put into a room to preach and sleep to the king, who summoned Lord Pembroke, Lord Chandos, Lord Danvers, Lord Marr and others to assist him in the weighty business. This conclave sate up a whole night to hear him. "And when the time came in which the preacher thought it was fit for him to be asleep, he began very orderly with a prayer, then took a text of Scripture and divided it into heads, which he explained significantly enough, but afterwards he made an excursion against the pope, the use of the cross in baptism, and the last canons of the Church of England, and so concluded sleeping."† Haddock was allowed to rest till the next morning, "when the king in private handled him so like a cunning surgeon that he found out the sore place, making him confess, not only his sin and error in the act, but the cause that urged him to it." This weighty business occupied several days, and the members of his council wrote and received long letters about it. In the end, the king forgave him graciously, upon promise that he would never do the like again, and sent him back to Oxford.‡ The depth of his majesty's wonderful judgment was applauded by the whole court, and James was encouraged to devote more of his time to such pursuits. But he was now destined to have more serious work upon his hands.

The Catholics, who had expected toleration or an approach to it, were enraged at the increased severity of the laws directed against them; and some of them were absolutely maddened by the persecutions they suffered, and by the heavy fines they were constantly called upon to pay. Among the sufferers there was one capable of the most daring deeds. This was Robert Catesby, a gentleman of an ancient family and of a good estate. During one period of his life he had recanted, but he soon returned to the ancient religion, and endeavoured to make up for his youthful back-sliding by the ardour of his zeal. He had engaged in the rash business of the Earl of Essex, who had promised *liberty of conscience;* he had intrigued with the court of France, and with the Spanish court;

* Lodge, Illustrations.
† Coke, Delection.

* Arthur Wilson. "Edmund Lascelles wrote to the Earl of Shrewsbury from court,—"I doubt not but your lordship hath heard of the man at Oxford that preacheth in his sleep: it is very true; and he maketh very excellent and learned sermons, by the report of those that have very good judgment, and when he is awake is but a dull fellow, and known to be no great scholar. In those sermons that he maketh in his sleep he will speak exceeding good Greek and Hebrew, and when he is awake understand neither of the languages." —*Lodge.*

† Wilson.

‡ It is probable that Haddock was set on by some of the Dissenters. Wilson says, that the "cause that urged him to it" was, "that he apprehended himself as a buried man in the university, being of a low condition, and if something eminent and remarkable did not spring from him, to give life to his reputation, he should never appear anybody." "The king," adds Wilson, "finding him ingenuous in his confession, pardoned him, and, after his recantation public, gave him preferment in the church."

but, at last, seeing no hopes of assistance from those quarters, he conceived the project of destroying, at one blow, King, Lords, and Commons. Horrible and desperate as was the plot, he soon found a few spirits as implacable and furious as his own to join in it. The first person to whom he opened his design was Thomas Winter, a gentleman of Worcestershire, who had been a soldier of fortune in the Low Countries, and a secret agent of the English Catholics in Spain. This man was, at first, overcome with horror, and, though Catesby removed his repugnance by drawing the most frightful picture of the sufferings of their co-religionists, he would not agree to the mighty murder till they had solicited the mediation of the King of Spain, who was then negociating with James. Winter passed over to the Netherlands, where he soon learned from the Spanish ambassador that his court could not get a clause of toleration inserted in the English treaty. At this moment, when he had made up his mind to co-operate with Catesby, he accidentally encountered, in the town of Ostend, another soldier of fortune, an old fellow-traveller and associate. This was Guy, or Guido, Fawkes, whom (knowing him to be the most daring of men) he carried over to England, without telling him what particular service would be required at his hands. Fawkes did not come for pay. It has been customary to represent him as a low, mercenary ruffian, but it appears, on the contrary, that he was a pure fanatic, and as much a gentleman as the others. Before Winter and Fawkes had been many days with Catesby in London, they were joined by two other conspirators, Thomas Percy, a distant relation and steward to the Earl of Northumberland, and John Wright, Percy's brother-in-law, who was reputed the best swordsman in all England. Percy, during Elizabeth's time, had visited Edinburgh, where James, to secure what influence he could command, had promised "to tolerate mass in a corner." He was now furious at the king's broken promises, and seems to have been more headlong than any of them—more eager even than Catesby to do something, though as yet he knew not what, for the arch-conspirator was cautious in his madness. They all met at Catesby's lodgings. "Well, gentlemen," cried Percy, "shall we always talk and never do?" Catesby said that, before opening the particulars of his scheme, they must all take a solemn oath of secrecy. The condition was accepted by all, and, a few days afterwards, they met at a lonely house, in the fields, beyond St. Clement's Inn. "You shall swear by the blessed Trinity, and, by the sacrament you now propose to receive, never to disclose directly or indirectly, by word or circumstance, the matter that shall be proposed to you to keep secret, nor desist from the execution thereof until the rest shall give you leave." Such was the form of the oath which was taken, on their knees, by Catesby, Percy, Thomas Winter, John Wright, and Fawkes; and immediately after they had taken the oath, Catesby explained that his purpose was to blow up the Parliament House with gunpowder the next time the king should go to the House of Lords. He then made the means clear to their comprehension, and, ceasing this discourse, led them all to an upper room in the same lone house, where they heard mass, and received the sacrament from Father Gerard, a Jesuit missionary, who, it is said, was not admitted into the horrid secret. Percy's zeal was unabated, and an office he held about the court (he was a gentleman pensioner) gave him

HOUSE OF THE CONSPIRATORS, AT LAMBETH.
From an Old Print.

facilities which the others did not possess. Their first object was to secure a house adjoining the parliament building. As Percy, by his office, was obliged to live during a part of the year near to Whitehall, there would appear nothing strange in his taking a lodging in that quarter. After some search they found a house held by one Ferris, as tenant to Whinnead, the keeper of the king's wardrobe, which seemed adapted to their purpose. This Percy hired in his own name, by a written agreement with Ferris.* When they took possession they again swore to be faithful and secret. The back of the house, or an out-building, leaned against the very wall of the Parliament House. Here they resolved to commence operations by cutting away the wall in order to make a mine through it. It was an arduous task to gentlemen unaccustomed to manual labour; and before they could well begin, they learned that the king had prorogued parliament to the 7th of February, and upon this news they agreed to separate, and, after visiting their friends in the country, to meet again in November. In the interval they hired another house, situated on the Lambeth side of the river. Here they cautiously deposited wood, gunpowder, and other combustibles, which were afterwards removed, in small quantities at a time, and by night, to the house at Westminster. The custody of the house at Lambeth was committed to Robert Kay, a Catholic gentleman in indigent circumstances, who took the oath and entered into the plot. When the chief conspirators met again in the capital, they found themselves debarred of the use of their house at Westminster, for the court had thought fit to accommodate therein the commissioners that were engaged on James's premature scheme for a union between England and Scotland.

While they were waiting impatiently for quiet possession of the premises, several circumstances occurred that were calculated to keep their deadly purpose alive. At the assizes held in Lancashire in the preceding summer, six seminary priests and Jesuits were tried, condemned, and executed, under the statute of the 27th of Elizabeth, for remaining within the realm. The judges who tried these victims indulged in invectives against the Catholics in general, and one of them was said to have laid it down as law to the jury, that all persons hearing mass from a Jesuit or seminary priest were guilty of felony. Mr. Pound, a Catholic gentleman then living in Lancashire, of an advanced age, who had suffered in Elizabeth's time, presented a petition to the king complaining generally of the persecution, and in particular of the recent proceedings. He was immediately seized, and carried before the privy council, and, after an examination, committed to the tender mercies of the Star Chamber. In that tribunal, on the 29th of November, the poor old gentleman, unaided and alone, was assailed by Coke the Attorney-General, Chief Justice Popham, Chancellor Egerton, the Archbishop of Canterbury, the Bishop of London, Cecil, and several other judges and members of the privy council. Coke inveighed against the whole body of Papists, but, it may be questioned whether he were so violent as the Primate Bancroft. Among them they sentenced Mr. Pound to be imprisoned in the Fleet during the king's pleasure, to stand in the pillory both at Lancaster and Westminster, and to pay a fine of one thousand pounds: nay, they were near doing worse, for an infamous proposition to nail the old man to the pillory, and cut off his ears, was negatived by a majority of only one or two. After this iniquitous sentence there was an increased activity in hunting for priests and levying fines on the recusants; and yet the zealots cried that this was not enough, and that the sword of the law ought to be sharpened at the next meeting of parliament.

At last, on a dark December night, Catesby and his confederates entered the house at Westminster, and commenced operations, having previously laid in a store of hard eggs, dried meats, pasties, and such provisions as would keep, in order to avoid suspicion by going or sending abroad for food. They presently found that the wall to be penetrated was of tremendous thickness, and that more hands would be required to do the work. Kay was therefore brought over from the house at Lambeth, and the party was further reinforced by the enlisting of Christopher Wright, a younger brother of John Wright, who was already in the plot. Now, in all, they were seven. "All which seven," said Fawkes on his examination, "were gentlemen of name and blood; and not any was employed in or about this action (no, not so much as in digging and mining) that was not a gentleman. And while the others wrought I stood as sentinel to descry any man that came near; and when any man came near to the place, upon warning given by me, they ceased until they had again notice from me to proceed; and we seven lay in the house, and had shot and powder, and we all resolved to die in that place before we yielded or were taken." They lightened, or, it may be, sometimes burthened, their heavy toil with discussions of future plans. They calculated that the king's eldest son, Prince Henry, would accompany his father to the opening of parliament, and perish with him; but Percy undertook to secure Prince Charles, and carry him off to a sure place as soon as the mine should be exploded. Calculating, however, on the possibility of this scheme failing, they made arrangements for carrying off the Princess Elizabeth, who was then under the care of Lord Harrington at his mansion near Coventry. Horses and armour were to be collected in Warwickshire. They resolved if possible to save all members of the two Houses that were Catholics, but they could not agree as to the safest mode of doing this. The notion of applying to the Catholics abroad and the pope was discarded as useless and unsafe. They were working hard to cut their way through the stubborn wall,

* The original agreement, dated May 24, 1604, may be seen in the State Paper Office.

when Fawkes brought intelligence that the king, who had no great desire to meet that body again, had further prorogued parliament from the 7th of February to the 3rd of October. Hereupon they agreed to separate till after the Christmas holidays, taking good care not to associate or meet abroad, and on no account to correspond by letter on any point connected with the plot.

A.D. 1605.—In the month of January, Catesby, being at Oxford, admitted two other conspirators. One of these was John Grant, an accomplished but moody gentleman of Warwickshire, who possessed at Norbrook, between the towns of Warwick and Stratford-on-Avon, a large and strong mansion-house, walled round and moated, which seemed the best possible place for the reception of horses and ammunition. Lamentation and grief had been carried within those walls in Elizabeth's time, and Grant's melancholy disposition took its rise from the persecution he had endured. The other was Robert Winter, the eldest brother of Thomas Winter, who was already engaged, and one of whose sisters was wife to Grant of Norbrook. Shortly after, Catesby suspecting that his servant Thomas Bates had an inkling of the plot, thought it prudent to make him a full accomplice, and bind him by the oath of secrecy. This Bates was the only one not of the rank of a gentleman: he was of a mean station and of weak character; but his obscurity and timidity had not saved him from the Elizabethan persecution. About the beginning of February they all met in the house at Westminster, and resumed their painful toils. Their ears were acutely sensible to the least sound, their hearts susceptible of supernatural dread. They heard, or fancied they heard, the tolling of a bell deep in the earth under the parliament-house, and the noise was stopped by aspersions of holy water. But, one morning, while working in their mine, they heard a loud rumbling noise nearly over their heads. There was a pause,—a fear that they had been discovered; but Fawkes soon brought intelligence that it was nothing but one Bright who was selling off his stock of coals, intending to remove his business from a cellar under the parliament-house to some other place. This opportunity seemed miraculous: the cellar was immediately below the House of Lords; the wall of separation was not yet cut through, and doubts were entertained whether they should be able to complete the work without discovery. Percy hired the cellar of the dealer in coals; the mine was abandoned, and they began to remove thirty-six barrels of gunpowder from the house on the opposite bank of the river. They threw large stones and bars of iron among the powder to make the breach the greater, and they carefully covered over the whole with fagots and billets of wood. All this was completed by the month of May, when they once more separated. Fawkes was dispatched into Spanish Flanders to win over Sir William Stanley and Captain Owen, who held military commands there, and who were supposed capable of collecting a good number of men, either English

THE GUNPOWDER CONSPIRATORS.
From a Print published immediately after the discovery.

Vault beneath the Old House of Lords.
From an Original Drawing

Catholics or foreigners. Fawkes returned in August, having succeeded no further than to obtain a promise from Owen that he would communicate with Stanley, who was at that time absent in Spain. In September, Sir Edmund Baynham, a gentleman of an ancient family in Gloucestershire, was admitted into the whole, or part of the plot, and dispatched to Rome, not to reveal the project, but to endeavour to gain the favour of the Vatican when the blow should be struck. The rest remained in anxious expectation of the day,—it was near at hand,—when the king still further prorogued the parliament from the 3rd of October to the 5th of November. The conspirators thought that they were suspected. Thomas Winter undertook to go into the house on the day on which prorogation was to be made, and observe the countenances and behaviour of the lords commissioners. He found all tranquil: the commissioners were walking about and conversing in the House of Lords, just over the thirty-six barrels of gunpowder: he returned, and told his companions that their secret was safe. About Michaelmas it was agreed to admit three more Catholic gentlemen, who were known to have a command of ready money, into the plot. The first of these was Sir Everard Digby, of Drystoke, in Rutlandshire, an enthusiastic young man, and a bosom friend of Catesby. Digby had immense estates, a young wife, and two infant children; but, after some struggle with his domestic feelings and conscience, he yielded to Catesby, promised to furnish fifteen hundred pounds for furthering the plot, and to collect his Catholic friends on Dunsmore Heath in Warwickshire, by the 5th of November, as if for a hunting party. The second was Ambrose Rookwood, of Coldham Hall, Suffolk, the head of a very ancient and opulent family. Like Digby, he had long been the bosom friend of Catesby; and his romantic attachment to that chief conspirator seems to have been a more leading passion than his religious fanaticism. He had a magnificent stud of horses, which made his accession very desirable. Like most of the others, he at first shuddered at the prospect of so much slaughter, but his scruples were quieted by Catesby; and, to be near the general rendezvous at Dunsmore, he removed with his family to Clopton, near Stratford-on-Avon. He had suffered fines and prosecutions, but he was still wealthy, and, until entering the gunpowder treason, a peaceful, happy man. The third accession was in Francis Tresham, eldest son and heir of Sir Thomas Tresham, who had recently succeeded his father in a large estate in Northamptonshire. Sir Thomas had felt the vengeance of the penal laws: he had been brought before both the council and the Star Chamber in Elizabeth's days; he had suffered heavy fines and imprisonments: in his own words, he had undergone "full twenty years of restless adversity and deep disgrace, only for testimony of his conscience." His son Francis had been engaged very actively with the Earl of Essex, and was only saved from the block by his father's bribing *a great lady* and some people about the court with several thousand pounds: yet, after that narrow escape, Francis

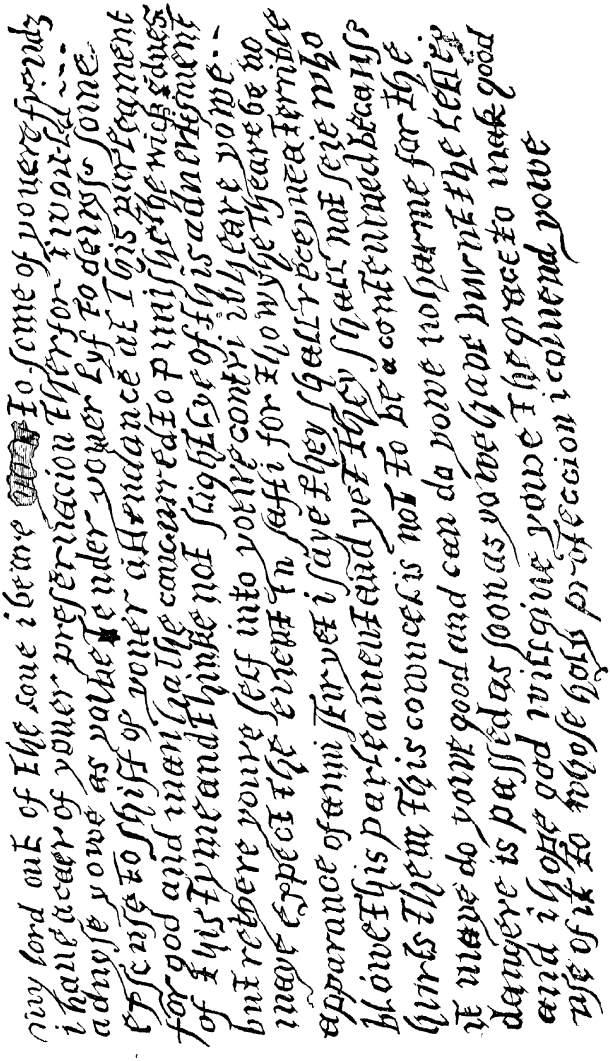
Tresham had had his hand in several plots. It appears, however, that he did not enjoy the confidence of the desperate men with whom he had been engaged, and that he passed for a fickle, mean-spirited, and treacherous man: but he was Catesby's near relation, and he had money, whereof (after taking the oath) he engaged to furnish two thousand pounds. But, from the moment Tresham was admitted, Catesby became a prey to misgivings and alarms, and he sorely repented having confided his secret to such an individual.

As the great day—the 5th of November—approached, the conspirators had several secret consultations at White Webbs, a house near Enfield Chase, then a wild, solitary place.* Here it was resolved that Fawkes should fire the mine by means of a slow-burning match, which would allow him time to escape before the explosion of the gunpowder (there was a ship, hired with Tresham's money, lying in the Thames, and in this Guido was to embark and to proceed to Flanders); that, after the catastrophe, the Princess Elizabeth, in case of their losing the Prince of Wales and Prince Charles, was to be immediately proclaimed queen, and a regent appointed during her minority. But now they felt the difficulty there would be in warning and saving their friends, and most of them had dear friends and relations in parliament. In the Upper House, for example, the Lords Stourton and Mounteagle, both Catholics, had married sisters of Francis Tresham, and Tresham was exceeding earnest that they should have some warning given them, in order to keep away from parliament. Percy also was eager to save his relative the Earl of Northumberland; and Kay, or Keys, the decayed gentleman who had had charge of the house at Lambeth, was equally anxious to save his friend and patron, Lord Mordaunt, who had given food and shelter to his wife and children. There were others whose fate excited the liveliest interest; and all of them were desirous of warning the youthful Earl of Arundel. But Catesby undertook to prove to them that most of the Catholics would be absent, seeing that their presence would be useless, as they could not prevent the passing of new penal laws against their religion. "But," said Catesby, "with all that, rather than the project should not take effect, if they were as dear unto me as mine own son, they also must be blown up." A day or two after, Tresham suddenly and unexpectedly came upon Catesby, Thomas Winter, and Fawkes, at Enfield Chase, and once more required that warning should be given directly to his brother-in-law Mounteagle. Catesby and his two determined comrades hesitated; and, then, it is said that Tresham told them that, as he could not furnish the money he had promised for some time to come, it would be much better for them to defer the execution of the plot till the closing of parliament, and pass the interval safely in Flanders. Catesby, Thomas Winter, and Fawkes, remained fixed to their purpose. Here the dark story becomes doubly dark and doubtful; but it should seem that Tresham went away and warned *more persons* than Lord Mounteagle. There is also ground for believing that Sir Everard Digby and some others of the conspirators put their particular friends on their guard, though they may have adopted a different method, and one not likely to reveal the secret. The Lord Mounteagle had a mansion at Hoxton which he seldom visited; but, on the 26th of October, ten days before the intended meeting of parliament, he most unexpectedly ordered a supper to be prepared in that house. As he was sitting at table, about seven o'clock in the evening, his page presented to him a letter, which he said he had just received from a tall man, who had departed, and whose features he could not recognise in the dark. His lordship, still sitting at table, opened the letter, and, seeing that it had neither date nor signature, he tossed it to a gentleman in his service, desiring him to read it aloud. The gentleman read:—

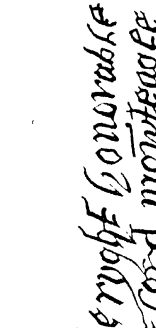
"my lord out of the love i beare to some of youer frends i have a caer of youer preservacion therefor i would adyse yowe as yowe tender youer lyf to devyse some exseuse to shift of youer attendance at this parleament for god & man hathe concurred to punish the wickednes of this tyme & thinke not slightlye of this advertisment but retyere youre self into youre contrie wheare yowe maye expect the event in safti for thowghe theare be no apparance of anni stir yet i saye they shall receyve a terrible blowe this parleament & yet they shall not sene who hurts them this counsel is not to be contemned because it maye do yowe good and can do yowe no harme for the dangere is passed as soon as yowe have burnt the letter and i hope god will give yowe the grace to make good use of it to whose holy protecction i commend yowe."

The authorship of this letter has been attributed to several persons, to women as well as to men, but it seems to us all but certain that it was really written by, or under the dictation of, Tresham. Lord Mounteagle, who, notwithstanding his religion, was on good terms with the court and council (he had recently received an important favour from the king), carried the letter the same evening to Whitehall, and showed it to Cecil and several of the ministers. The king was away, "hunting the fearful hare at Royston," and Cecil resolved that nothing should be done until his return. On the following morning Mounteagle's gentleman, who had read the letter at the supper-table, warned Thomas Winter that it had been delivered to Cecil. Winter carried this alarming intelligence to Catesby, who instantly suspected the indiscretion or treachery of Tresham. This suspicion was the stronger, from the circumstance that Tresham had absented himself for several days, having made it be given out that he had gone into Northamptonshire. Nothing, however, occurred to show that government had caught the clue; and, on the 30th

* There was another lone house which they frequented, at Erith, on the right bank of the Thames, a little below Woolwich



Facsimile of the Letter to Lord Monteagle.



Superscription of the Letter.

of October, Tresham not only returned to town, but attended the summons of Catesby and Winter. The three conspirators met on that same day in Enfield Chase. Catesby and Winter directly charged Tresham with having written the letter to Mounteagle; and, while they accused him and he defended himself, they fixed their searching eyes on his countenance. It was clear and firm; his voice faltered not: he swore the most solemn oaths that he was ignorant of the letter; and they let him go. If he had betrayed any signs of fear or confusion, their desperate minds were made up to stab him to the heart where he stood. They then returned to London, and sent Fawkes, who knew nothing of the letter, to see if all was right in the cellar. He presently reported that the barrels of powder and the other things were just as they had been left. Then Catesby and Winter told him of the letter, and excused themselves for having placed him in such danger without a warning. Fawkes coolly said that he should have gone just as readily if he had known all, and he undertook to return to the cellar once every day till the fifth of November. By certain marks which he had put behind the door, he was quite sure that no one could enter without his knowledge.

On the 31st of October James arrived from Royston, and on the next day Cecil put the letter into his hands, informing him of the curious circumstances of its delivery. According to the story generally received, it was James's wonderful sagacity and penetration that first discovered the

meaning of the mysterious epistle, but it is proved beyond a doubt that both Cecil and Suffolk, the lord chamberlain, had read the riddle several days before, and had communicated it to several lords of the council before the subject was mentioned to the king.* But as this was an opportunity of flattering James on the qualities in which he most prided himself, the courtly ministers proclaimed to the public that all the merit of the discovery was his. Coke, upon the trial of the conspirators, declared that his majesty had made it through a divine illumination; and, in the preamble of the act for a public thanksgiving to Almighty God, it was roundly said that "the conspiracy would have turned to the utter ruin of this whole kingdom, had it not pleased Almighty God, by inspiring the king's most excellent majesty with a divine spirit to interpret some dark phrases of a letter showed to his majesty above and beyond all ordinary construction, thereby miraculously discovering this hidden treason." It appears to have been the advice of Cecil that nothing should be done to interrupt "the devilish practice" till the night before the king went to the House, "but rather suffer them to go on to the end of their day." On Sunday the 3rd of November the conspirators were warned by Lord Mounteagle's gentleman that the king had seen the letter and made great account of it. Upon this Thomas Winter sought another interview with Tresham, and they met that same evening in Lincoln's Inn Walk. Tresham spoke like a man beside himself; and said that, to his certain knowledge they, were all lost men unless they saved themselves by instant flight. But these infatuated men would not flee, nor did Tresham himself either flee or seek concealment. Catesby, Winter, and all the rest, were now convinced that Tresham was in communication with Mounteagle, and perhaps with Cecil. Percy insisted that they ought to see what the following day—the last day of anxiety and doubt—would bring forth, before they thought of other measures. Their vessel still lay in the Thames ready to slip its cable at a moment's notice. It was, however, resolved that Catesby and John Wright should ride off, on the following afternoon, to join Sir Everard Digby, at Dunchurch. That very night, in spite of all their suspicions, Fawkes, with undaunted courage, went to keep watch in the cellar.

On Monday afternoon Suffolk, the lord chamberlain, whose duty it was to see that all arrangements for the meeting of parliament were properly made, went down to the House accompanied by Lord Mounteagle. After passing some time in the Parliament Chamber, they descended to the vaults and cellars, pretending that some of the king's stuffs were missing. They threw open the door of the powder-cellar, and there they saw, standing in a corner, "a very tall and desperate fellow." It was Guido Fawkes, whose wonderful nerves were proof even to this trial. The chamberlain, with affected carelessness, asked him who he was? He said that he was servant to Mr. Percy, and looking after his master's coals. "Your master," said the courtier, "has laid in a good stock of fuel;" and, without adding anything else, he and Mounteagle left the cellar. When they were gone their way Fawkes hurried to acquaint Percy with their visit, and then returned to the cellar, resolute to the last, hoping against hope! At about two o'clock in the morning (it was now the fifth of November) Fawkes undid the door of the cellar, and came forth, booted and spurred, to look about him. At that instant, and before he could move back, he was seized and pinioned by a party of soldiers under the command of Sir Thomas Knevett, a magistrate of Westminster. If the desperado had only had time to light a match they would all have been blown into the air together. When they had bound him hand and foot, they searched his person and found a watch (which was not common then) some touchwood and tinder, and some slow matches. Within the cellar and behind the door was found a dark lantern with a light burning in it. The prisoner was carried to Whitehall, and there, in the royal bed-chamber, he was interrogated by the king and council, who seem to have been afraid of him, bound and helpless as he was, for his voice was still bold, his countenance unchanged, and he returned with scorn and defiance their inquisitive glances. His name, he said, was John Johnson,—his condition that of a servant to Mr. Thomas Percy. He boldly avowed his purpose, and said he was sorry it was not done. When pressed to disclose who were his accomplices, he replied that he could not resolve to accuse any. The king asked how he could have the heart to destroy his children and so many innocent souls that must have suffered? "Dangerous diseases," said Fawkes, "require desperate remedies." One of the Scottish courtiers inquired why he had collected so many barrels of gunpowder? "One of my objects," said the conspirator, "was to blow Scotchmen back into Scotland." In the morning of the 6th of November he was removed to the Tower, James sending instructions with him that he was to be put through all the grades of torture in order to elicit confession.* For three or four days he would confess nothing (it appears that he was not severely tortured till the 10th); but his accomplices declared themselves by flying and taking up arms,—that is, all of them except Tresham, who remained in London at his usual place of abode, showed himself openly in the streets, and even went to the council to offer his services in apprehending the rebels. Catesby and John Wright had departed for Dunchurch the preceding evening: Percy and Christopher Wright waited till they learned Fawkes's arrest; and Rookwood and Keyes, who were little known in London, determined to remain to see what would

* See letter of the Earl of Salisbury (Cecil) to Sir Charles Cornwallis, in Winwood's Memorials.

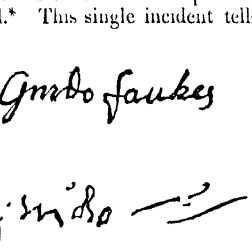
* "The gentler tortures are to be first used unto him, *et sic per gradus ad ima tendatur*, and so God speed you in your good work."—Instructions, Nov. 6, in the State Paper Office.

follow. In the morning when they went abroad they found that all was known, and that horror and amazement were expressed in every countenance. Keyes then left London: but Rookwood, who had placed relays of his fine horses all the way to Dunchurch, lingered to the last moment, in the hope of collecting more intelligence. It was near the hour of noon when he took horse; but, once mounted, he rode with desperate haste. He soon put the hill of Highgate between him and the capital: he spurred across Finchley Common, where he overtook Keyes, who kept him company as far as Turvey in Bedfordshire. From that point Rookwood galloped on to Brickhill, where he overtook Catesby and John Wright. Soon afterwards they came up with Percy and Christopher Wright, and then all five rode together with headlong speed, some of them throwing their cloaks into the hedge to ride the lighter, till they came to Ashby St. Legers, in Northamptonshire, at six o'clock in the evening. The distance from London was eighty miles, which Rookwood had ridden in little more than six hours. If they had chosen to ride on to some sea-port they might certainly have escaped with their lives; but they had no such design. Some of the hunting party, with whom was Winter, a principal conspirator, had taken up their quarters for the night in the house of Lady Catesby, at Ashby St. Legers, and were sitting down to supper when Rookwood, Percy, and the others from London, entered the apartment, covered with dirt, and half dead with fatigue. Their story was soon told; and then the whole party, taking with them all the arms they could find, mounted and rode off to Dunchurch. There they found Sir Everard Digby surrounded by many guests, Catholic gentlemen invited to hunt on Dunmoor, but fully aware that the meeting had reference to some avenging blow to be struck in London, though only a few of them had been admitted into the whole of the secret. But these guests presently perceived that the main plotters had miscarried, and so, without standing on the order of their going, they stole away in the course of the night; and when day dawned, Digby, Catesby, Percy, Rookwood, and the rest, were left alone, with a few servants and retainers. Catesby knew the number of Catholics living in Wales and the adjoining counties, and he suggested that if they made a rapid march in that direction they might raise a formidable insurrection. They got again to their horses, rode through Warwick, where they seized some cavalry horses, leaving their own tired steeds in their place, and then went to Grant's house at Norbrook, where, it appears, they were joined by a few servants, and procured some arms. They then rode across Warwickshire and Worcestershire, to a house belonging to Stephen Littleton, called Holbeach, on the borders of Staffordshire, where they arrived on Thursday night the 7th of November. On their way they had called upon the Catholics to arm and follow them; "but not one man," said Sir Everard Digby, "came to take our part, though we had expected so many." In several places the Catholic gentry drove them from their doors with the bitterest reproaches, telling them that they had brought down ruin and disgrace on them and their religion.

By this time the conspirators were closely followed by Sir Richard Walsh, sheriff of Worcester, attended by many gentlemen of the country and the whole *posse comitatus*. Although the road was open towards Wales, they resolved to stand at bay, and defend themselves in the house of Holbeach. If their people had remained firm, they might possibly have repulsed the tumultuary assault of the sheriff, but these serving-men stole away during the night. Early on the following morning Stephen Littleton, who had been admitted into the whole plot, got out of the house, and fled through fear; and Sir Everard Digby went off, in order, as he said, to bring up succour. Sir Everard had scarcely got out of the house when some damp gunpowder which they were drying before a fire ignited and blew up with a tremendous explosion. Catesby was burnt and blackened and nearly killed, and two or three of the others were seriously injured. They now began to fear that God disapproved of their project; and Rookwood and others, "perceiving God to be against them, prayed before the picture of our Lady, and confessed that the act was so bloody as they desired God to forgive them." Robert Winter, filled with horror and affright, stole out of the house, and came up with Stephen Littleton in a wood hard by, and shortly after his evasion Catesby's servant, Thomas Bates, escaped in the same manner. About the hour of noon Sir Richard Walsh surrounded the mansion, and summoned the rebels to lay down their arms. A successful resistance was now hopeless; but, preferring to die where they stood, to suffering the horrid death prescribed by the laws, they refused to surrender, and defied their numerous assailants. Upon this, the sheriff ordered one part of his company to set fire to the house, and another to make an attack on the gates of the court-yard. The conspirators, with nothing but their swords in their hands, presented themselves as marks to be shot at. Thomas Winter was presently hit in the right arm and disabled. "Stand by me, Tom," cried Catesby, "and we will die together." And presently, as they were standing back to back, they were both shot through the body with two bullets from one musket. Catesby crawled into the house upon his hands and knees, and, seizing an image of the Virgin which stood in the vestibule, clasped it to his bosom, and expired. Two other merciful shots dispatched the two brothers, John and Christopher Wright, and another wounded Percy so badly that he died the next day. Rookwood, who had been severely hurt in the morning, by the explosion of the powder, was wounded in the body with a pike, and had his arm broken by a bullet. At a rush he was made prisoner, and the other men, wounded and disarmed, were seized within the house. Sir Everard Digby was overtaken near

Dudley by the hue-and-cry, and made fast. Stephen Littleton and Robert Winter were betrayed several days after by a servant of Mrs. Littleton of Hagley, in whose house they had been secreted. Thomas Bates, Catesby's servant, was arrested in Staffordshire; Keyes in Warwickshire. They were all carried up to London, and lodged in the Tower. Tresham, who had never left London, and who appears to have been confident of his own safety, was arrested and committed to the Tower on the 12th of November, or four days after the death or seizure of his associates at Holbeach.

Guido Fawkes, in the mean while, had been repeatedly examined, not only by lords commissioners named by the king, but also by the Lord Chief Justice Popham, Sir Edward Coke, and Sir William Wood, the lieutenant of the Tower. No promises, no threats, could shake his firmness, or disturb his self-possession. When urged with the argument that his denial of the names of his companions was useless, because by their flight they had been sufficiently discovered, he said, "If that be so, it would be surperfluous for me to declare them, seeing by that circumstance they have named themselves." He confessed freely to all his own doings, said he was ready to die, and rather wished ten thousand deaths than to accuse Percy or any other. But he was told that Percy and several of his confederates were apprehended, and he was racked apparently beyond the limits of mortal endurance. On the 8th of November, before any violent torture was applied, he signed his name to a deposition with a bold firm hand; but two days after his signature to a fuller statement, in which he names his accomplices, is in a faint and trembling hand, jagged and incomplete, bearing every appearance of being written in bodily agony. The Christian name (Guido) alone is completed, and after it there is a scrawl as if the pen had fallen from his hand.* This single incident tells a tale



THE AUTOGRAPHS OF GUIDO FAWKES, BEFORE AND AFTER TORTURE.

of horror. But it appears that Fawkes never put the government in possession of a single secret with which they were not previously acquainted, and that he would, under no excruciating pain, impeach the Jesuits, some of whom were suspected, from the beginning, of being implicated in the plot. Thus his examiners were barbarous to no purpose. Bates, the servant of Catesby, was less able to go through the ordeal: he confessed whatever was wished, and was the first to implicate the Jesuits. Nor was Tresham much more firm than Bates; for, though he did not implicate the priests in the gunpowder treason, he confessed that Father Garnet and Father Greenway were both privy and party to a traitorous correspondence carried on about a year before the death of Elizabeth with the court of Spain by Catesby and others. Soon after his committal to the Tower, this wretched man, who appears to have been overreached by the government he saved, was attacked by an agonizing disease. In his extremity of weakness he was allowed the assistance of a confidential servant and the society of his wife. On the 22nd of December, at the close approach of death, he dictated to his servant a statement in which he most solemnly retracted all that he had confessed about Garnet and Greenway. This paper he signed, and made his manservant and a female servant of the Tower put their hands to it as witnesses. In the course of the night he gave this statement to his wife, charging her to deliver it with her own hands to Cecil;* and he expired about two o'clock on the following morning. Catholic writers have ascribed his death to foul play at the hands of government. This suspicion seems rather groundless, but there are reasons for believing that some state secrets respecting the discovery of the plot were buried in the grave of the miserable man.

On the 15th of January, 1606, a royal proclamation was issued against Garnet, Greenway, and Gerard, all three English Jesuits who had been lurking in the country for years. The trial of the surviving chief conspirators commenced on the 27th of January, having been delayed nearly two months, mainly in order to bring in the priests, and to get possession of the persons of Baldwin, a Jesuit, Owen, and Sir William Stanley, then residing in the Flemish dominions of the Spaniards, who refused to give them up. On the day of the trial, "the queen and the prince were in a secret place by to hear, and some say the king was in another." The prisoners, Sir Everard Digby, Robert Winter, Thomas Winter, Ambrose Rookwood, John Grant, Guido Fawkes, Robert Keyes, and Thomas Bates, with the single exception of Digby, who confessed the indictment, pleaded not guilty; not, as they observed, because they denied a full participation in the powder plot, but because the indictment contained many things to which they were strangers. The evidence produced consisted entirely of the written depositions of the prisoners and of a servant of Sir Everard Digby. No witness was orally examined. There was nothing developed on the trial to connect the conspiracy with many English Catholics beyond the actual plotters. Indeed, the Papists in general regarded the whole affair with horror, and Sir Everard Digby pathe-

* Jardine, Criminal Trials.

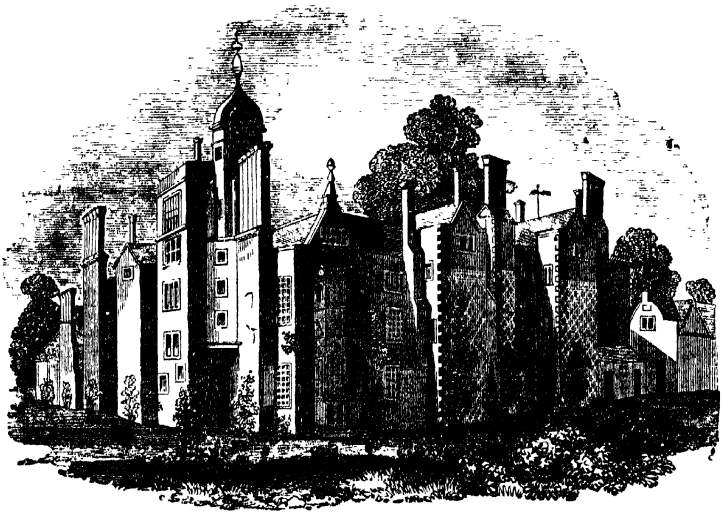
* Tresham declared that he made the confession respecting Garnet "only to avoid ill usage" (that is torture), and that he had not "seen Garnet for sixteen years before, nor never had letter nor message from him." Father Garnet himself, his friend Mrs. Anne Vaux, and other witnesses, subsequently agreed in declaring that Garnet had been with Tresham continually in various places until within a few days of the discovery of the gunpowder plot.

tically lamented that the project, for which he had sacrificed everything he had in the world, was disapproved by Catholics and priests, and that the act which brought him to his death was considered by them to be a great sin. In general the principal conspirators again denied that either Garnet or any other Jesuit was aware of the project of the powder, though several allowed that they had frequent conference both with Garnet and Greenway. In extenuation, they pleaded the sufferings they and their families and friends had undergone,—the violated promises of the king, who before his accession had assured them of toleration,—their despair of any relief from the established government,—their dread of still harsher persecution,—and their natural desire to re-establish what they considered the only true church of Christ. They were all condemned to die the usual death of traitors, and sentence was executed to the letter—for this was not an occasion on which the government was likely to omit an iota of the torturing and bloody law. Sir Everard Digby, Robert Winter, John Grant, and Thomas Bates, suffered on the 30th of January; Thomas Winter, Rookwood, Keyes, and Guido Fawkes—"the Devil of the Vault"—on the next day: they all died courageously, repenting of their intention, but professing an unaltered attachment to the Roman church. The scene chosen for their exit was the west end of St. Paul's churchyard.

Before they were led to the scaffold, the Jesuit Garnet, of whom so much had been said, was on his way to the Tower, having been discovered hid in a secret chamber at Hendlip, near Worcester, the seat of Thomas Abingdon, who had married the sister of Lord Mounteagle*. The other two Jesuits, Gerard and Greenway, after many adventures, effected their escape to the Continent. Garnet, who at some former time had been well known to Cecil, was treated in the Tower with comparative leniency; and, from an expression of regret used by a dignitary of the Protestant church, who afterwards became a bishop, we may presume that he was never laid upon the rack. But his companion Hall, or Oldcorn, another Jesuit, who was found in the same hiding-place at Hendlip, Garnet's confidential servant Owen, and another servant called Chambers, appear to have been tortured without mercy, as also without effect—for no one of them would confess anything of importance against Garnet or any other Jesuit or priest. Owen, after undergoing the minor torments, in order to escape the rack, with which he was threatened on his next examination, tore open his bowels with a blunt knife, which he had obtained by a stratagem, and died true to his master. Whatever was the extent of Garnet's guilt, or of the moral obliquity which he derived from the intriguing, crafty order to which he belonged, he was indisputably a man of extraordinary learning and ability: he baffled all the court lawyers and cunningest statesmen in twenty successive examinations. They could never get an advantage over him, nor drive him into a contradiction or an admission unfavourable to his case.* But in the congenial atmosphere of the Tower a certain craft had attained to the highest perfection; and there has scarcely been a de-

* The finding of Garnet and his friend Hall, or Oldcorn, in the curious old mansion house, is one of the most romantic incidents we are acquainted with. Mr. Jardine has given the full account.—See *Criminal Trials.*

* Coke, in his speech on Garnet's trial, said he was one having "many excellent gifts and endowments of nature, by birth a gentleman, by education a scholar, by art learned, and a good linguist." The whole of this English Jesuit's history is interesting. At one time he gained his livelihood in London by correcting the press for Tottel, the celebrated printer.



Hendlip House.—As it stood in 1800.

vice fancied by romance-writers, but was put into actual operation within those horrible walls. Some of the most revolting practices of the Inquisition may be traced in this English state prison. Garnet's keeper of a sudden pretended to be his friend,—to venerate him as a martyr; and he offered, at his own great hazard, to convey any letters the prisoner might choose to write to his friends. Garnet intrusted to him several letters, which were all carried to the council, as were also the answers to them; but so cautious was the Jesuit, that there was nothing in this correspondence to weigh against him. Failing in this experiment, the lieutenant of the Tower removed Hall, or Oldcorn, to a cell next to that of his friend Garnet, and they were both informed by the keeper, who recommended extreme caution and secrecy, that, by opening a concealed door, they might easily converse together. The temptation was irresistible, and both the Jesuits fell into the trap. Edward Forset, a man of some learning, and a magistrate, and Locherson, a secretary of Cecil's, who had tried his ears before at eavesdropping, were placed in such a position between the two cells that they could overhear nearly every word the prisoners uttered; and as they conversed they took notes of all that was said. Their main subject was how they should arrange their defence. Garnet said that he must needs confess that he had been at White-Webbs, in Enfield Chase, with the conspirators, but that he would maintain that he had not been there since Bartholomew-tide. "And in truth," said he, "I am well persuaded that I shall wind myself out of this matter." On the following day the conversation was renewed, the eavesdroppers being at their post as before. Garnet said several things which went to connect him with the conspirators; and he told Hall that, at the next visitation of the commissioners, they must both "expect either to go to the rack, or to pass quietly with the rest." He also added, that he had heard that one James, or Johnson, *had been upon the rack for three hours.* In the third conversation, Hall, or Oldcorn, related how he had been examined, and what he had said. Garnet said, "If they examine me any more, I will urge them to bring proofs against me, for they speak of three or four witnesses." In a fourth conversation there dropped nothing of any consequence. But the commissioners thought that they had already enough to drive the matter home. Garnet had hitherto denied all acquaintance with the first stages of the plot: he and Oldcorn were now charged with their own words; and at first they boldly denied having uttered them. Oldcorn, however, confessed to their truth *on the rack.* Still Garnet held out; and, when showed Oldcorn's examination, he said that his friend might accuse himself falsely, but that he would not accuse himself. According to the Catholic account, he was then led to the rack, and made sundry admissions to escape torture; but, according to government documents, which, we need hardly say, are in many essentials open to doubt, he began to confess from his inward conviction that it would be of no use to persist in denying a fact, avowed by Oldcorn, and supported by Forset and Locherson. After much subtilizing and equivocating, he was driven to admit that, when Fawkes went over to Flanders, he had given him a recommendatory letter to his brother Jesuit, Baldwin; and, finally, that the design of blowing up the Parliament House with gunpowder had been revealed to him, as far back as the month of July of the preceding year, by Greenway, who had received it in confession from Catesby, and, as he believed, from Thomas Winter also. But he added that he had earnestly endeavoured to dissuade Catesby, and desired Greenway to do the same. He further stated that Catesby had at one time propounded a question to him, in general terms, as to the lawfulness of a design meant to promote the Catholic religion, in the execution of which it would be necessary to destroy a few Catholic friends together with a great many heretical enemies. And he said that, in ignorance of what Catesby's design really was, he had replied, that, "in case the object was clearly good, and could be effected by no other means, it might be lawful among many nocents to destroy some innocents." Oldcorn, who was no longer of any use, was now sent down to Worcester, with Mr. Abington, the owner of the house at Hendlip, and a priest named Strange, to be tried by a special commission. Abington, whose sole offence appears to have been the concealment of the two Jesuits, received the king's pardon, through his brother-in-law, Lord Mounteagle; Oldcorn and Strange, together with several other persons, were executed. The Roman church unwisely and unjustly put the name of Oldcorn on its roll of martyrs.

On the 3rd of March "Henry Garnet, superior to the Jesuits in England," was put upon his trial for high treason, before a special commission in Guildhall. The case excited immense interest; all the members of parliament attended; the king himself was present in a by-corner, and the Lady Arabella Stuart in another. Coke had again a grand opportunity for display, and he spoke for some hours. When the Jesuit replied, he was not permitted so much space. Coke interrupted him continually; the commissioners on the bench interrupted him; and James, who seems to have felt a respect for his powers of argument and eloquence, declared that the Jesuit had not fair play allowed him. Garnet pleaded that he had done his best to prevent the execution of the powder treason; and that he could not, by the laws of his church, reveal any secret which had been received under the sacred seal of confession. He carried himself very gravely and temperately, and half charmed that immense audience; but, upon the evidence of the depositions obtained in the Tower,

and the oaths of Forset and Locherson, "the spials set of purpose," a verdict of guilty was returned, and the lord chief justice pronounced the sentence of hanging, drawing, and quartering. During the whole trial they extracted nothing from the Jesuit: they had expected great discoveries, but they made none.* Instead, therefore, of being hurried to execution, Garnet was kept six weeks in prison, during which the greatest efforts were made to wring further avowals from him, and to lead him to a declaration of the principles of the society to which he belonged. In the first purpose they entirely failed, but in the second they partially succeeded; and, *if* the declarations concerning equivocation were fairly obtained, and *if* he expressed his real feelings, the Jesuit certainly entertained "opinions as inconsistent with all good government as they were contrary to sound morality."† It happened, however, rather unfortunately, that King James, and his ministers, and their predecessors, had made opinions nearly allied to those of the Jesuit the fixed rules of at least their political conduct. Garnet was executed on the 3rd of May; and Cecil got the order of the Garter as a reward for his exertions in the detection of the plot and his "constant dealing in matters of religion." Several other Catholics were put to death in Warwickshire and the adjoining counties; some for being personally concerned, some for harbouring priests and proclaimed traitors. There were other victims of a more elevated rank, but not one of these was punished capitally. The Earl of Northumberland, the kinsman of the traitor Percy, was seized on the first discovery of the plot, and committed to the care of the Archbishop of Canterbury; and, after the capture of the conspirators at Holbeach, the three Catholic lords, Stourton, Mordaunt, and Montague, were arrested, upon the ground that they all meant to be absent from parliament, and therefore must have known of the gunpowder treason. No one of them was ever put upon a fair trial, but the *Star Chamber* arbitrarily condemned them to heavy fines, and to imprisonment during the king's pleasure. The Earl of Northumberland was removed to the Tower, and closely examined many times. He demanded a public trial; but in the month of June they brought him up to the *Star Chamber*, and there accused him of having sought to be the head of the Papists, and a "promoter of toleration;" of having admitted Percy, a Catholic, to be a gentleman-pensioner, without exacting from him the proper oaths, and of having preferred the safety of his money to the safety of the king. It is said that James and his ministers believed that Northumberland was the person to whom the conspirators had intended to offer the regency or protectorship; but no mention was made of this in the *Star Chamber*. The earl was sentenced to pay a fine of 30,000*l.*, to be deprived of all his offices, and to be imprisoned in the Tower for life.*

The parliament, which was to have been blown into the air on the 5th of November, met for the dispatch of business on the 21st of January, 1606. The penal statutes had made a few madmen, and, as if the dominant party wished to make more, they immediately called for an increase of severity. James tried to moderate the fierceness of the Commons, by which attempt he put his own orthodoxy in question; and, as he had chosen this unlucky moment for opening a matrimonial negotiation for his son, Prince Henry, with the most Catholic court of Spain, the Puritans began to murmur that he was little better than a Papist himself. Laws the most irritating, oppressive, and cruel, against the whole body of Catholics, were carried through both Houses by overwhelming majorities; and James, more from fear than from any other motive, assented to them. A few of these laws will give a notion of the spirit that was abroad. No Catholic recusant was to appear at court, to live in London, or within ten mile of London, or to remove on any occasion more than five miles from his home, without especial license, signed by four magistrates. No recusant was to practice in surgery, physic, or law; to act as judge, clerk, or officer, in any court or corporation, or perform the office of administrator, executor, or guardian. In all cases of marriage where the ceremony was performed by a Catholic priest, the husband, being a Catholic, could have no claim on the property of the wife, nor the wife, if a Catholic, on that of the husband. Every Catholic that neglected to have his child baptised within a month of its birth, by a Protestant minister, was to pay for each omission 100*l.*; and 20*l.* was the price to be paid for burying anybody in any other place than a churchyard of the establishment. Every householder keeping Catholic servants was to pay for each individual 10*l.* per lunar month, and the same sum was to be paid for each Catholic guest he might entertain. Every Catholic recusant was declared to be in all respects excommunicated: his house might be broken open and searched, his books and furniture, "having any relation to his idolatrous worship," might be burnt, his horses and arms taken from him at any moment by the order of a magistrate. A new oath of allegiance was devised in which was a formal renunciation of the temporal power of the pope, and of his right of interfering in the civil affairs of England. Such Catholics as would take this oath were liable *only* to the penalties which have been enumerated; but such as

* "I was assured there was nothing that was not known before by the confessions of those that were executed."—*Letter of Sir Allan Percy to Sir Dudley Carleton.*

† Jardine.

* Jardine, Criminal Trials. The second volume of this work—a highly valuable illustration of English history and English law—is devoted entirely to the gunpowder plot, and contains, not only everything valuable that has been published on the subject, but numerous extracts from original and unpublished MSS. in the State Paper Office, Crown Office, and other repositories. The little volume is admirably complete as a contribution to history, and is, at the same time, as exciting and amusing as a romance.

refused the oath were to be imprisoned for life, and to forfeit their personal property and the rents of their lands. It was expected that most of the Papists would take this oath, which did not trench on any religious dogma; but it was loaded with offensive epithets, and though some of the leaders of the Catholic clergy in England decided in its favour, the Jesuits condemned it, and the pope, Paul V., forbade it in a breve, which Blackwall, the archpriest, had the courage to publish to his congregation, though he himself would have recommended the taking of the oath. Blackwall, who was seventy years old, was soon lodged in a prison, where he remained till his death, which happened six or seven years after. Drury, another priest, was hanged, drawn, and quartered. James fondly thought that he could decide the question of the oath with his theological pen; and, with some assistance from his divines, he brought out a tract entitled, 'An Apology for the Oath of Allegiance.' Parsons, the celebrated Jesuit, and Cardinal Bellarmino, who, according to no favourable judge,* "had the best pen of his time for controversy," replied to the Apology. James rejoined by publishing what he called 'A Monitory Preface.' To Parsons, he said, the fittest answer would be a rope. Bellarmino, who had appeared under a feigned name, was not more gently treated. "An obscure author," said his majesty, "is this, utterly unknown to me, being yet little known to the world for any other of his works; and therefore must he be a very desperate fellow in beginning his aprentisage, not only to refute, but to rail upon a king." James's courtiers, including most of his bishops, told him that he had completely vanquished his opponents, and gained immortal fame; the Catholics (and not a few Protestants) thought that he had done a very silly thing, and his brother princes, that he had degraded the royal dignity.

He was by this time in great distress for money. The Commons seemed disposed to vote a liberal subsidy, but the bill lay a good while on their table, and at last they came to a decision that it should not pass till they had prepared their list of grievances. The king, who abhorred the word grievance, had to digest, as he could, sixteen long articles; but he evaded the question of redress, and the Commons kept aloof from the subsidy. Cecil and the other ministers made half-promises in their master's name; the House of Lords was wondrously loyal and liberal, but it was not until the month of May that the Commons voted three subsidies and six fifteenths. While the money question was pending a report was spread that the king, who was away hunting, was assassinated at Oaking, in Berkshire, together with his three favourites, Philip Herbert Earl of Montgomery, Sir John Ramsay, and Sir James Hay, "which treason some said was performed by English Jesuits, some by Scots in womens' apparel, and others said by Spaniards and Frenchmen; but most reports agreed that the king was stabbed with an envenomed knife."* Others, however, would have it, that the thing had not been done with a poisoned knife, but that the king had been smothered in his bed as he lay asleep; while others were equally sure that he had been shot with a pistol as he was riding out on horseback. There was a great consternation both in the Parliament House and in the city, with great weeping and lamentation of old and young, rich and poor, maids and wives, who again expected an English St. Bartholomew's. But about three o'clock in the afternoon James arrived safe and sound at Whitehall, and was heartily greeted by the people. It has been supposed that Cecil—perhaps the king himself—was no stranger to the origin of this *bruit*, which is supposed to have quickened the generosity of the Commons. Having got the subsidies, James prorogued parliament on the 27th of May to the 18th of November.

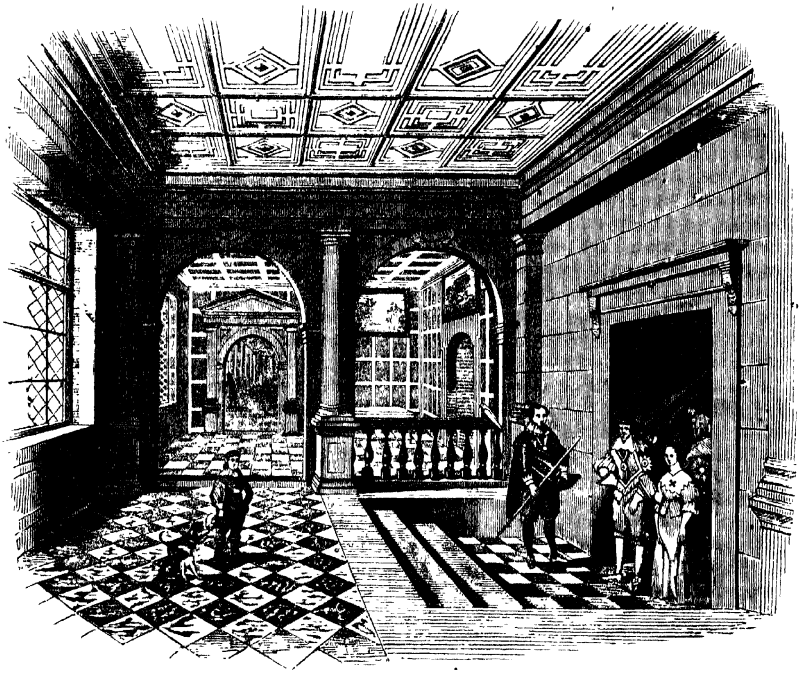
In the month of July James received a visit from his brother-in-law, Christian IV., king of Denmark; and in the round of costly feasts, hunts, and entertainments, which he gave on this occasion, he forgot the Commons, Garnet, the gunpowder-plot, and all state matters whatsoever. A satirical letter-writer of the time observes that the parliament had voted the subsidies very seasonably, so that the court was able to show off to advantage, and to entertain the royal Dane with shows, sights, and banquetings from morn till eve.† "This short month of his stay," says another contemporary, "carried with it as pleasing a countenance on every side, and their recreations and pastimes flew as high a flight as Love mounted upon the wings of Art and Fancy, the suitable nature of the season, or Time's swift foot could possibly arrive at. The court, city, and some parts of the country, with banquetings, masques, dancings, tiltings, barriers, and other gallantry (besides the manly sports of wrestling and the brutish sports of baiting wild beasts), swelled to such a greatness, as if there were an intention in every particular man this way to have blown up himself."‡ We possess too many corroborative accounts of these entertainments to doubt that they were gross and indecorous. At a feast given by Cecil at Theobalds the two mighty princes, James and Christian, got so drunk that his English majesty was carried to bed in the arms of his courtiers, and his Danish majesty mistook his bed-chamber, and offered the last of insults to the Countess of Nottingham, the handsome and spirited wife of the lord high admiral of England. But at the same great entertainment James's subjects, ladies as well as gentlemen of the highest rank, gave proof that they were capable of following the example of their sovereign. "Men," says an eye-witness, "who had

* Bayle, Dict.

* Stow.

† Sir John Harrington. "I will now in good sooth declare to you, who will not blab, that the gunpowder fright is got out of all our heads, and we are going on hereabouts as if the devil was contriving every man should blow up himself, by wild riot, excess, and devastation of time and temperance."—*Letter in Nugæ Antiquæ.*

‡ Arthur Wilson.



Hall at Theobalds, the Favourite Residence of James. From an Original Picture at Hinton St. George.

been shy of good liquor before, now wallowed in beastly delights; the ladies abandoned their sobriety, and were seen to roll about in intoxication."*

The royal Dane was scarcely gone when there arrived another expensive guest, in the person of Prince Vaudemont, one of James's kinsmen of the House of Guise, who brought an immense retinue with him. This led to fresh festivities and hunts, during which James could find no time to attend to business, though he now and then could steal a day or two to give to the orthodox clergy, who were intent on proving, by scripture and history, the royal supremacy, and the grand fact, that in all ages the authority of kings governed and ruled the church—doctrines most unpalatable to the Presbyterians of Scotland, and tending to disgust them with the project of the union which James had so much at heart. At last Vaudemont departed, and on the appointed day, in the month of November, the parliament met again. The Commons had voted their money, and now the king returned his answer to their grievances, the greater part of which referred to grants, made to particular persons, of the nature of monopolies. These grants, for the most part, James defended with arguments; but in some cases he remitted them to the consideration of the courts of law. In the former session James had caused to be introduced and debated his scheme of a perfect union between England and Scotland: the subject was now again taken up with great earnestness, and Bacon was prepared with a great and statesmanlike speech in support of the measure. But the two countries were in no respects prepared; the antipathies, prejudices, and hostilities of centuries, were not to be cured in three short years; and many recent circumstances and indications had tended greatly to indispose men's minds on either side the Tweed to the grand political experiment. James had so openly and coarsely announced his creed of prerogative that alarms were excited, and people were averse to any measure that might increase his sovereign power. We have already mentioned his determined predilection for episcopacy; and it was generally understood that the state union would be accompanied by a church union, the Scots being made to conform to the Anglican establishment, which they regarded, and which James himself had at one time professed to regard, as something little short of Papistry. The king, moreover, had dwelt continually upon the great superiority of the laws of England, which the Scots had no inclination to adopt. Nor is it ever easy to change the laws and institutions of a people except by absolute conquest. The Scots were justly proud of their hardly contested and preserved independence: they regarded with indignation and horror everything which seemed to

* Harrington, Nug. Ant.

fix the badge of submission or inferiority upon them. The English, on the other side, scarcely less proud, were avowedly averse to admitting the Scots to a footing of equality; and the king's indiscretion, at the commencement of his reign, in lavishing English money, posts, and titles upon some Scottish favourites, had raised a popular clamour that the country was to be overrun and devoured by their poor and hungry neighbours. At different stages of the debates several members of the Commons gave full expression to the most angry and contemptuous feeling against James's countrymen. One speaker quoted Scripture to show that the union was altogether unfit and unnatural. He brought in the comparison of the families of Abraham and Lot, which, joining, soon grew to difference, and to the words *Vade tu ad dextram, et ego ad sinistram* (go thou to the right hand, and I will go to the left). Sir Christopher Pigot, member for Buckinghamshire, expressed his astonishment and horror at the notion of a union between a rich and fertile country like England, and a land like Scotland, poor, barren, and disgraced by nature—between rich, frank, and honest men, and a proud, beggarly, and traitorous race; and, giving still further licence to his rhetoric, he declared that the difference between an Englishman and a Scot was the same as that between a judge and a thief! The whole Scottish nation hotly resented these gross insults, and threatened to take up arms to avenge them. James, in an agony of alarm, rebuked Cecil for allowing such expressions to pass unnoticed; and he declared to his council that the insult touched him as a Scot. Next he rebuked and threatened the Commons, who thereupon expelled Pigot, and even committed him to the Tower. In the session of 1604 the English and Scotch commissioners had agreed to the entire abrogation of all hostile laws between the two kingdoms, to the abolition of border courts and customs, and to a free intercourse of trade throughout the king's dominions. James had also, very soon after his accession, both on coins and in proclamations, assumed the title of King of Great Britain; and here, in prudence, he ought to have stopped, and left the rest to the salutary operation of time and peaceful intercourse. But he drove on to his end, and was greatly enraged with the Commons when they rejected his proposition for the naturalization of the *ante-nati*, or Scots born before his accession to the English throne. A decision, however, soon after obtained in the courts of law, extended the rights of naturalization to all Scots who were *post-nati*, or born after the king's accession; so that in the course of a few years the mass of the Scots would become natural subjects of the English crown. The Commons did not venture to call in question this right of the post-nati, though it was evident that they did not admit it with very good will. When urged to go farther they invented all kinds of difficulties and delays, which called forth another harsh schooling from the king. In his speech to the two Houses, which had the haughtiness but not the dignity of Elizabeth, he threatened to abandon London, and fix his residence at York or Berwick; and he alluded with bitterness to certain discourses which had been made in the Commons House. "I looked," cried James, "for no such fruits at your hands—such personal discourses and speeches, which, of all other, I looked you should avoid, as not beseeming the gravity of your assembly. I am your king; I am placed to govern you, and shall answer for your errors; I am a man of flesh and blood, and have my passions and affections as other men; I pray you, do not too far move me to do that which my power may tempt me unto."*

The Commons, who had already learned that James could bark better than he could bite, would not take this castigation in silence. They made known to him, through the Speaker, their earnest desire that he would listen to no private reports of their doings, but take his information of the House's meaning from themselves; that he would be pleased to allow such members as he had blamed to clear themselves in his hearing, and that he would, by some gracious message, let them know that they might deliver their opinions in their places without restraint or fear. On the very next day he civilly replied, through the Speaker, that he wished to preserve their privileges, especially that of liberty of speech.† And yet, a very few days after this message, he was interfering again, and commenting on their speeches, telling them that they were too much given to the discussion of matters above their comprehension. Nay, when they moved the reading of a petition, which contained strong remonstrances against ecclesiastical abuses, now growing in the bright sunshine of the royal countenance, and in favour of the deprived and persecuted Puritan preachers, the Speaker, according to orders received, told the House that his majesty reserved these matters to himself, and would not be pressed thereon. Some members cried out that this was an infringement of their liberties; but the Speaker told them (and truly enough) that there were many precedents,—that the late queen had often restrained the House from meddling in politics of divers kinds. A motion was then made for the appointment of a committee to search for precedents that "do concern any messages from the sovereign magistrate, king or queen, of this realm, touching petitions offered to the House of Commons." But here James sent down a second message, telling the House, that, though the petition contained matter whereof they could not properly take cognizance, yet, if they thought good to have it read, he was not against the reading. The Commons were mollified, and the petition was at last, "with general liking, agreed to sleep." In this same session the merchants presented to the Commons a petition upon the grievances they sustained from Spain, entering

* Commons' Journals.—Parl. Hist.—Ambassades de la Boderie.
† Journals.

largely into the cruelties which they and their mariners suffered, particularly in the New World, which the jealous Spaniards still pretended to close against all mankind. The Commons named a committee; and, when the committee had made its report, they prayed a conference with the Lords. The Upper House was a mere branch of the court, and so the Lords intimated that it was an unusual matter for the Commons to enter upon. At length, however, they granted the conference, and Bacon reported its result. Cecil was of course the principal speaker on the part of the Lords. He had the double task of removing the odium from Spain (for James was more and more inclined to a close alliance with that monarchy), and of supporting his master's high notions touching the prerogative. After considerably extenuating the wrongs imputed to Spain (the merchants had greatly exaggerated their case, but the Spanish principle was monstrous), he went on to argue that, by law, the crown of England was invested with an absolute power of peace and war, and that petitions made in parliament intermeddling with such matters were futile and inconvenient; that, if parliaments have ever been made acquainted with matter of peace or war in a general way, it was either when the king and council conceived that it was material to have some declaration of the zeal and affection of the people, or else when they needed *money* for the charges of the war, *in which case they should be sure enough to hear of it*. The Lords would make a good construction of the Commons' desire; but, as Cecil told them, they could not concur in the petition. Henry Howard (one of the sons of the late Earl of Surrey), now Earl of Northampton, and the most thorough-going courtier, followed Cecil, and told the Commons that their duties were confined to the places which they represented, that they had "a private and local wisdom according to that compass, but were not fit to examine or determine secrets of state." It appears that the Commons submitted, and gave up the merchants' petition. But the outcry out of doors was loud, and became the louder as James further betrayed his leaning to Spain.

On the 4th of July, 1607, he prorogued the parliament till the month of November of the same year, but, in effect, it did not meet again till February, 1610. While it was still sitting, in the month of May, 1607, lawless assemblages of men, women, and children were suddenly observed in Northamptonshire, Warwickshire, and Leicestershire. The king was greatly alarmed, and at first thought that it must be an organised insurrection, got up either by the Papists or by the Puritans, who were equally dissatisfied with his government. But it was nothing of the sort, but rather resembled the agricultural riots about enclosures which happened in the time of Edward VI.* The forfeitures of the estates of some of the gentlemen who had been engaged in the gunpowder-plot threw the lands into the hands of new proprietors, who were disposed to make the most of them, and enclosed many tracts where the former owners had allowed the peasantry right of common. Through the blundering statutes against enclosures, the people might consider themselves justified by law in opposing these encroachments. At Hill Norton, in Warwickshire (formerly an estate of the Treshams), they assembled to the number of a thousand; in other places they were still more numerous. They cut and broke down hedges, filled up ditches, and laid open all such enclosed fields as had formerly been free and common. They termed themselves "Levellers;" and they "bent all their strength to level and lay open the old commons without exercising any manner of theft or violence upon any man's person, goods, or cattle." There was, in fact, an order in their disorder; and not a single crime or atrocity was committed, though, for a time, in whole districts, rich and poor were at their mercy. At first they had no particular leader, but afterwards they placed at their head "a base fellow," called John Reynolds, whom they surnamed Captain Pouch, from a large pouch or purse which he wore by his side. This poor fellow was a madman. He assured the ignorant peasantry that he had authority from the king's majesty to throw down the new enclosures, and that he was sent from God to satisfy men of all degrees. As in a recent case of a somewhat similar kind, he was quite sure that he was invulnerable—that neither bullet nor arrow could harm him; and he further assured the poor clowns and their wives that he kept a spell in his pouch which would protect them all, provided only they abstained from evil deeds and cursing and swearing. When commanded by proclamation to disperse, they told the magistrates that they were only executing the statutes against enclosures. When the lords-lieutenants endeavoured to raise the counties against them, they found the yeomanry rather shy of bearing arms in such a cause; and many country gentlemen, whose interests were not implicated, thought it would be better to yield the point, and let them enjoy their rights of common as before. But the king sent down the Earls of Huntingdon and Exeter, and the Lord Zouche, with a considerable force of regular troops; and Sir Anthony Mildmay and Sir Edward Montague fell upon a body of them at Newton, another estate which had belonged to Tresham. They were busy digging and levelling, and were furnished with many half-piked staves, long bills, bows and arrows, and stones. "Those gentlemen (Mildmay and Montague), finding great backwardness in the trained bands, were constrained to use all the horse they could make, and as many foot of their own servants and followers as they could trust, and first read the proclamation twice unto them, using all the best provisions to them to desist that they could devise; but, when nothing would prevail, they charged them thoroughly, both with their horse and foot. At the first charge

* See ante, vol. ii. p. 480.

they stood, and fought deperately; but at the second charge they ran away; in which there were slain some forty or fifty of them, and a very great number hurt. One Sir Henry Fookes, that led the foot against them, was very sore hurt, and bruised in many places of his body, more likely to die than live."* This rout was followed up by others till the insurrection was entirely put down. Many men were taken, tried before Sir Edward Coke, and condemned to death as rebels and traitors, for levying war against the king. Captain Pouch was "made exemplary"—that is to say, he was hanged, drawn, and quartered. The poor fellow ought only to have been sent to a madhouse. Others were condemned for felony because they had not dispersed on reading of the king's proclamation.†

Meanwhile James continued his life of indolence and ease, hunting a good part of the year, and lying in bed the greater part of the day when he was not so pleasantly engaged. In Scotland his minister, the Earl of Arran, had desired him to recreate himself at hunting, and he would attend the council, and report at his majesty's return all opinions and conclusions ‡ He was scarcely settled in England when he found "that felicity in the hunting life, that he wrote to the council that it was the only means to maintain his health, which being the health and welfare of them all, he desired them to take the charge and burden of affairs, and foresee that he be not interrupted nor troubled with too much business."§ He even went so far as to say that he would rather return to Scotland than be chained for ever to the council-table. It was rarely that his subjects could get access to him in his retreats. When they did, his address, and demeanour, and appointments, clashed strangely with the notion of a most royal and heaven-descended prince, the image, as he called himself, of the God-head. He was dressed all over in colours green as the grass, with a little feather in his cap, and a horn instead of a sword by his side.‖ His queen, Anne of Denmark, was as fond of dancing and masques, fine dresses and costly entertainments, as he was of hunting; nor had she, on the whole, much more personal dignity than her husband. She was dissipated, thoughtless, extravagant, and had her favourites. But it was the monstrous favouritism of James that withdrew the eyes of all from his other follies and the follies of the queen, making them appear comparatively of little consequence. When he first entered England, the man he most delighted to honour and enrich was Sir John Ramsay, who had stabbed the Earl of Gowrie at the time of the alleged conspiracy, for which he had been promoted by James to be Viscount Haddington. As soon as they were fairly settled in the land of promise, he received leases of crown-lands, gifts, and pensions. Haddington had recently been 10,000*l.* deep in the merchants' books; but this debt was presently paid off, and the Scottish Viscount was well matched, being married, by the king's desire, to the daughter of the great Earl of Sussex. Towards the end of James's reign he was created an English peer, with the title of Earl of Holderness. In the language of the times, he had a good and a gracious maker in this terrestrial globe.* Next to Haddington, the prime favourite was Sir James Hay, another Scotchman, whom we have already mentioned, and who was soon created Lord Hay, and subsequently Viscount Doncaster and Earl of Carlisle. Places, honours, gifts, were showered upon this Scottish Heliogabalus, who, in the course of his very jovial life, "spent above 400,000*l.*, which, upon a strict computation, he received from the crown, leaving not a house nor acre of land to be remembered by."† But nearly all the Scottish favourites, like Carlisle, and their master, the king, spent their money as fast as they could get it; being rapacious, but certainly not avaricious. Nor had they long the field to themselves; for James presently chose to himself minions of English birth, to whom he gave far more than he ever bestowed on the Scots.‡ The first of these favourites was Sir Philip Herbert, brother of the Earl of Pembroke, who was presently created Earl of Montgomery, found in a rich wife, and loaded with gifts. "The Earl of Montgomery," says Clarendon, "being a young man scarce of age at the entrance of King James, had the good fortune, by the comeliness of his person, his skill and indefatigable industry in hunting, to be the first who drew the king's eyes towards him with affection. . . . . Before the end of the first or second year he was made gentleman of the king's bedchamber and Earl of Montgomery. . . . . He pretended to no other qualifications than to understand horses and dogs very well; which his master loved him the better for, being at his first coming into England very jealous of those who had the reputation of great parts." The Viscount Haddington, the Scottish favourite, became jealous of Montgomery, and struck the English favourite with his whip on a public race-course at Croydon; an insult which the English took up as offered not merely to the spiritless minion, who had not courage to resent it, but to the whole nation; "so far as Mr. John Pinchback, though a maimed man, having but the perfect use of two fingers, rode about with his dagger in his hand, crying, Let us break our fast with them here, and dine with the rest at London. But, Herbert not offering to strike again, there was nothing spilt but the reputation of a gentleman."§ This coward's mother, the high-minded sister of

* Letter of the Earl of Shrewsbury to Sir John Manvers, &c., in Lodge's Illustrations.
† Stow.—Arthur Wilson.
‡ Melvil's Memoirs.
§ Winwood's Memorials.
‖ Osborn.

* Lodge.
† Clarendon, History of the Great Rebellion.
‡ "It is most true that many Scots did get much, but not more with one hand than they spent with the other; witness the Earl of Kelly, Annandale, &c nay, that great getter, Earl of Carlisle, also, and some private gentlemen, as Gideon Murray, John Achmuty, James Baily, John Gib, and Barnard Lindley. . . . . But these, and all the Scots in general, got scarce the tithe of those English getters, that can be said did stick by them, or their posterity Besides, Salisbury (Cecil) had one trick to get the kernel, and leave the Scots but the shell, yet cast all the envy on them."—*Weldon.*
§ Osborn.

Sir Philip Sydney, tore her hair when she heard of her son's dishonour. James took the matter into his own hands, sent Haddington to the Tower for a short time, and then reconciled the parties. He had a deal of work of the like kind—for the Scottish and English courtiers quarrelled incessantly, and sometimes fought. Douglas, the master of the horse, was killed by Lee, brother to the Avenor,* in a desperate duel. Lee was not much followed (*for revenge*) by the Scots, because they held there was fair play. The younger Douglas got his brother's place, which helped somewhat to appease the quarrel.† Some years after Herbert's quarrel, Crichton Lord Sanquhar, a fiery Scot, was executed for the assassination of a great fencing-master, who had thrust out one of his lordship's eyes. Bacon, in eloquent language, praised his master's love of justice and strict impartiality; and James himself took care to extol his doings; but it appears that he had a personal pique against the Scottish Lord; and a caustic chronicler of his deeds says, "He satisfied, in part the people, and wholly himself; it being thought he hated him for his love to the King of France, and not making any reply when he said, in his presence, to one that called our James a second Solomon, that he hoped he was not David the fiddler's son: thus do princes abuse each other."‡

When Philip Herbert, Earl of Montgomery, saw himself supplanted in the king's strange favour by a new comer, he betrayed no resentment, but clung to the new minion as to a bosom friend—a line of conduct which quite charmed the king, and which secured to Herbert a continuance of the royal liberality and good will. This new favourite, who over-topped all his predecessors, and first put the monstrous folly or vice of James in its full and disgusting light, was Robert Carr, or Ker, of the border family of Fernyherst, which had suffered severely in the cause of the king's mother. It is said that, when a mere child, Robert Carr had been page to James. In his youth he went over to France, according to the custom of Scottish gentlemen, and there acquired many courtly graces and accomplishments. He was poor, even beyond the bounds of Scottish poverty, but "straight-limbed, well-favoured, strong-shouldered, and smooth-faced, with some sort of cunning and show of modesty;"§ and he had been taught that personal beauty, gay dress, and manners, would make him a fortune at court. He had recently returned from the Continent, and the gloss was not off his French-cut doublet when he appeared, in the month of July, 1606, as page or esquire to the Lord Dingwall, in a grand tilting-match at Westminster. In the course of the chivalrous entertainment he had to present his lord's shield to the king. In doing this his horse fell with him, or threw him, close to James's feet. His leg was broken, but his fortune was made. The king, struck with his beauty, and tenderly moved by his accident, ordered him to be instantly carried into Master Rider's house at Charing Cross, sent his own surgeon to attend him, and, as soon as the tilting was over—"having little desire to behold the triumph, but much to have it ended"—he flew to visit him, and wait upon him in person; and after, by his daily visiting and mourning over him, taking all care for his speedy recovery, he made the day-break of his glory appear."* Carr, at this time, was scarcely of age, and, as James soon found out that the more scholastic part of his education had been sadly neglected, he undertook to teach him Latin himself, and gave him a lesson every morning.† And soon he began to give court places and rich presents—things which Carr coveted more than all the Latinity of James's preceptor Buchanan, or of Cicero and Horace. On Christmas-eve, 1607, the new favourite was knighted, and sworn gentleman of the bedchamber, which place kept him constantly about the king, who took no care to conceal his nauseous affection from the court, leaning on his arm, pinching his cheek, smoothing his ruffled garment, and looking in his face even when directing his discourse to others. Soon everybody who had to ask a favour, to press a suit, or to demand simple justice, found that the surest road to success was through the good graces and protection of Sir Robert Carr. Hence rich presents poured in upon him; ladies of the highest rank leered at him; and the haughtiest of the nobles paid their adoration to this rising sun, sparing neither bounty nor flattery. This court picture is too base and revolting to be dwelt upon. It was at first feared that Carr, as a Scot, would especially favour his own countrymen; but this was not the case, probably because the English lords and ladies could pay him best. "He even appeared to be endeavouring to forget his native country, and his father's house, having none of note about him but English. But, above all, was Sir Thomas Overbury his Pythias."‡ This close friendship, which ended in the murder of Overbury, commenced with Carr's first appearance at court; and it became the custom to bribe and flatter Sir Thomas, on account of the influence he had with his friend. Cecil and Suffolk, who were rivals, tried hard which should engross him and make him their monopoly. All this seems to have inflated Overbury, who was otherwise moderate

* An officer of the royal stables, whose business was to provide oats for the horses.

† Hardwicke State Papers, Letter of Sir Dudley Carleton. This particular duel was fought near Salisbury, in the month of November, 1603. The quarrel had begun at Windsor. "Douglas was left dead on the field with three hurts, and was buried three days after in Salisbury Church, with a kind of solemnity, at which the duke, the Scottish lords, and all other scot and lot were present. Lee was hurt in four places, but lives, and is like to escape."—Id.

‡ Osborn.

§ Nug. Ant.

* "Lord!" exclaims Sir Anthony Weldon, "how the great men flocked then to see him, and to offer to his shrine in such abundance, that the king was forced to lay a restraint, lest it might retard his recovery by spending his spirits. And, to facilitate the cure, care was taken for a choice diet for himself and chirurgeons with his attendants, and no sooner recovered but a proclaimed favourite."

† "I think some one should teach him English too; for, as he is a Scottish lad, he hath much need of better language."—*Letter of Lord Thomas Howard to Sir John Harrington. Nug. Ant.*

‡ Weldon.

and cunning, and a man of excellent parts. But it was not until after the death of Cecil, in 1612, that the minion was allowed to take his flight to the pinnacle of honour, and to become a sort of dictator both in the court and the kingdom.

A.D. 1608, 1609.—All the rest of Europe might despise the personal character and the timid policy of the English monarch; but there was one infant republic obliged, by circumstances which he had not made, to look to James with anxiety and awe. This was the government of Holland and the United Provinces, some of the keys to which he held in the cautionary towns of Flushing, Brill, and Rammekens. At one moment there was a report that James was in treaty with Philip III. for the sale of those places which the Dutch had not been able or willing to redeem with money; and after concluding his treaty of peace with Spain, by which he bound himself to be neutral, he had permitted troops to be levied in England for the service of the Spaniards and the Archduke Albert, who yet flattered himself with hopes of reducing the free States. Soldiers of fortune and volunteers, chiefly Papists, passed over to the Low Countries, to endeavour to undo what their Protestant countrymen had done in the time of Elizabeth. But the temper of the English nation made it dangerous to derange the great Protestant scheme of the preceding reign, or to espouse the cause of the Spaniards against the Dutch; and Cecil, to whom was left almost the entire management of foreign politics, apprehended that, if the war should be once finished in the Netherlands, it might be transferred by Philip to Ireland. The Earl of Tyrone, who had incurred the suspicion of planning a new insurrection, had found it expedient to flee from his native country, and throw himself upon the protection of the Spaniards, who treated him as a sovereign prince, and allowed him liberal pensions. Thus Philip had a firebrand always ready to throw into Ireland. Cecil had the spirit to resent this conduct. "Tell them," he wrote to Sir Charles Cornwallis, the English ambassador at Madrid, "that, when the King of Spain shall think it time to begin with Ireland, the king, my master, is more likely than ever Queen Elizabeth was to find a wholesome place of the King of Spain's where he would be loth to hear of the English, and to show the Spaniards that shall be sent into Ireland as fair a way as they were taught before."* Luckily, however, Philip was not much more warlike than James, and equally poor: Tyrone was allowed to go into Italy to live upon the bounty of the pope; and Ireland, for the present, was left quiet. There was a deal of insidious diplomatizing on all sides—for France (which was an ally of Holland), England, and Spain, had each its views and interests, and the new republic itself was by no means remarkable for sincerity or plain dealing. In the end, the archduke either made or listened to an overture to negotiate separately with the Dutch, upon the basis of their independence, without communicating with James, who would fain have held himself as arbitrator, or with any other party. When a truce was agreed upon with the archduke, the Dutch, in the month of April, 1607, informed the King of France that they had opened negotiations for a definitive peace with Spain, and invited their ally, Henry, to participate with them in the treaty. Three months after, the States condescended to give, in a formal manner, the same information and the same invitation to the King of England. The vanity of James must have been hurt, but he acceded with alacrity, and joined himself with Henry IV., as mediator and guarantee. The Hague became the scene of apparently endless negotiations; but, at last, on the 29th of March, 1609, a truce was concluded for twelve years between Spain and the new republic—a truce equivalent to a peace. By this treaty the brave and persevering Hollanders, after a forty years' war, obtained from their tyrannical masters entire independence, liberty to trade to the Indies, and the closing of the Scheldt. James got for himself the acknowledgment of a debt of 818,000*l.*, as the sum total of what was due to the English crown; and the promise of the States to discharge this debt by annual instalments of 60,000*l.* each; the first payment to be made two years after the date of this treaty. In the mean while, and until liquidation, James was to retain possession of Flushing, Brill, and Rammekens.*

The grand merit—perhaps the greatest of Elizabeth's government—was its strict order and economy. This, as we have remarked before, enabled her to maintain her high notions of prerogative, which were, however, on most public occasions, coloured over with kind and popular language, and varnished with dignity and grace.† But James was extravagant beyond all precedent, and he allowed the queen and his children, or the corrupt and greedy courtiers about them, to squander great sums. He was always in want of money, and people naturally looked more narrowly into the pretensions of a pauper king (though heaven-descended) who had always his hands in their pockets, or wanting to have them there. They also saw the court exposed and humiliated in various ways. In the third year of his reign he could neither pay his servants, nor decently supply his own table. The treasurer, Lord Dorset, was stopped in the streets by the servants of the household, who wanted their wages, and the purveyors refused further supplies till they should be settled with. Upon the death of the Earl of Dorset, in 1608, the Earl of Salisbury (Cecil) succeeded to the post of treasurer, still retaining his secretaryship of state. The Earl of Northampton, who became lord privy seal about the same time, had considerable authority or influence with the king; but Cecil might be regarded now as prime minister,

* Winwood.

* Rymer.—Birch, Neg.—Stow.

† "Your queen (Elizabeth) did talk of her subjects' love, and affection, and, in good truth, she aimed well; our king talketh of his subjects' fear and subjection, and herein I think he doth well too, *as long as it holdeth good.*"—Lord T. Howard to Harrington. *Nug. Ant.*

or sole acting minister, of England. He found the treasury empty, but fortunately a portion of the subsidies had not yet been paid in and spent. This money was something to stand by, and his fertile mind devised other means of raising supplies without consent of parliament. James, as we have seen, pretended to an authority paramount to all parliaments; in his theory the property of the subject was always the property of the king; and Cecil's political conscience did not prevent his labouring to establish all this in practice. Monopolies more oppressive than any that had preceded them were established and bartered; a right of fishery off the coasts of England and Scotland was sold to the Dutch; a feudal aid of twenty shillings on each knight's fee was levied by an old law, and duties were imposed upon the import and export of goods by the prerogative alone, without any reference even to the sanction of parliament. In the latter course Dorset had begun before him, by laying an import duty on Corinth raisins, or currants, by letters-patent. Bates, a Turkey merchant, resisted payment. He was proceeded against in the Court of Exchequer, where the barons decided for the crown, and laid down a right of taxation in the king without parliament, which was highly satisfactory to James and his ministers. With this precedent before him, Cecil went boldly to work, and imposed duties upon various kinds of goods by orders under the great seal. But all these sources of revenue were not sufficient to supply James's expenditure, and he was driven by his necessities to call together his parliament, which had been prorogued some thirty months.

A.D. 1610.—The Houses began their session on the 14th of February, when Cecil represented to the Lords, instead of causing it to be represented to the Commons, that the king's necessities were such as to call for an immediate supply. Neither time nor anything else was gained by this irregular mode of proceeding, and the minister was brought to a dead pause by the murmurs of the Commons, who took up the question of taxation and duty-making. Several of the members had sifted the legal authorities, and had arrived at the conclusion that the decision of the Barons of the Exchequer in the case of Bates was illegal. Hakewill and Yelverton made two elaborate speeches to this effect, and they were lamely answered by Bacon and Sir John Davis, who sustained the cause of prerogative. The country gentlemen were made to feel that, if the court were allowed to impose duties on merchandise as it chose, it would soon levy taxes on their lands in the same arbitrary manner, and the opposition became resolute and clamorous. James intimated, by a message, that they must not talk upon such subjects; but it appears that they talked louder than ever. He then called both Houses before him at Whitehall, and delivered to them a long lecture, which was at once blasphemous and ridiculous. "Kings," said this unroyal specimen, "are justly called gods, for that they exercise a manner or resemblance of divine power upon earth; for, if you will consider the attributes of God, you shall see how they agree in the person of a king. God hath power to create or destroy—to make or unmake—at his pleasure; to give life or send death; to judge all, and to be judged nor accountable to none; to raise low things and to make high things low at his pleasure; and to God both soul and body are due. And the like power have kings: they make and unmake their subjects; they have power of raising and casting down, of life and of death,—judges over all their subjects, and in all causes, and yet accountable to none but God only. They have power to exalt low things and abase high things, and make of their subjects like men of chess,—a pawn to take a bishop or a knight; and to cry up or down any of their subjects as they do their money. And to the king is due both the affection of the soul and the service of the body of his subjects."* In the end he told them that it was sedition in subjects to dispute what a king might do in the plenitude of his power,—that kings were before laws, and that all laws were granted by them as matter of favour to the people. But, notwithstanding this parallelizing of himself with the divinity, the Commons would not allow that he had any right to lay duties upon currants or broadcloth without their consent, and they presented a strong remonstrance against his inhibitions. They claimed "as an ancient general and undoubted right of parliament, freely to debate all matters which do properly concern the subject." They did not take upon themselves to review the judgment given by the Court of Exchequer, but they desired to know the reasons whereon that judgment was grounded, "especially as it was generally apprehended that the reasons of that judgment extended much farther, even to the utter ruin of the ancient liberty of this kingdom, and of the subjects' rights of property in their lands and goods."† They told him that the kings of this realm, with the assent of parliament, make laws

* King James's Works.—Winwood's Memorials.—Journals.

† Journals. There was certainly a provocation to the very worst suspicions. The Chief Baron Fleming and Baron Clerk had declared that "the king's power is double ordinary and absolute; and these have several laws and ends. That of the ordinary is for the profit of particular subjects, exercised in ordinary courts, and called common law, which cannot be changed in substance without parliament. The king's absolute power is applied to no particular person's benefit, but to the general safety; and this is not directed by the rules of common law, but more properly termed policy and government, varying according to his wisdom for the common good; and all things done within those rules are lawful. The matter in question is matter of state, to be ruled according to policy by the king's extraordinary power. All customs (duties so called) are the effects of foreign commerce; but all affairs of commerce, and all treaties with foreign nations, belong to the king's absolute power; he therefore who has power over the cause must have it also over the effect. The sea-ports are the king's gates, which he may open and shut to whom he pleases." They asserted that the ancient customs on wine and wool had originated in the king's absolute power, and not in a grant of parliament. But many statutes had subsequently controlled this prerogative. In the reign of the great and warlike Edward III. it had been settled by parliament that no new imposition should be laid on wool or leather: but one of the barons maintained that this did not bind Edward's successors, for the right to impose such duties was a principal part of the prerogative of the crown of England, which the king could not diminish. They extolled the king's goodness in permitting the case to be argued at all, and taxed Bates and his party with insolence in presuming to dispute so clear a right.—*State Trials.—Hallam's Const. Hist.*

and taxes, and impose duties upon goods and merchandise, but not otherwise: that the people of this kingdom had been ever careful to preserve these liberties and rights when anything had been done to prejudice them: that his majesty's most humble Commons, following the example of their ancestors, and finding that his majesty, without advice or consent of parliament, had lately, in time of peace, set both greater impositions, and far more in number, than any of his ancestors had ever done in times of war, with all humility presumed to petition that all impositions set without assent of parliament should be quite abolished and taken away, and that his majesty, in imitation of his noble progenitors, would be pleased that a law be made during this session of parliament, declaring that all impositions or duties set, or to be set, upon his people, their goods or merchandise, save only by common consent of parliament, are, and ever shall be, void.* This was gall and wormwood to James; but the Commons did more than petition;—they passed a bill taking away impositions. This, however, was rejected by the Lords, who were not disposed to do anything to check the march of absolutism; and the bench of bishops were always ready to find texts in Scripture for the support of the prerogative. The whole high church party had by this time gone far into the divine right, and had adopted the theory that the king's power was of God, and that of the parliament only of man. Bancroft, the primate, would fain have been a sort of Protestant Becket, but the circumstances of the times induced him to seek for power, not by opposing the sovereign, but by making the church a sharer in the royal prerogative. In his eyes it seemed as a consequence, that if kings were esteemed as being of God, the bishops also, being appointed by him, might claim the divine right under him, and that the crown and the mitre should be alike above law. The ecclesiastical courts were daily encroaching on the temporal courts; and the established clergy were never tired of repeating that the king's authority was paramount in his own courts, and that all jurisdiction, spiritual and temporal, belonged to him. By these pretensions the church exasperated some of the judges, who thenceforward began to regard the Puritans with a less severe eye; and at the same time the common lawyers, who had always been jealous of the ecclesiastical courts, watched their encroachments more keenly than ever. One Doctor Cowell, a high churchman, who was patronised by the archbishop and eulogised by the king, brought the tempest to a head, though unfortunately its bursting did not purify the atmosphere of court or church. In his Interpreter, or Law Dictionary, which was dedicated to Bancroft, this man explained to the unlearned that the king was *solutus à legibus* (untied from laws),—that he was above all law by his absolute power,—and though in the making of laws he might admit the parliament or three estates unto council, this was not of constraint, but of his own benignity, or by reason of the promise made upon oath at the time of his coronation. But never was jesuit made to give less value to an oath than this learned doctor gave to the coronation oath of an English monarch. "Although," he says, "at his coronation he take an oath not to alter the laws of the land, yet, this oath notwithstanding, he may alter or suspend any particular law that seemeth hurtful to the public estate. Thus much, in short, because I have heard some to be of opinion that the laws are above the king." And in treating of parliament, the doctor declares,—"Of these two one must be true, either that the king is above the parliament, that is, the positive laws of his kingdom, or else that he is not an absolute king; and therefore though it be a merciful policy, and also a politic mercy, not alterable without great peril, to make laws by the consent of the whole realm, because so no part shall have cause to complain of a partiality, yet simply to bind the prince to or by these laws were repugnant to the nature and constitution of an absolute monarchy." And as if this were not enough, in that part of his dictionary where he explains the word prerogative, the doctor says that "the king, by the custom of this kingdom, maketh no laws without the consent of the three estates, though he may quash any law concluded of by them:" and that he "holds it incontrollable that the king of England is an absolute king." The Commons were incensed at this bold book, and they requested a conference with the Lords upon it in order to punish its author. The Lords consented, and the conference was managed on the part of the Lower House by Sir Francis Bacon, who could shift and change like Proteus, and be all for prerogative one hour and all for parliamentary rights the next. James shrunk before the storm, and made a scape-goat of his learned doctor, who had only expressed the king's own opinions without his blasphemy. Cowell was sent to prison for a short time, and his book, which had been publicly sold with impunity, was suppressed by the king's proclamation. The Commons, with exceeding great joy, returned thanks.

On coming into the office of lord treasurer, Cecil had found that the king's debts amounted to 1,300,000*l.*, while his ordinary expenditure was calculated to exceed his revenue by 81,000*l.* at least. He had reduced the debt by about two-thirds; but he saw it accumulating afresh. He roundly proposed a perpetual yearly revenue to be granted, once for all, by parliament; and, as the price of this vote, he promised in the king's name that every grievance should be redressed and other

* Journals of Commons and Lords.—Parl. Hist.—Winwood.—R. Coke's Detection. Coke says that the Commons took fire and intended to have proceeded severely against Cowell; but the king interposed, and promised to call in the books by proclamation, as he did, but they were out, and the proclamation could not call them in, but only served to make them more taken notice of. He tells us that there were many others published to the same purpose, and among them, one by Blackwood, who concluded that the English were all slaves by reason of the Norman Conquest!

St. James's Palace and City of Westminster. (Temp. James I.) Viewed from the Village of Charing. From an ancient Picture engraved in Nicholls's Progresses.

modes of raising money abandoned. The Commons instantly brought forward a host of grievances: the minister and the courtiers wished them to vote the money first and complain afterwards, but they stuck to their grievances. One of the most important of these was the ecclesiastical High Commission Court, a most arbitrary tribunal, which fined and imprisoned,—passed sentence without appeal,—constantly interfered with men's domestic concerns and their civil rights, and in its ordinary procedure despised the rules and precautions of the common law. Another glaring abuse was the king's attempting to do everything by his own proclamation. James, indeed, might have been called the King of Proclamations. The Commons told him that there was nothing "which they have accounted more dear and precious than this,—to be guided and governed by the certain rule of the law, which giveth both to the head and members that which of right belongeth to them, and not by any uncertain or arbitrary form of government." They told him that it was the indubitable right of the people of this kingdom not to be made subject to any punishment that shall extend to their lives, lands, bodies, or goods, other than such as are ordained by the common law of this land, or the statutes made by their common consent in parliament. They then complained that it had been attempted to make royal proclamations take the place of law; that proclamations had been of late years much more frequent than they had ever been before, extending to liberty, property, inheritances, and livelihoods of men; some of them tending to alter the law; some made shortly after a session of parliament for matter rejected in the same session; some ordering punishments to be inflicted before lawful trial and conviction; some referring the punishment of offenders to courts of arbitrary discretion; some to support oppressive monopolies, &c. "By reason whereof," continued the Commons, "there is a general fear conceived and spread amongst your majesty's people, that proclamations will, by degrees, grow up and increase to the strength and nature of laws, whereby not only that ancient happiness and freedom will be much blemished (if not quite taken away), which their ancestors have so long enjoyed; but the same may also (in process of time) bring a new form of arbitrary government upon the realm: and this their fear is the more increased by occasion of certain books lately published, which ascribe a greater power to proclamations than heretofore had been conceived to belong unto them; as also by the care taken to reduce all the proclamations made since your majesty's reign into one volume, and to print them in such form as acts of parliament formerly have been, and still are used to be, which seemeth to imply a purpose to give them more reputation and more establishment than heretofore they have had."* The Commons, after giving a list of James's arbitrary proclamations, proceeded to complain of the delay of the courts of law in granting writs of prohibition and *habeas corpus*, and of the jurisdiction of

* Somers's Tracts.—Carte.

the council of Wales over the four bordering shires of Gloucester, Worcester, Hereford, and Salop, which it was pretended were included within their authority as Marches of Wales. Their other chief grievances were the Duke of Lennox's patent for searching and sealing new drapery, monopolies of wine, licences and taxes recently set upon all public-houses, and a tax or duty upon sea-coal.

The lofty, the firm and moderate tone of this petition of grievances ought to have warned James that the spirit of the Commons was undergoing a great change, and that whatever had been their timidity and servility under the House of Tudor, they would now aim at occupying their elevated and proper position in the constitution. But James, though alarmed and in dreadful want of their money, clung fast to his prerogative, and thought to satisfy them with civil words and paltry concessions. With regard to the Court of High Commission, which probably indisposed the minds of a greater number of his subjects than any other single cause, he would not cede a line. As to the proclamations, he vouchsafed to promise that they should never exceed what the law warranted. The royal licences to public-houses he generously agreed to revoke. But the Commons, who maintained that he had no right to lay it on, would not vote him a perpetual revenue in exchange for this tax upon victuallers, and there was a pause exceedingly distressing to the needy king.

There remained certain parts of his royal prerogative which the Commons had hardly ventured to dispute; but as the minister spoke of "retribution" for "contribution," they came under discussion. These were the matters of wardship, tenure by knight service, and the old grievance of purveyance. The Commons got the Lords to discuss the several subjects with them in committees of conference, and Cecil showed a willingness to bargain for the surrender of these feudal sources of revenue in exchange for a fixed annual sum. But it was soon found that James, though willing to give up wardship and purveyance, was exceedingly reluctant to part with tenure by knight service, holding it to be highly indecorous that his nobility and gentry should hold their lands on the same ignoble tenure as base people. Still, however, the Commons thought the concessions he was willing to make well worth the purchasing. It remained to fix the price. James asked 300,000*l.* per annum as a full composition for abolishing the right of wardship, and for taking away all purveyance, with some other concessions.* This was thought too dear, and, after a good deal of haggling, the king reduced it to 220,000*l.* per annum. The Commons, under the threat of a dissolution, bade up to 200,000*l.*, and the court gladly closed with them at that price. But parliament had to guard itself against the prerogative, which had been held up as beyond the control of statute; and they had also to devise by what means the 200,000*l.* per annum should be levied. They were resolved to be slow and cautious; their session had been already prolonged to the middle of July, and it was therefore agreed that they should vote something to meet the king's immediate exigencies, and resume the subject after prorogation. All that the Commons voted was an aid of one subsidy and one-tenth; upon which they were prorogued to the month of October. When they met again, James was astonished and irritated to find that the Commons were in a less complying humour than before. He wanted to concede less than he had promised: they insisted upon having more than they had bargained for. During the recess they had reflected seriously on the growing extravagance of the king and the rapacity of his courtiers. They suspected that the king would not keep his part of the bargain; they saw that no redress was to be expected as to the tyranny of the ecclesiastical courts,—that illegal customs were still exacted at the out-ports,—that proclamations were to have the force of acts of parliament. In this frame of mind (and there was a large party that had brooded with horror or disgust over James's blasphemous boastings) they declared their reluctance to voting the 200,000*l.* per annum without a better assurance of an equivalent in substantial reforms. James, who never doubted of the efficacy of his mischievous intermeddling and insulting oratory, summoned them to a conference; and about thirty members waited upon his majesty at Whitehall. The king desired them to make a direct answer to some questions which he should put to them. The first was, Whether they thought he was really in want of money, as his treasurer and chancellor of the exchequer had informed them? "Whereto, when Sir Francis Bacon had begun to answer in a more extravagant style than his majesty did delight to hear, he picked out Sir Henry Neville, commanding *him* to answer, according to his conscience. Thereupon Sir Henry Neville did directly answer, that he thought his majesty was in want. 'Then,' said the king, 'tell me whether it belongeth to you, that are my subjects, to relieve me or not.' 'To this,' quoth Sir Harry, 'I must answer with a distinction: where your majesty's expense groweth by the commonwealth, we are bound to maintain it;—otherwise not.' And so, continuing his speech, he gave a note, that in this one parliament they had already given four subsidies and seven fifteenths, which is more than ever was given by any parliament, at any time, upon any occasion; and yet, withal, they had no relief of their grievances. Then was his majesty instant to have him declare what their grievances were. 'To all their grievances,' said Sir Harry, 'I am not privy, but of those that have come to my knowledge I will make recital.' And so begin to say that, in matter of justice, they could not have

* Among these was the odious right of interference in the marriages of infants and widows.

an equal proceeding (aiming, perhaps, at his majesty's prerogative, *nullum tempus occurret regi*); and then, falling upon the jurisdiction of the marches of Wales, Sir Herbert Croft took the word out of his mouth, otherwise it was thought Sir Harry, being charged upon his conscience, would have delivered his judgment upon all, in what respect soever it might be taken."*

James now prorogued the parliament for nine weeks, a time which, by his orders, was employed by the court party in "dealing every one with his friends and acquaintance in the House, to work them to some better reason."† But the Commons would not be so wrought upon; they were resolute not to replenish "the royal cistern" without a guarantee; and this made the king determine that they should not meet again to question his prerogative without filling his exchequer.‡ "For being now seasoned with seven years' knowledge in his profession here, he thought he might set him up for himself, and not be still journeyman to the lavish tongues of men that pried too narrowly into the secrets of his prerogative, which are mysteries too high for them, being *arcana imperii*, fitter to be admired than questioned. But the parliaments were apprehensive enough that these hidden mysteries made many dark steps into the people's liberties; and they were willing, by the light of law and reason, to discover what was the king's, what theirs; which the king, unwilling to have searched into, after five sessions in six years' time, dissolved the parliament by proclamation."§

The dissolution took place on the 9th of February, 1611, not a single act having been passed in the late session. In the preceding month of November, while the king was smarting under his disappointments and reviling all parliaments, the primate Bancroft departed this life, as much applauded by the high church party as he was condemned by the puritans and all classes of dissenters. The orthodox Clarendon afterwards declared that "his death was never enough to be lamented,"—that he "understood the church excellently, and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the non-conformists by and after the conference at *Hampton Court*."‖ During the stormy debates of these last sessions, Bancroft had done his best to defend his church from the reformers, and to encourage the king in his prerogative course. In the month of May he addressed a long epistle to James, complaining bitterly of a "bill in hand against pluralities," which bill, he adds, "is the same that, for above forty years, from parliament to parliament, hath been rejected, and that very worthily." After defending pluralities on the ground that there were many livings which, taken singly, were insufficient for the support of a worthy preacher, he said, "We that are bishops will do our best (as heretofore we have to our powers endeavoured) for the increasing of a learned ministry; but we may never yield to any course that shall procure, apparently, their utter overthrow, as to expect that they should still make brick without diminishing their task, when their straw is withheld from them, and they shall be driven to gather stubble in the fields." He felt assured that the benefices would not be made sufficient living for the preachers without some attempt either against cathedral churches or for the diminishing of the bishops' revenues; and here he came to the point with the king, greatly fearing that his poverty might force James into compliances. "Moreover," he adds, "upon the advantage of your majesty's great necessities at this time, I do foresee, and partly already perceive, that many things will be pressed upon your majesty against the clergy by the Lower House of parliament, as hoping, now or never, to obtain that which divers of them for many years have aimed at; and that your majesty, for the gaining of your own ends towards your supply and support, may be inclined to give more way unto them therein than, I judge, may stand with the good continuance of that state of this church, wherein you found it to be most royally upheld by the late queen (of most worthy memory), and hath since been likewise maintained by your most excellent majesty accordingly, with a very great increase of many singular benefits and most princely favours towards it. But myself, with the rest of your majesty's bishops and the whole clergy, do so fully repose our trust and assurance in your majesty's most royal and Christian affection towards us, as we know that all the cunning and sleight in the world shall never be able to work your highness to the approbation and allowance of anything that may either tend to our unjust reproach or to the prejudice of religion, which hitherto hath more flourished in England than in all the churches besides of Christendom; considering that all the plots and practices at this time designed against us may easily be met with by the observation of your own rules and directions, delivered so oft this session to the Lower House by the lord treasurer." In this same letter Bancroft enclosed the copy of a bill against the proceedings of the High Commission Court, telling the king that, though it had been rejected the two last sessions of this parliament by the Lords, it had again passed the Lower House; and had been read upon the preceding Saturday, by the lord chancellor's appointment, to the Upper House. The primate was in an agony about this bill. "Your majesty," he says, "in perusing of it, shall find it to stretch very far, neither regarding some statutes yet in force nor the authority either of your majesty's convocations (representing in former times the Church of England) or of your highness, the chief and supreme governor of it. The last session but one sundry of your bishops, in a great committee, answered all those reasons that were then thought

* Winwood, Memorials. † Id. ‡ Id.
§ Wilson, Life and Reign of James I.
‖ History of the Great Rebellion and Civil Wars.

fit to be alleged for the passage of this bill. But all is one; reason or no reason, it forceth not; it is importunity and opportunity that is relied upon, and we must again endure a new brunt to no purpose, except your majesty shall be pleased to prevent it; and I think it very necessary you should so do, for the avoiding of public scandal, if your majesty's supremacy should now again be called in question, as of necessity it must be, if the authors of this bill do stand to the justification of it against us. I most humbly beseech your most excellent majesty to pardon this my boldness,—*sacerdotis vox debet esse libera*,—and I could not but condemn myself, being Archbishop of Canterbury, if I should not with all my strength, and for the preventing of future mischief, stand up in the gap which is sought to be made in the very form and frame of the church, and likewise plead in the best sort I am able before so mighty, so learned, so provident, so religious, and so wise a king, for so well a settled and worthy form of religion, and for so godly, so learned, and so painful a clergy, whom your majesty shall ever have at your commandment, most loyal, most faithful subjects, and always, in their divine meditations and prayers, your daily orators." But notwithstanding this laudation of James's religion, Bancroft knew very well that he was more eager for money than for the prayers of his bishops; and about two months after, to enforce his arguments and to prevent any enactment against the High Commission Court, he wrote a comfortable letter to his majesty to intimate that the bishops and clergy of the province of Canterbury assembled in convocation, "considering his majesty's most princely favour towards them and his present wants, notwithstanding there was an old subsidy of four shillings in the pound behind unpaid, had very willingly, readily, and with one consent, granted to his majesty a new subsidy of six shillings in the pound, and had so ordered the payment of it with the former as that they might be both in his exchequer within one year and a half."* James received this liberal grant very joyfully, and the bill, which had passed the Commons, was of course thrown out in the Lords.* Immediately after this Archbishop Bancroft died. To the surprise of most people who were unacquainted with certain services, both secret and public, which he had rendered to the king in a recent visit to Scotland, Doctor George Abbot, only eighteen months a bishop, was now promoted to the primacy. Abbot, instead of being a high churchman like Bancroft, was strongly imbued with Presbyterian or Calvinistic principles, and disposed, not merely to tolerate, but to patronise the puritan preachers, whom his predecessor had so harshly repressed. In the words of Clarendon, who takes the least favourable view of his character, and who is disposed to attribute the growth of puritanism and disaffection to his conduct as head of the Anglican Church under James, Abbot "considered Christian religion no otherwise than as it abhorred and reviled popery, and valued those men most who did that the most furiously. For the strict observation of the discipline of the church, or the conformity to the articles or canons established, he made little inquiry, and took less care; and having himself made a very little progress in the ancient and solid study of divinity, he adhered only to the doctrine of Calvin, and for his sake did not think so ill of that discipline as he ought to have done. But if men prudently forebore a public reviling and railing at the hierarchy and ecclesiastical government, let their opinions and private practice be what it would, they were not only secure from any inquisition of his, but acceptable to him, and at least equally preferred by him."* In this way the church became divided against itself; but the intolerance of churchmen in general continued much the same, or, if there were a difference, it was seen in an increased hostility to papists arising out of the more ardent zeal of the Calvinists.

Perhaps they have somewhat overrated the delicate sensitiveness of his mind, or overlooked the diseased, crazy state of his body† (and he was sixty-two or sixty-three years old when he died); but historians have pretty generally attributed the death of Robert Cecil, Earl of Salisbury, to the mortifications he experienced in this parliament, and to the pecuniary embarrassments of the government which were consequent on the firmness of the Commons. Though his own coffers were well filled, the treasury was empty, and he probably entertained no very sanguine hope of replenishing it by the sale of crown lands and the raising of loans in the different countries by sending privy seals, which latter exercise of the prerogative was put in force with a trembling hand, lest "that sacred seal should be refused *by the desperate hardness of the prejudiced people*." Whatever were the cause, the minister fell into a languid, hopeless state, and retired from business to drink the waters at Bath. He derived no benefit from the healing springs, and, on the 24th of May, 1612, he died, worn out and wretched, at Marlborough, on his way back to the court. Long suffering had obliterated the charms of rank and honours, princely mansions, and wide estates, an enormous wealth, and a policy and ambition which had triumphed over many a formidable rival. In his last moments he said to Sir Walter Cope,—"Ease and pleasure quake to hear of death; but my life, full of cares and miseries, desireth to be dissolved." His death was certainly not less welcome to the great mass of the nation; but, in the worse that followed, people soon lamented the bad rule of this remarkable son of a most remarkable father. Though heartless and perfidious, Cecil had abilities of the highest order; and though subservient and ready to erect James into an

* Dalrymple (Lord Hailes), Memorials and Letters relating to the History of Britain in the reign of James I.

* 'History of the Great Rebellion.'

† He was deformed in his person, and had always been of a weakly constitution.

absolute monarch rather than lose favour and office by thwarting that prince's vehement inclinations, he had a sense of national dignity, and a system of foreign policy which would have saved England from degradation. The scoundrels who succeeded him had all his baseness and villany with none of his genius.

Before Cecil found peace in his grave, the fate of an interesting victim, whose adventures furnish one of the most touching episodes in our history, had been sealed by a barbarous hand. The Lady Arabella Stuart, whose descent was a crime never to be forgiven, had been kept chiefly about court ever since the trial of Raleigh and Cobham, who were said to have aimed at her elevation to the throne, though it was proved that the young lady had absolutely nothing to do with their plot. In the disorderly and tasteless revelry of the court she had continued to cultivate a taste for elegant literature, not wholly neglecting the study of divinity, which James seems to have made fashionable with both sexes, and nearly all classes of his subjects. It was her avowed preference of a single life that somewhat disarmed the dangerous jealousy of Elizabeth, though even in that queen's reign her condition was a very unhappy one. James at one time, when he had neither wife nor children of his own, asked the hand of the Lady Arabella for his favourite Esme Stuart, Duke of Lennox, who was the lady's cousin. Elizabeth not only forbade this marriage, but she also imprisoned Arabella, using very sharp and insulting language against James for his having dared to propose such a match. On the death of Elizabeth, one of Cecil's first cares was, as we have seen, to secure the person of the lady, and when James was safely and so easily seated on the throne, having now children, he seems to have settled in his own mind that she should never be allowed to marry. In the following year a great ambassador came from the king of Poland, whose chief errand was to demand her in marriage for his master; and at the very same moment there were indirect proposals made for Count Maurice, who claimed to be Duke of Gueldres. "But," says the courtly reporter of the latter news, "my Lady Arabella spends her time in lecture, reading, hearing of service, and preaching. . . . She will not hear of marriage."* The pension James allowed her for her support was very irregularly paid; and it should appear that she was frequently reduced to very great distress for want of money. She was also exposed to the persecutions of her aunt, the Countess of Shrewsbury, a violent and vulgar woman, who appears to have been placed over her at times as a sort of Duenna. James thought it business worthy of him to settle these womanly quarrels; and, in 1608, he did something more, for he gave Arabella a cupboard of plate worth more than 200*l.* for a new-year's gift, and 1000 marks to pay her debts, besides some yearly addition to her maintenance, "want being thought the chiefest cause of her discontentment."* Shortly after this, at some court festival, she renewed an acquaintance, which had begun in childhood, with William Seymour, son of Lord Beauchamp and grandson of the Earl of Hereford.† If there had not been a tender affection before (and it is probable that there had been, and of an old standing), it now sprung up, rapid and uncontrollable. In February, 1610, an arrangement of marriage between them was detected. James was alarmed in the extreme, for the Seymours also were descended from the royal blood of Henry VII.: they might pretend, in some time of trouble, to the throne, and their claim would be wonderfully strengthened by absorbing in it that of the Lady Arabella. The two lovers were summoned before the privy council. There, Seymour was reprimanded for daring to ally himself with the royal blood (his own blood was as royal as Arabella's), and they were both forbidden, on their allegiance, to contract marriage without the king's permission. To escape imprisonment they promised obedience; but, in the following month of July, it was discovered that they were privately married. Instantly James issued his mandate, and Arabella was committed to the custody of Sir Thomas Parry, at Lambeth; her husband to the Tower. This, their first confinement, was not rigorous; the Lady was allowed to walk in a garden, and Seymour, who probably purchased the indulgence from his keepers, met her there, and in her own chamber. She also got letters conveyed to the queen, who interfered in her favour, and to other friends of rank and influence. But one morning she received the dismal news that she must remove forthwith to Durham. She refused to quit her chamber; but the officers carried her in her bed to the water-side, forced her, shrieking, into a boat, and rowed her up the river. Her agitation and distress of mind brought on a fever, and, by the time she reached Barnet, a physician declared that her life would be in danger if she were forced to travel farther. The doctor waited upon the king with this intelligence. James observed, very sapiently, that it was enough to make any sound man sick to be carried in a bed in the manner she was. But his resolution was fixed that she should proceed to Durham, if he were king. The doctor said "that he made no doubt of the Lady's obedience." "Obedience is that required," replied James. But he soon relaxed his severity, and granted her permission to remain for a month at Highgate for the recovery of her health. At Highgate she was lodged in a gentleman's house, and closely watched; yet on the very day (the 3rd of June, 1611) that the Bishop of Durham, whose guest or prisoner she was to be, proceeded northward to prepare her lodging, she effected her escape, being assisted by two friends, who were in correspondence with her husband in the Tower. "Disguising herself by drawing a great pair of French-fashioned hose over her

* Lodge, Illustrations.

* Lodge, Illustrations.

† See ante, p. 3, note †.

petticoats, putting on a man's doublet, a man-like peruke, with long locks over her hair, a black hat, black cloak, russet boots with red tops, and a rapier by her side, she walked forth, between three and four of the clock, with Markham. After they had gone a-foot a mile and a half to a sorry inn, where Crompton attended with horses, she grew very sick and faint, so as the ostler that held the stirrup said, that the gentleman would hardly hold out to London; yet, being set on a good gelding, astride, in an unwonted fashion, the stirring of the horse brought blood enough into her face; and so she rid on towards "Blackwall." There she found boats and attendants, who rowed her down the river to Gravesend, where a French bark lay at hand ready to receive her. She expected to find her husband on board; but though Seymour had stolen out of the Tower in the disguise of a physician, he had not yet reached the vessel. After waiting for a short time, the French captain, who knew the seriousness of the adventure, became alarmed, and, in spite of the entreaties of the Lady, he hoisted all sail and put to sea. When Seymour reached the spot, he found his wife was gone; but he got on board a collier, the captain of which agreed to land him on the coast of Flanders for 40*l.* Meanwhile the intelligence of Arabella's escape from Highgate had reached the palace. There, in an instant, all was alarm, hurry, and confusion, as if a new gunpowder-plot had been discovered. Couriers were dispatched in all directions, with orders to haste for their lives. Ships and boats were hurried down the Thames as if a new Armada were in the Channel. The alarm became the greater when, on dispatching a messenger to the Lieutenant of the Tower, it was learned that *his* prisoner also had escaped. The privy council believed, or affected to believe, that church and state were in danger,—that the fugitives were going to the Spanish Netherlands, there to put themselves at the head of the papists, and then, aided by the pope, the king of Spain, and other Catholic sovereigns, to invade England. "In this passionate hurry there was a proclamation, first in very bitter terms, but, by my lord treasurer's moderation, seasoned at the print. . . . There were likewise three letters dispatched in haste . . . to the king and queen regent of France, and to the archdukes, all written with harsher ink than now, if they were to do, I presume they should be, especially that to the archdukes, which did seem to pre-suppose their course tending that way, and all three describing the offence in black colours, and pressing their sending back without delay."* Seymour got safe to shore, and was *not* sent back: the poor Lady Arabella was less fortunate, being overtaken by a "pink royal," when about midway across the Channel. The Frenchman stood a sharp but short action; and when he lowered his flag, she was seized, carried back to the Thames, and then shut up in the Tower. Her heart was breaking, yet she said she cared not for captivity if her husband was safe. The advocacy of the queen,—her own eloquent appeals, were all thrown away on James; she never recovered her liberty, and grief and despair made a wreck of her brilliant intellect. She died within the walls of the Tower, and in a pitiable state of insanity, on the 27th of September, 1615.*

James, who is described as dividing his time between his inkstand, his bottle, and his hunting, again took up the pen of controversy in 1611. As he was "out in pursuit of hares," a book written by the Dutch divine, Conrad Vorstius, treating of the nature and attributes of the Divinity, was brought to him. He instantly left off hunting, and began reading—and, with so critical an eye, that within an hour he detected and postillated a long list of what he called damnable heresies. With not less activity he wrote to Winwood, his ambassador in the Low Countries, commanding him to accuse Vorstius, before the States, of heresy and infidelity, and to signify to the States his utter detestation of those crimes, and of all by whom they were tolerated. The Hollanders, who had recently elected this heresiarch to the professorship of Divinity at Leyden, vacant by the death of Arminius, were not inclined to give ear to this remonstrance from a foreign prince, and they intimated as much in a respectful tone. Thereupon James, "plying his inkstand again," sent them an admonition in his own hand-writing. Assuming the tone of a Protestant pope, having authority in spirituals over other countries than his own, he bade them remember that the King of England was the Defender of the Faith, and that it would be in his competency, in union with other foreign churches, to "extinguish and remand to hell these abominable heresies." He told them that this wretched Vorstius deserved to be burnt alive, as much as any heretic that had ever suffered. He left it to their own Christian wisdom to burn him or not; but as to allowing him, upon any defence or abnegation, to continue to teach and preach, it was a thing so abominable, that he assured himself it could never enter into any of their thoughts. To all this the Hollanders returned a very cool and a very evasive answer. Then James entered a public protest against the heresies of Vorstius, and informed the States that they must either give up their divinity professor, or forfeit the friendship of the King of England. Archbishop Abbot applauded the king, and urged him to adopt violent measures; and Winwood, the ambassador, who was equally zealous, thundered threats in the ears of the Dutch; but still the States refused to displace Vorstius, till he should be heard in his own defence. James put forth a short work, in French, of his own composition, entitled, 'A Declaration against Vorstius.'† But, after all, he would have been defeated in this warfare, if the Hollanders had not

* Winwood, Memorials.

* Lodge, Illustrations.—Sir Henry Ellis, Original Letters.—Wilson.—Aikin, Court of King James, &c.—Winwood, Memorials.

† It was printed and dispersed over the continent in French, Latin, Dutch, and English.

been divided as to what was orthodoxy and what heterodoxy. A powerful sect and party, called the Gomarists,* hated Vorstius as much as James, and Abbot and Winwood hated him, and, in the end, the divinity professor was not only deprived of his place, but expelled from Leyden to wander about in poverty and obscurity. During six or seven years he was obliged to conceal himself from his intolerant opponents in Tergau; and at the end of that period he was driven out of Holland, the synod of Dort having given a definitive judgment against him, and the States having sentenced him to perpetual banishment. At this said synod, which was held in 1619, the deputies from the clergy of England and Scotland were the principal promoters of the proscription of Vorstius,† which was followed by the barbarous exile of seven hundred families who entertained his tenets. During two years the expelled professor disappeared from the world, being obliged to hide himself in very secret places; for there were many men who imagined that it would be doing a good deed to murder him. At last the Duke of Holstein offered him and the exiled families a secure asylum. He arrived at this haven of rest in the month of June, 1622, but he soon quitted it for a surer and more lasting one—dying in the month of September of the same year. James was prouder of this victory than he would have been of winning battles like Crecy and Azincourt. Unfortunately, the controversy sharpened his temper; and, as if to give the Dutch an example, he relighted the fires of Smithfield, being the last English sovereign to sign the writ *de hæretico comburendo.* Bartholomew Legate, who is described as an obstinate Arian heretic, was apprehended and examined by the king and some of the bishops, and then committed to Newgate. After lying a considerable time in prison he was tried before the Consistory Court, which, like the Bonners of former times, passed sentence upon him, as contumacious and obdurate, and delivered him over to the secular arm, to be burned; and he was burned accordingly in Smithfield, on the 18th of March, 1612. On the 11th of April following, which was Easter eve, Edward Wightman, convicted of heresy of a very multiform character, was burned at Litchfield.‡ A third victim was ready for the flames; but it was found, notwithstanding the overflowing bigotry of many classes, that the mass of the nation could no longer look upon such executions with any other feelings than those of horror and disgust, not unmixed, in some cases, with an admiration of the courage of the sufferers. The lawyers began to question whether the proceedings were strictly legal, and the bishops to doubt whether they were useful to their church. "The king accordingly preferred that heretics hereafter should silently and privately waste themselves away in prison."* In other words, men were exposed to a slower and more cruel martyrdom; but there was no more burning in England.

Some time before these events Henry IV. of France had fallen beneath the knife of an assassin. The treaty of the Hague, which was signed in March, 1609, ran a risk of being broken as soon as made. John, Duke of Cleves, Juliers, and Berg, died without children, and the emperor seized the city of Juliers and laid claim to the whole succession. The Elector of Brandenburg, the Duke of Newburg, and the Elector of Saxony, pretended each to a better and an exclusive right. Religion as well as policy was involved in this dispute, it being deemed no less expedient for the Protestant interests to check the Roman church than to prevent the further extension of the wide dominions of the House of Austria. The Protestant princes of Germany and the States of Holland formed a league with the kings of England and France, for the support of the Protestant claimant, the Elector of Brandenburg, and for the expulsion of the Austrians from Juliers. On the other side were the king of Spain, the archduke, and the other princes connected by family and religion. The Protestants of Germany and Holland agreed to furnish among them nine thousand foot and two thousand horse; the French king a like number, and the king of England four thousand foot. But Henry IV., who was indifferent to the question of religion, and who entertained far wider views than the expulsion of the Austrians from Juliers, raised a splendid army of thirty thousand men, with a great train of artillery, and prepared all things for taking the command in person. On the 14th of May, 1610, three days before that fixed for his departure, as he was on his way to the arsenal, he was stabbed in a street of Paris, by Francis Ravaillac, a young fanatic friar of the order of the Jacobins.†

An opinion prevailed, or is said to have prevailed, among the French populace, that the king, who had allied himself with Protestants and heretics, was going to wage war against the pope; and attempts were made at the time, and long afterwards, to connect the regicide with the court of Rome, with the court of Spain, with the Jesuits; but the murderer, even on the rack, maintained that he had had no accomplices or instigators whatever, and that he had been carried to do the deed only by an instinct or impulse, which he could neither control nor explain. The truth appears to be, that the monk was mad, and unconnected with any party either religious or political: but this did not save him from a horrible death, nor prevent James from persecuting more sharply the English Catholics. In all this, however, James had the full consent of his parliament, which was

* After Gomarus, Professor at Leyden, the chief opponent of Arminius in the dispute about the decrees of God and the efficacy of grace.

† Bayle says, quietly, "*Il y allait de la gloire de leur maître, et de la reputation de sa science.*" (The glory of their master and his reputation for learning were involved.)—*Dictionnaire Critique.*

‡ It should seem that Legate was what is now called a Unitarian, and that Wightman was crazed; for, in addition to his denying the Trinity, he said that *he* was the Holy Spirit promised in Scripture.

* Fuller.

† Three times before this fatal blow of Ravaillac, the life of Henry IV. had been attempted by assassins; by Pierre Barriere, in 1593,—by Pierre Oum, in 1597,—and by Jean de l'Isle, a maniac, in 1605.

then sitting, and which would readily have carried him to greater extremities. In Scotland, perhaps, more than in England, people were convinced that Henry had fallen a sacrifice to the Pope and the Jesuits, and that an attempt would be made on the sacred person of James. The Scottish privy council addressed a long letter to their most "gracious and dread sovereign," beseeching him (most unnecessarily) to have a care of himself, and recommending him to call up a body-guard of native Scots, that might attend him in all his huntings and games. "We cannot," said they, "but be much dismayed, and driven into a just fear thereby, to see these last frogs, foretold in the Apocalypse, thus sent out by the devil, and his supporters on earth, to execute their hellish directions upon God's own lieutenants; which damnable persons may think perhaps no time or occasion more probably and likely for achieving of such a villany than when your majesty shall be at game abroad; at which time every one almost, albeit unknown, have heretofore been accustomed, upon pretence of seeing of the sport, to have more access near your sacred person than was expedient, which form cannot hereafter continue without too much likelihood of danger and peril; and in so far as your majesty's guard are most of them unfit for any such purpose, and that in the time of your highness's progress, the pensioners have not been much accustomed to attend, we could therefore wish that some should be especially designed for this intent only, and to be exempted from all other service or attendance, other than their waiting upon your majesty's person in the time of your being abroad, at hunting, hawking, or any other pastime or game in the fields; who, being to the number of some twenty gentlemen, under the commandment and charge of that worthy nobleman the captain of your majesty's guard, may be ever still attending your person, stopping and debarring all men from access, or coming in any sort near to your majesty, enduring your highness being abroad, except noblemen, your majesty's own known servants, and such others as it shall please your majesty to call upon."*

By the death of Henry IV. the crown of France fell to his son, Louis XIII.—a weak boy, who never became a man in intellect or strength of character. During his minority the post of regent was occupied by his mother, Mary de' Medici, who soon undid the good which her husband had done to the French people, without reforming the morals of the court. It was her general system to pursue a course of politics directly contrary to that of Henry, who had been a most unfaithful husband; but, notwithstanding this system, she adhered to the Protestant league, and sent ten thousand men to join four thousand English who had landed on the continent, under the command of Sir Edward Cecil. These allies joined the Dutch and Germans under the commands of the Prince of Orange and the Duke of Anhalt. The Austrians were presently driven out of Juliers; and as the emperor was not in a condition to renew the struggle, and as James and Mary de' Medici were most anxious for peace, the tranquillity of Europe was not very seriously disturbed.

While these events were passing abroad and at home, Robert Carr, the handsome Scotchman, was eclipsing every competitor in the English court. He was created Viscount Rochester in the month of March, 1611; was made a member of the privy council in April, 1612; and he received also from his lavish master the Order of the Garter. Upon the death of the Earl of Salisbury (Cecil) he became Lord Chamberlain, that post being given up to him by the Earl of Suffolk, who succeeded Cecil as Lord Treasurer. And as the post of Secretary remained vacant for a considerable time, the favorite did the duties of that office by means of Sir Thomas Overbury, whose abilities and experience made up in part for his own deficiencies. Carr, Viscount Rochester, became in effect Prime Minister of England as much as Cecil had been, though nominally he held no official situation; and his power and his influence were not decreased when the king nominated Sir Ralph Winwood and Sir Thomas Lake to be joint Secretaries of State; for these men were not high and mighty enough to oppose the wishes of the favourite. But Sir Thomas Overbury, who on several accounts was distasteful to the king, became an object of his jealousy and hatred when James saw the entire confidence and affection which his minion reposed in him.

Prince Henry, the heir to the crown, had now entered his eighteenth year, and had been for some time the idol of the people. If his character is fairly described by his contemporaries, he was entitled to this admiration; but we cannot but remember the universal practice of contrasting the heir apparent with the actual occupant of the throne; and this prince's untimely end may very well have produced some of that exaggeration which arises out of tenderness and hopeless regret. In person, in manners, and in character, he differed most widely from his father. He was comely, well made, graceful, frank, brave, and active. Henry V. and Edward the Black Prince were proposed to him as models; and it was the example of those warlike princes that he determined to follow. Though not absolutely averse to learning, spending two or three hours a day in his study, he loved arms better than books. He employed a great part of his time in martial exercises, in handling the pike, throwing the bar, shooting with the bow, vaulting, and riding. He was a particular lover of horses, and what belonged to them,

* Dalrymple.—The lords of the Scottish council were too cautious to hint at the propriety of his majesty's spending less time in his hunting, &c. They told him, on the contrary, that they knew it "to be most necessary and expedient" for the preservation of his health, that he should "continue his frequent exercises abroad, the deserting whereof could not be without the hazard and danger of ensuing infirmity and sickness." They trusted "that He who holdeth the bridle in the devil's mouth would never so loosen the reins as to allow of any harm to him, the chief and greatest protector and nursing father of God's church."

Prince Henry and Lord Harrington.
From an old Picture at Earl Guildford's, Wroxton.

but not fond of hunting like his father; and, when he engaged in it, it was rather for the pleasure of galloping his gallant steeds than for any which the dogs afforded him. It was not wonderful that he should have been annoyed by James's pedantry and schoolmaster manners. His mother is said to have encouraged this feeling, and to have represented to him, out of contempt for his father, that so much learning was inconsistent with the character of a great general and conqueror, which *he* ought to be. One day, as he was tossing the pike, when the French ambassador asked him whether he had any message for the king his master, Henry replied, "Tell him what I am now doing." He studied fortification, and at a very early age turned his attention to ships and sea matters. Sir Walter Raleigh, the brave and the scientific soldier and sailor, who was still languishing in the Tower, became an object of his enthusiastic admiration; and he was often heard to say that no other king but his father would keep such a bird in such a cage. All this was when he was a mere child. It is remarked by an old writer, that he was too soon a man to be long lived. As he grew up he practised tilting, charging on horseback, and firing artillery. He caused new pieces of ordnance to be cast, with which he learned to shoot at a mark. He was no less careful in furnishing himself with great horses of the best breeds, which he imported from all countries. He delighted to converse with men of skill and experience in wars, whether natives or foreigners; and he entertained in his household a celebrated Dutch engineer. It is quite possible that all this warlike ardour and activity might have proved more fatal to his country than the pedantry and pusillanimity of his father; but the young spirits of England would hardly reflect on such a possibility. In other particulars Prince Henry was strikingly and studiously contrasted with his parent. James could never be quiet in church time, having always an eagerness to be preaching himself: Henry was a most attentive hearer of sermons, and, instead of disputing with them, was wont to reward the

preachers,—no uncertain road to popularity. James was a most profane swearer,—Henry swore not at all; and he had boxes kept at his three houses—at St. James's, Richmond, and Nonsuch—to receive the fines on profane swearing which he ordered to be strictly levied among his attendants. The money thus collected was given to the poor. "Once when the prince was hunting the stag, it chanced the stag, being spent, crossed the road, where a butcher and his dog were travelling; the dog killed the stag, which was so great that the butcher could not carry him off: when the huntsmen and company came up, they fell at odds with the butcher, and endeavoured to incense the prince against him; to whom the prince soberly answered, 'What if the butcher's dog killed the stag, what could the butcher help it?' They replied, 'if his father had been served so, he would have sworn so as no man could have endured it.' 'Away!' replied the prince; 'all the pleasure in the world is not worth an oath.'" . . . His court was more frequented than the king's, and by another sort of men; so the king was heard to say, "Will he bury me alive?" And the high-church favorites taxed him for being a patriot to the puritans. To the last-named class, indeed, he appeared as a ruler promised in the prophecies of Scripture,—as one that would complete the reformation of the Church of Christ.

> Henry the Eight pulled down the abbeys and cells,
> But Henry the Ninth shall pull down bishops and bells,

was a rhyme common in the mouths of the people, among whom the spirit of dissent gained strength in proportion to the efforts made to force them to conformity, and the monstrous growth of episcopal tyranny. Yet when the usual age for marrying princes arrived, his father, who was less particular about any other point than about a high alliance, wished to marry Henry to a Catholic wife—a match which would have cost him the favour of the Puritans. A negotiation with Spain for the hand of the eldest infanta, was carried on for years, and when it grew languid or hopeless, James listened to an overture from Mary de' Medici, the Queen-regent of France, who was anxious for a marriage between Prince Henry and Madame Christine, second daughter of France. At the same time James was tempted by an offer of a daughter of the Duke of Florence, with millions of crowns for her dower; and shortly after an ambassador-extraordinary arrived from Savoy to solicit the hand of James's daughter Elizabeth for the heir of that dukedom, and to offer that of his sister to Prince Henry. This double commission led to no results, though James was willing to bestow his daughter on the Catholic Savoyard. To his father Henry was all submission, protesting his readiness to marry whomsoever he might choose for him;* but to other persons he held a different language: and the Puritans, who most admired him and most feared or hated the Papists, seem to have comforted themselves with the conviction that he would never marry a Catholic wife.*

A match, which was perfectly to the taste of the people, though not to that of her mother, was at length proposed for the Princess Elizabeth; and on the 16th of October, 1612, Frederick V., the Count Palatine, the bridegroom elect, who had the good wishes of all zealous Protestants, arrived in England to receive his young bride. In the midst of the festive preparations for this marriage, Prince Henry, who appears to have outgrown his strength, and to have greatly neglected the care of his health, was seized with a dangerous illness at Richmond, where he was preparing his house for the reception of the Palatine. Recovering a little, and hoping to conquer the disease by the vigour of his spirit, he rode up to London to welcome his intended brother-in-law at Whitehall. On the 24th of October, notwithstanding the weak state of his body and the coldness of the season, he played a great match of tennis with the Count Henry of Nassau, in his shirt. That night he complained exceedingly of lassitude and a pain in his head. The following morning, being Sunday, though faint and drowsy, he would rise and go to the chapel. Mr. Wilkinson, for whom he had a great esteem, preached a sermon upon the text—"Man, that is born of a woman, is of short continuance, and full of trouble." From this sermon in his own house the prince went to Whitehall, where he heard another with the king. After this he dined with his majesty, and ate with a seemingly good appetite, but his countenance was sadly pale, and his eye hollow and ghastly. After dinner his courage and resolution in combating with and dissembling his disorder gave way to the force of it, and he was obliged to take a hasty leave and return to St. James's. There he grew daily worse, the doctors disagreeing as to his treatment, and pursuing no fixed or bold course. His head frequently wandered, but on the night of the 2nd of November his delirium increased alarmingly: he called for his clothes, for his armour and sword, saying he must be gone. On Thursday, the 5th of November, the anniversary of the gunpowder plot, the king was informed that there was no hope. Upon this, James, who had visited him several times at St. James's, being "unwilling and unable to stay so near the gates of sorrow, removed to Theobalds, in Hertfordshire, to wait there the event." Abbot, the Archbishop of Canterbury, attended the prince, told him of his danger, and took his confession of faith. In the course of that day the prince repeatedly called out "David!" "David!" meaning Sir David Murray, his confidential friend and servant; but, when Murray stood by his bed-

* Burnet, however, says, "He was so zealous a Protestant, that, when his father was entertaining propositions of marrying him to Popish princesses—once to the archduchess, and at another time to a daughter of Savoy, he, in a letter that he wrote to the king on the 12th of that October in which he died (the original of which Sir William Cook showed me), desired that, if his father married him that way, it might be with the youngest person of the two, of whose conversion he might have hope, and that any liberty she might be allowed for her religion might be in the privatest manner possible." —*Own Times*, i. 11. A singular reason for preferring a young wife to an old one!

* Birch, Life of Prince Henry.—Nug. Ant.—Wilson, Weldon.

side, he always answered with a sigh, "I would say something, but I cannot utter it." During that night he made many efforts to speak on some secret matter which seemed to press heavily on his heart, but he could not be understood by reason of the rattling in his throat. Sir David Murray, however, contrived to understand his earnest wish, that a number of letters in a certain cabinet in his closet should be burnt. It is said that these letters were burnt accordingly. On the following morning his attendants thought him dead, and raised such a cry of grief that it was heard by the people in the streets, who echoed the loud lamentation. The prince recovered from his faint, and in the afternoon took two cordials or nostrums, one of which was prepared and sent by the captive Raleigh. But the sufferer was now past cure and help, and he expired at eight o'clock that night, being Friday, the 6th of November, 1612. He was eighteen years eight months and seventeen days old. The people had not been made aware of his danger till almost the last moment: their grief at his loss was unbounded; and all classes were deeply affected by the early death of the spirited youth. He was the more regretted because his only surviving brother, Prince Charles, was a sickly and retiring boy, and had not had the fortune to acquire popularity. In a short time dark rumours were raised that Prince Henry had been poisoned by the favourite Rochester, with whom he could never agree; and these horrid suspicions did not stop till they had included his own father as an accomplice. The whole notion was absurd; the youth died of the effects of a putrid fever on a debilitated constitution.* But though James was innocent of the poisoning, he showed a brutal indifference to the fate of his son. Only three days after the event he made Rochester write to Sir Thomas Edmonds, his ambassador at Paris, to recommence, in the name of Prince Charles, the matrimonial treaty which he had begun for his brother. In a very few days more he prohibited all persons from approaching him in mourning; and though he thought fit to delay the marriage, he affianced his daughter Elizabeth to the Palatine in December, kept his Christmas with the usual festivities, and solemnised the nuptials on St. Valentine's Day with an expense and magnificence hitherto unknown in England. Queen Anne, Prince Charles, now heir to the throne, and even the uncouth person of James himself, were covered all over with the crown jewels. The noble bridemaids, the courtiers, the nobles, were all glittering in white robes and diamonds; so that the path of the bride was compared to the milky way. The Princess Elizabeth was in her sixteenth year, handsome, and light-hearted. While the archbishop was reading the service, "some coruscations and lightnings of joy appeared in her countenance, that expressed more than an ordinary smile, being almost elated to a laughter, which could not clear the air of her fate, but was rather a forerunner of more sad and dire events."* In the evening the fireworks and mock fight exhibited upon the Thames cost nearly 7000*l.* The nobility got up at their own charge a very rich and sumptuous masque, which however was, according to the critics, "long and tedious." The gentlemen of the Middle Temple and of Lincoln's Inn rode in state to court, and exhibited an entertainment in which their fine dancing was much admired. The gentlemen of Gray's Inn and the Inner Temple showed their loyalty and ingenuity upon the water, making in boats and barges an allegorical device which was said to represent the marriage of the river Thames with the river Rhine. But "these fading joys for this marriage were succeeded by fixed and real calamities, which the king took little care to prevent."† Long before these calamities fell upon the Palgrave and his bride,—indeed, before they were well out of England,—the court was hampered and vexed by pecuniary embarrassments. James had exacted the old feudal aid for the marriage of his daughter, as he had done before for the knighting of his eldest son; but the sum thus obtained (it was only about 20,000*l.*) went but a very short way towards paying for the dowry, the entertainment of the bridegroom with his numerous retinue, and the marriage feast. Lord Harrington, who accompanied the bride to the Rhine, claimed on his return 30,000*l.* The king having no money to give him, gave him a grant for the *coining of base farthings in brass.*

A.D. 1613.—The two noble Howards, the Earl of Suffolk, and the Earl of Northampton,‡ seeing that there was no possibility of checking the mighty rise of Rochester, sought to bind him to their family, and so share the better in the good things which the king continued to lavish on the favorite. Suffolk had a daughter, the most beautiful, the most witty, and the most fascinating young woman in the English court. This Lady Frances Howard had been married at the age of thirteen to the Earl of Essex, only a year older than herself, the son of the unfortunate earl who had perished on the scaffold in Elizabeth's time. James had promoted this ill-omened match out of a pretended regard to Essex's father. As the parties were so young the bride was sent home to her mother, a weak and vain, if not a vicious woman; the bridegroom was sent to the university, whence he went on his travels to the continent. At the end of four years they went to live together, as one of them supposed, as man and wife; but if Essex rejoiced in the loveliness of his bride, and the universal admiration she attracted, his joy was soon overcast, for he found her cold, contemptuous, and altogether averse to him. In effect, his countess was already enamoured of Rochester and his splendid fortunes. Prince Henry, it is said, had disputed her love with the handsome favorite, but in vain. Sir

* Wilson. † R. Coke.

* Birch, Life.—Aulicus Coquinariæ.—Somers's Tracts.—Bacon's Works.

‡ Suffolk was the son, Northampton the brother, of Thomas Duke of Norfolk, executed in 1572.

Thomas Overbury had assisted Rochester in writing his passionate love letters, and had even managed sundry stolen interviews between the lovers, in which what remained of the innocence of the young countess had been made a wreck; but though Overbury's lax morality did not prevent him from rendering such services as these, his policy was strongly opposed to his friend committing himself further. He well knew the odium which Rochester would bring upon himself by proclaiming his love and contracting an adulterine marriage with the countess; and, wishing to retain his own ascendancy over the favourite, the fountain of riches and honour, he was averse to the influence which the noble Howards would obtain by the union. As the favorite was indebted to him "more than to any soul living, both for his fortune, understanding, and reputation," he spoke his mind freely and boldly, objecting the "baseness of the woman," the dishonour of such a marriage, and declaring that, if Rochester persisted, he would raise an insuperable obstacle to the divorce from Essex, which was to precede any open talk about the new marriage. The favorite seemed to yield to the strong remonstrances of his friend and counsellor. Overbury, though familiar with the intrigues of a court and the worst vices of human nature, foresaw no mischief to himself: he continued to derive profit and credit from his close connexion with the favorite; and on the morning of the 21st of April, 1613, he boasted to a friend of his good fortune and brilliant prospects. That very evening he was committed to the Tower. Rochester, in his infatuation, had told all that he had said to his beautiful and revengeful mistress, who, from that moment, had vowed his destruction. In her first fury she offered 1000*l.* to Sir John Wood to take his life in a duel. But there was a too apparent risk and uncertainty in this course; and her friends (her uncle, the Earl of Northampton, was among these advisers) suggested a wiser expedient,—which was, to send Overbury on an embassy to the Great Duke of Russia. If he accepted this mission he would be out of the way before the question of the divorce came on; if he took the appointment in the light of a harsh exile, and refused it, it would be easy to irritate the king against him as an undutiful subject. When the mission to Russia was first mentioned to him, Sir Thomas seemed not unwilling to undertake it. But then, it is said, his friend Rochester told him how much he relied upon his integrity and talent for business,—how much he should lose by his absence; and, in the end, implored him to refuse the unpromising embassy, undertaking to reconcile him soon with the king if his majesty should testify any displeasure. By this time nothing but Sir Thomas's immediate death would satisfy the malignant countess; and Rochester had become as a pipe upon which she played her stops as she chose. As soon as Overbury had refused the mission which was offered to him by the Lord Chancellor and the Earl of Pembroke, the favorite represented to the king that Sir Thomas was not only grown insolent and intolerable to himself, but audacious and disobedient to his sacred majesty. James, who already hated Overbury, readily agreed with his minion and the rest of his council that Overbury was guilty of contempt of the royal authority. A warrant was brought up and signed, and Sir Thomas was sent to his dungeon. The countess's uncle Northampton, and her lover Rochester, had prepared the business so that Sir William Wade was removed from the lieutenancy of the Tower, and Sir Jervis Elvis, or Elwes, a person wholly dependent upon them, put in his place. By their order Elwes confined Overbury a close prisoner, so that his own father was not suffered to visit him, nor were any of his servants admitted within the walls of the Tower.

A few days after these strange practices, the Countess of Essex, backed by her father the Earl of Suffolk, who signed the petition with her, sued for a divorce from her husband upon the ground of the marriage being null by reason of physical incapacity. Forthwith James appointed, under the great seal, a commission of delegates to try this delicate cause. The delegates named by his majesty were Abbot archbishop of Canterbury, the bishops of London, Winchester, Ely, Litchfield and Coventry, and Rochester; with Sir Julius Cæsar, Sir John Parry, Sir Daniel Dunne, Sir John Bennet, Francis James, and Thomas Edwards, doctors of the civil law. The Earl of Essex, who had suffered enough already from the beautiful demon, made no resistance, but seems to have gone gladly into measures which would free him from such a wife. It has been mildly said that "all the judicial forms usual on such occasions were carefully observed;"* but it cannot be denied that the course of the disgraceful investigation was biassed by interferences and influences of a most unusual and irregular character. Abbot, the Primate, who in all this foul business acted like a man of honour and conscience, objected strongly to the divorce; but James took up the pen, and answered the archbishop in the double capacity of absolute king and special pleader. He told Abbot, roundly, that it became him "to have a kind of implicit faith" in his royal judgment, because he was known to have "some skill in divinity," and because, as he hoped, no honest man could doubt the uprightness of his conscience. "And," continued James, "the best thankfulness that you, that are so far my creature, can use towards me, is, to reverence and follow my judgment, and not to contradict it, except where you may demonstrate *unto me* that I am mistaken or wrong informed."† The king was never backward in writing or delivering this kind of schooling, or in seconding his minions through right and wrong; but it is believed that his zeal was quickened on the present occasion by the opportune gift of 25,000*l.* in gold, which Rochester made to him out of his handsome savings. The primate, however, would not sacri-

* Lingard. † King's Letter to Archbishop Abbot.—State Trials.

fice his conscience, and three out of five of the doctors of civil law took part with him. The bishops were less scrupulous, for, with the exception of London, they all voted as the king wished; and on the 25th of September a divorce was pronounced by a majority of seven to five. Such of the judges and delegates as voted for the nullity were rewarded by James, but censured by his subjects. The son of Bilson, the Bishop of Winchester, was knighted in consequence of his father's subserviency, but the people recorded the origin of the honour by calling him ever after Sir Nullity Bilson. The day before the sentence of divorce was pronounced Sir Thomas Overbury died in his dungeon. His body was hastily and secretly buried in a pit dug within the walls of the Tower, and care was taken to circulate a report that he had died of an infectious and loathsome disease. But from the first it was generally whispered that he had been poisoned. On the 4th of November, in order that the Countess of Essex should not lose rank by marrying his favorite, James created Rochester Earl of Somerset. The marriage ceremony was performed on the 26th of December, in the Royal Chapel at Whitehall, in the presence of the king and queen, Prince Charles, and a great confluence of the bishops and temporal nobility. The countess appeared in the costume of a virgin bride, with her hair hanging in loose curls down to her waist. James Montague, Bishop of Bath and Wells, the king's favorite bishop, and afterwards the editor of his works, united the hands of the guilty pair, and pronounced the nuptial benediction; and Dr. Mountain, Dean of Westminster, preached the marriage sermon. At night there was a gallant masque got up by the lords of the court. "The glorious days were seconded with as glorious nights, where masques and dancings had a continued motion; the king naturally affecting such highflying pastimes and banquetings as might wrap up his spirit, and keep it from descending towards earthly things."* Upon the Wednesday following there was another grand masque got up by the lords and gentlemen of Prince Charles's household; and this so far surpassed the other, and pleased the king so well, that he caused it to be acted again on the Monday following, being the 4th of January (1614). "But Whitehall was too narrow to contain the triumphs of this marriage,—they must be extended into the city; and upon the 4th of January the bride and bridegroom, accompanied by the Duke of Lennox, my Lord Privy Seal (Northampton), the Lord Chamberlain, the earls of Worcester, Pembroke, and Montgomery, with a numerous train of nobility and gentry, were invited to a treat in the city at Merchant Tailors' Hall, where my lord mayor and aldermen entertained them in their scarlet gowns. At their entry they were accosted by a gratulatory speech and music; the feast served by the choicest citizens, selected out of the twelve companies, in their gowns and rich foines:* after supper they were entertained with a wassail, two pleasant masques, a play, and dancing; and, after all, the bride and bridegroom, with all this noble crew, were invited to a princely banquet, and at three in the morning the bride and bridegroom returned to Whitehall: and before this surfeit of pleasure and excess was well digested, the gentlemen of Gray's Inn, upon Twelfth Day, invited the bride and bridegroom to masque."† It is said that the gentlemen of Gray's Inn did not very willingly commit this act of sycophancy, and that the great Bacon claimed for himself the entire merit of vanquishing their repugnance. In all things this shameful marriage, which insulted and shocked the moral feelings of the people, was celebrated with far more pomp and parade than that of the king's own daughter. The Puritans, who were wont to declaim against all shows and sports whatsoever, found in these doings an inexhaustible subject for reproach and invective. The countess, the favorite, the bishops, the king himself, all came in for their share of opprobrium; and the people generally, whether puritans, churchmen, or papists, regarded the triumph of profligacy with disgust, horror, and wrath. And all this time James kept trumpeting louder and louder that he was a heaven-made king, and that the duty of his subjects was a passive obedience in all things to his absolute and infallible will. But the pinching of pecuniary embarrassment must have reminded him continually that he was of the earth, earthy; and the course of life he led was fatal to any great reverence on the part of his subjects. "This year (1614), as it was the meridian of the king's reign in England, so it was of his pleasures. He was excessively addicted to hunting and drinking, not ordinary French and Spanish wines, but strong Greek wines; and though he would divide his hunting from drinking these wines, yet he would compound his hunting with drinking; and to that purpose he was attended with a special officer who was, as much as could be, always at hand to fill the king's cup in his hunting, when he called for it. . . . Whether it were drinking these wines, or from some other cause, the king became so lazy and unwieldy, that he was trussed on horseback, and, as he was set, so would he ride, without otherwise poising himself on his saddle: nay, when his hat was set on his head, he would not take the pains to alter it, but it sate as it was put on."‡ And all this while he never heard anything from his favorites and flatterers without the prelude of "sacred," "wise," "most learned," &c.

A. D. 1614.—Since the dissolution of parliament, in 1611, James had attempted, as usual, to raise loans by writs under the great seal; but the merchants, to whom he principally applied, refused him the accommodation. He opened a market for the sale of honours; sold several peerages for large sums; and created a new order of knights called baronets,

Wilson.

* A kind of fur so called. † Roger Coke.
‡ Roger Coke.

whose honours were hereditary, and who paid 1000*l.* each for their patents under the great seal. "Some of these new *honourable men* (whose wives' pride and their own prodigalities had pumpt up to it) were so drained that they had not moisture to maintain the *radical humour*, but withered to nothing. This money, thus raised, is pretended for planting the north of Ireland, but it found many other channels before it came to that sea. And though, at our king's first access to the crown, there was a glut of *knights* made, yet after some time he held his hand, lest the kingdom should be cloyed with them; and the world thrived so well with some, that the price was afterwards brought up to 300*l.* a-piece. But now, again, the poor courtiers were so indigent, that 60*l.* would purchase a *knighthood*, the king wanting other *means* to gratify his *servants*."* He still continued giving with as lavish a hand as ever to these servants, by which must be understood his favorites and courtiers, for the true servants of the state were often left unpaid, and told that they must support themselves on their private patrimonies. Such as obtained the higher employments paid themselves by means of bribes and peculations. These places were generally sold to the highest bidders by the minion Somerset and the noble Howards. Thus, Sir Fulke Greville obtained the Chancellorship of the Exchequer for the sum of 4000*l.*, which he paid to Lady Suffolk, now the favorite's mother-in-law.†

The States of Holland had neither paid principal nor interest of their debt. Some of the ministers proposed adopting bold and decisive measures, in order to obtain this money, but James was too timid to follow their advice; and as his exchequer was bare and his credit exhausted, he reluctantly made up his mind to meet parliament once more. It appears that even at this extremity he would have avoided a parliament had it not been for Bacon, who was now attorney-general, and high in the royal favour, from which his rival, Coke, had wonderfully declined. Bacon, who had drawn up a regular plan for managing the House of Commons, assured the king that the chief leaders of the late opposition, such as Neville, Yelverton, Hyde, Crew, and Sir Dudley Digges, had been won over to the court; that much might be done by forethought towards filling the House of Commons with persons well affected to his majesty, winning or blinding the lawyers, the *literæ vocales* of the House, and drawing the country gentlemen, the merchants, the courtiers, to act with one accord for the king's advantage. But Bacon told James, at the same time, that it would be expedient to tender voluntarily certain graces and modifications of the prerogative, such as might with smallest injury be conceded.‡ This advice was seconded by Sir Henry Neville, a place-hunter, as ambitious a man as Bacon, and scarcely more honest. In a well-written memorial, he suggested to his majesty that he should consider what had been demanded by the Commons, and what promised by the crown during the last session; that he should grant now the more reasonable of the Commons' requests, and keep all the promises which he had actually made; that he should avoid irritating speeches to his parliament, and make a show of confidence in their good affections.* Upon these conditions, and under this system, they *undertook* to manage the Commons (the Lords had long been tame enough), and carry the king triumphantly through parliament to abundant votes of the public money; and hence they were called *undertakers*. James, in his embarrassments, acceded to the plan, and Somerset put himself at the head of it with Bacon and Neville.† In later years the system was carried to a high degree of perfection, but it was not destined to be very successful under James. On the 5th of April, 1614, he opened the session with a conciliatory speech, descanting on the alarming growth of Popery (he knew a little persecution would please them well), and on his zeal for the true religion; and then he told them how much he was in want of money, and how many graces he intended for them in this present session. But the Commons would not be cajoled: they passed at once to the great grievance—the customs at the outports and impositions by prerogative. "And such faces appeared there as made the court droop." Some of the courtiers and members returned or won over by the "undertakers," made a faint effort, but their voices were drowned, and died away in a helpless murmur about the hereditary right of kings to tax their subjects as they list. The Commons demanded a conference on this momentous subject with the Lords. The Lords hesitated, and consulted with the judges. Before the opinion of the latter was known, the Commons objected to the way in which several members had been elected, and they went nigh to expel the attorney-general, Bacon. Coke, who had attained to the chief justiceship of the King's Bench, who could hope for no higher promotion, and who was irritated into something like patriotism by his hatred of Bacon and the ill usage he had received from the court, after a private consultation with the rest of the judges, declined giving any opinion to the Lords touching the legality of impositions on merchandise by prerogative, because it was proper that he and his brethren, who were to speak judicially between the king and his subjects, should be disputants in no cause on any side. The Lords, who had expected a very different answer, now declined the conference; and Neyle, Bishop of Litchfield and Coventry, who, for the share he

* Wilson. † Birch, Negotiations.

‡ Original MS. in the possession of Mr. Hallam, as quoted by him in Const. Hist.

* Carte.

† Arthur Wilson says, "Yet there was a generation about the court, that to please and humour greatness, *undertook* a parliament, as men presuming to have friends in every county and borough, who by their power among the people, would make election of such members for knights and burgesses as should comply solely to the king's desires; and Somerset is the head and chief of these *undertakers*. But this was but an embrion, and became an abortive."

had taken in the Countess of Essex's divorce, had been recently translated to the see of Lincoln, rose in his place, and said that the Commons were striking at the root of the prerogative, and that, if admitted to conference, they might proceed to undutiful and seditious speeches, unfit for the ears of their lordships. This Neyle was one of the worst of James's bench of bishops, and an object of detestation to the Puritans, whom he had harassed and persecuted. The Commons fell upon him in a fury, and demanded reparation; for the practice did not yet obtain of one House of Parliament supposing itself ignorant of what is done or said in the other House. The bishop instantly changed his tone, excused himself, and, with many tears, denied the most offensive of the words which had been attributed to him, not forgetting to profess a wonderful respect and veneration for the Commons. By this time James must have discovered that the *undertakers* had engaged for more than they could accomplish. Indeed, the discovery of this scheme, which was made public before the meeting of parliament, contributed to the ill humour of the Lower House. James, in his opening speech, positively denied that there was any such plan entertained, protesting that, "for *undertakers*, he never was so base to call, or rely on any;" and Bacon had pretended to laugh at the notion that private men should undertake for the Commons of England. A few days after, Sir Henry Neville's memorial to the king was read at full length in the House, and at the opening of the Session of 1621 James himself *expressly confessed that there had been such a scheme.* Seeing no likelihood of the dispatch of the business for which alone he had summoned them, James sent a message, that if they further delayed voting supplies he would dissolve parliament. The Commons, in reply, stated that they would vote no supplies till their grievances should be redressed. It is said, on a questionable authority, that he then sent for the Commons, and tore all their bills before their faces in Whitehall; but, whatever was James's indiscretion, his cowardice would be likely to prevent such an offensive and violent act. What is certain, however, is, that he carried his threat into execution on the 7th of June, and, on the following morning, committed five of the members to the Tower, for "licentiousness of speech." At the time of this hasty and angry dissolution, the parliament had sate two months and two days, but had not passed a single bill. It was afterwards called the Addle Parliament; but few parliaments did more towards the proper establishment of the rights of the Commons.*

For the next six years James depended upon most uncertain, and, for the greater part, most illegal means. People were dragged into the Star Chamber on all kinds of accusations, that they might be sentenced to pay enormous fines to the king; monopolies and privileges were invented and sold, and the odious benevolences were brought again into full play; and such as would not contribute had their names returned to the privy council. Mr. Oliver St. John, who put himself in this predicament, who explained his reasons in writing like a lawyer and statesman,* and who did not spare the king, was sentenced by the Star Chamber to a fine of 5000*l.*, and to be imprisoned during the royal pleasure. But greatly as James wanted money, he was of himself disposed to be much less severe against those who refused it than against those who questioned his divine right in the abstract, or censured his kingly conduct. There was one Edmond Peacham, a minister of the gospel, in Somersetshire, who probably first attracted attention by preaching puritanically. His study was suddenly broken open, and in it was found a manuscript sermon, which had never been preached, nor intended to be preached, sharply censuring the king's extravagance and love of dogs, dances, banquets, and costly dresses, and complaining of the frauds and oppressions practised by his government and officers. The poor old man was seized, dragged up to London, and committed to the Tower. There he was examined by the Archbishop of Canterbury, the Lord Chancellor Ellesmere, the Earls of Suffolk and Worcester, Sir Ralph Winwood, the Lord Chief Justice Coke, and others, touching his motives, advisers, and instructors. "I find not the man," wrote Winwood, "to be, as was related, stupid or dull, but to be full of malice and craft."† This opinion was formed on the preacher's denying that he had had any advisers or accomplices, and his stating that what he had written had been "by his own observation and imagination; and the application of it made out of the example of Herod."‡ James, who in such cases would always read the law in his own way, insisted that the offence amounted to high treason, and, taking up his pen, he drew out for the instruction of his ministers and judges what he called "The true state of the question."§ But Coke, who had not always been so scrupulous, who, before the tide of his favour was on the ebb, had concurred and co-operated in many arbitrary measures, maintained that the offence might be a criminal slander, but did not amount to treason. On the next horrible examination of the prisoner, Coke was not present; but his rival Bacon was there, in his stead, and an assenting witness to the atrocities committed. Twelve interrogatories were put to the preacher, who, according to the horribly concise expression of Secretary Winwood, in his report, was examined upon them, "before torture, in torture, between torture, and after torture." "Notwithstanding," continues Winwood, "nothing could be drawn from him, he still persisting in his obstinate and insensible denials and

* Journals of the Lords and Commons.—Harrington, Nug. Ant.—Reliq. Wott.—Coke.—Wilson.—Carte.—Hallam.

* See his letter in Cabala.

† Letter from Secretary Winwood to a lord about King James's person, in Dalrymple (Lord Hailes), Memorials, &c.

‡ Second examination of Edmond Peacham, taken before the lords at the Tower.—*Dalrymple.*

§ Id. The original of this precious performance is preserved in James's own hand-writing.

former answer." Some two months after, the poor captive changed his key somewhat, but still he would make no confession likely to bring any one into trouble; and, in the end, he would not sign this examination, which was taken before Bacon, Crew, and two other lawyers.* In the absence, therefore, of all other evidence, James resolved that the manuscript unpreached sermon should be taken as the overt act of treason. And he called in the willing Bacon to smooth the legal difficulties to this strange course. Bacon conferred with the judges one by one, and found them *all* ready to be as base as himself except Coke, who objected that "such particular, and, as he called it, auricular taking of opinions (from the judges) was not according to the custom of this realm." This resistance to his infallibility stung James to the quick, and prepared, perhaps more than any other single circumstance, the triumph of Bacon over his great rival. In the end Coke, finding himself standing alone, consented to give some opinions in writing; but these were evasive, and did not lend the king the confirmation of his high legal authority. "As Judge Hobart, that rode the western circuit, was drawn to jump with his colleague, the chief baron, Peacham was sent down to be tried and trussed up in Somersetshire," where the overt act of writing the libel was supposed to have been committed. The poor old preacher was accordingly condemned for high treason, on the 7th of August, 1615. They did not, however, proceed to execution, and Peacham died a few months after in Taunton gaol. This has been considered as the worst and most tyrannical act of James's reign; but there are others scarcely inferior in violence and illegality. For example, Thomas Owen was indicted and found guilty of high treason, for saying that "the king, being excommunicated by the pope, might be lawfully deposed and killed by any one." This position was atrocious, but it could hardly be twisted into treason—for, as James had never been excommunicated, the words could not apply to him. Owen pleaded in this sense, and Coke at first said that his defence was good in law, and his case not treasonable; but he was afterwards induced to concur with the king and the other judges, who wished to have the man hanged, drawn, and quartered. Williams, another Papist, was convicted of high treason, for writing a book in which he predicted that the king would die in the year 1621.

* It was a palpable and very excusable evasion. His name was to the MS., and he now said that it was not written by him, but by one of his name, "a divine, scholar, and traveller, that came to him some years past, the certainty of the time he cannot remember, and lay at his house a quarter of a year, and took so much upon him, as he had scarce the command of his own house or study; but that he would be writing, sometimes in the church, sometimes in the steeple, sometimes in this examinate's study; and he now saith further, that those papers, as well loose as contexted, which he had formerly confessed to be of his own hand, might be of the writing of the said Peacham; . . . . and what-soever is in his former examination, as well before his majesty's learned council, as before my Lord of Canterbury, and other the lords, and others of his majesty's privy council, was *wholly out of fear, and to avoid torture, and not otherwise.*" All the description that he would give of the person of this imaginary double was, that he was tall of stature. Of course no such Peacham could be found.

Those writers who consider this reign as an amusing farce, and nothing worse, appear to have forgotten such incidents.

On the 15th of June, 1614, about a week after the dissolution of the Addle Parliament, the Earl of Northampton, the grand-uncle of Somerset's wife, and the most crafty statesman of that faction, departed this life. His nephew, the Earl of Suffolk, and the favourite divided his places between them, or filled them up with their own creatures; but his death was a fatal blow to their interests; for they neither had his cunning or ability themselves, nor could procure it in any of their allies and dependants. But they might have maintained their ascendancy had it not been for the appearance at court of another beautiful young man, and for the declining spirits of the actual favourite. Somerset, guilty as he was, was no hardened or heartless sinner. From the time of the death of his friend Overbury a cloud settled upon his brow; his vivacity and good humour departed from him; he neglected his dress and person, and became absent-minded, moody, and morose, even when in the king's company. All the courtiers, who envied him and the Howards, were on the watch, and as James grew sick of his old minion they threw a new one in his way. This was George Villiers, the youngest son of Sir Edward Villiers of Brookesby, in Leicestershire, by his second wife, a poor and portionless but very beautiful woman. George, who appears, at least for a short time, to have been brought up expressly for the situation he succeeded in obtaining, was sent over to Paris, where he acquired the same accomplishments which had so fascinated the king in the Scottish youth, Robert Carr. When he appeared at the English court he had all these French graces, a fine suit of French clothes on his back, and an allowance of 50*l.* a-year from his widowed mother. James was enchanted, and in a few weeks or days young Villiers was installed as his majesty's cup-bearer. He was tall, finely proportioned, far more handsome—or so thought the king—than ever Somerset had been, and, unlike that now careworn favourite, his face was always dressed in smiles. Soon after there was a great but private supper-entertainment at Baynard's Castle, at which the noble Herberts, Seymours, Russells, and other courtiers of high name, devised how they should get Somerset wholly out of favour and office, and put George Villiers in his place.* Their only difficulty was to induce the queen to enter into their plot, for they knew "that the king would never admit any to nearness about himself but such as the queen should commend to him, that if she should complain afterwards of *the dear* one, he might make answer, it is along of yourself, for you commended him unto me."† Now, though her majesty Queen Anne hated Somerset, she had seen Villiers, and did not like him. To remove this

* Aulicus Coquinariæ (written by William Saunderson, author of a History of James I. See Harris, Life of James I., p. 245, edit. of 1814).

† These are Abbot's own words. See Rushworth.

feeling of the queen's, to labour for the substitution of one base minion for another, was thought a duty not unsuitable to the primate of the English church; and Archbishop Abbot, in his animosity to Somerset, undertook it at the request of the noble lords. When he first opened his commission to the queen, she told him that she saw that in Villiers which, if he became a favourite, would make him more intolerable than any that were before him. In the end, however, the importunities of the primate prevailed; but Anne told him that they should all live to repent what they were doing in advancing this new minion.* On St. George's feast, April 24th, 1615, his onomastic day, the young cup-bearer was sworn a gentleman of the privy chamber, with a salary of a thousand pounds a year; and on the next day he was knighted. The doom of Somerset was now sealed; his enemies had chuckled over the success of their scheme, and the most timid saw that there would no longer be any danger in accusing the favourite of a horrible crime which had long been imputed to him by the people.† He was not so blind to his danger as court favourites have usually been; and before any proceedings were instituted against him he endeavoured to procure a general pardon to secure him in his life and property. Sir Robert Cotton drew one out, "as large and general as could be," wherein the king was made to declare, "that, his own motion and special favour, he did pardon all, and all manner of treasons, misprisions of treasons, murders, felonies, and outrages whatsoever, by the Earl of Somerset committed, or hereafter to be committed."‡ James, hoping hereby to rid himself for ever of his disagreeable importunities, approved of the document most heartily; but the Chancellor Ellesmere refused to put the great seal to it, alleging that such an act would subject him to a premunire.

Secretary Winwood is said to have been the first to declare to James that the Countess of Essex and Somerset had caused Sir Thomas Overbury to be poisoned. When James privately summoned Elwes, the lieutenant of the Tower, into his presence, and questioned and cross-questioned him, he was fully convinced of the fact; but he still kept the earl about his person, concealed all he knew, and even simulated a return of his former warm affection. He went to hunt at Royston, and took Somerset with him. There, as he seemed "rather in his rising than setting," he was attached by the warrant of the Lord Chief Justice Coke, who, however, had refused to proceed until James had joined several others in commission with him. "The king had a loathsome way of lolling his arms about his favourites' necks, and kissing them; and in this posture Coke's messenger found the king with Somerset, saying, 'When shall I see thee again?—When shall I see thee again?'" When Somerset got the warrant in the royal presence, he exclaimed, that never had such an affront been offered to a peer of England. "Nay, man," said the king wheedlingly, "if Coke sends for *me*, I must go;" and, as soon as Somerset was gone, he added, "Now the devil go with thee, for I will never see thy face more!" This was at ten o'clock in the morning. About three in the afternoon the lord chief justice arrived at Royston, and to him James complained that Somerset and his wife had made him a go-between in their adultery and murder. He commanded him, with all the scrutiny possible, to search into the bottom of the foul conspiracy, and to spare no man how great soever. And, in conclusion, he said to Coke, "God's curse be upon you and yours, if you spare any of them; and God's curse be upon me and mine, if I pardon any one of them!"*

Coke, who had many motives besides the love of justice, was not idle. He had owed many previous obligations to Somerset; but he saw that earl could never again be of use to him. He and his brother commissioners took three hundred examinations, and then reported to the king that Frances Howard, some time Countess of Essex, had employed sorcery to incapacitate her lawful husband, Essex, and to win the love of Rochester; that, afterwards, she and her lover, and her uncle, the late Earl of Northampton, had, by their joint contrivance, obtained the committal of Sir Thomas Overbury, the appointment of their creature Elwes to be lieutenant of the Tower, and one Weston to be warden or keeper of the prisoner; and, further, that the Countess, by the aid of Mrs. Turner, had procured three kinds of poison from Franklin, an apothecary, and that Weston, the warder or keeper, had administered these poisons to Sir Thomas. Coke had also obtained possession of many note-books and letters; and, from a passage in a letter from Overbury to Somerset, alluding to the *secrets* of the latter, he pretended to derive proof that these secrets must have been of a treasonable nature, and he ventured thereupon to charge the earl with having *poisoned Prince Henry!* In reality there was nothing in Overbury's letter which could bear this construction; Sir Thomas merely said that he had written a history of his confidential connexion with the favourite, from which his friends might see the extent of that man's ingratitude. The queen, however, entered into Coke's view of the case, and openly declared that she had no doubt of the murder of her eldest son. But the king discouraged this interpretation, and only believed, or pretended to believe, that, in addition to his guilt in being an accomplice in the poisoning of Overbury,

* Rushworth.—R. Coke.

† According to Weldon, George Villiers, by the king's desire, waited upon Somerset, and told him that he desired to be his "servant and creature," and to take his court preferment wholly under his favour, and Somerset frankly replied, "I will have none of your service, and you shall have none of my favour; I will, if I can, break your neck." "Had Somerset only complied with Villiers," continues Weldon, "Overbury's death had still been raked up in his own ashes."

‡ Such pardons, or pardons very like them, had been sometimes granted in other cases. Several ministers had obtained them as a security against the malice of their enemies, when their fall should come, and also as a security for doing the will of their sovereign in an illegal or unconstitutional manner. Wolsey had obtained a similar pardon from Henry VIII.

* Rushworth.—R. Coke.

Somerset had received bribes from Spain, and had engaged to place Prince Charles in the hands of that court.

Weston, the warder, who had been servant to Franklin, the apothecary who furnished the poison, had been arrested and examined at the first opening of these proceedings, and the countess and all the other guilty parties were secured without any difficulty, for not one of them suspected what was coming. Weston at first stood mute, but his obstinacy gave way to Coke's threats of the *peine forte et dure*, and to the exhortations of Dr. King, Bishop of London, and he consented to plead. But even then he pleaded not guilty, and so did Mrs. Turner, Franklin the apothecary, and Elwes the lieutenant of the Tower. Their trials disclosed a monstrous medley of profligacy and superstition; and what seems almost equally monstrous is the fact that the learned Coke, the other judges, and all the spectators believed in the force of astrology and witchcraft, and considered the credulity of two frantic women as the most damnable of their crimes. Mrs. Turner, now the widow of a physician of that name, had been in her youth a dependant in the house of the Earl of Suffolk, and a companion to his beautiful daughter Frances Howard, who contracted a friendship for her which survived their separation. As certain vices, not unknown in the court of the virgin queen, had become common and barefaced in that of her successor, it would not be fair to attribute the demoralization of the Lady Frances solely to her connexion with this dangerous woman; though it should appear that she led her into the worst of her crimes, and found her the means of executing them. When they renewed their intimacy in London, the Lady Frances was the unwilling wife of Essex, and enamoured of the favourite Rochester. Mrs. Turner had had her illicit amours also; and believing, as most ladies then believed, in the efficacy of spells and love philtres, she had found out one Dr. Forman, a great conjuror, living in Lambeth, and who was frequently consulted by court dames and people of the best quality. Forman engaged to make Sir Arthur Manwaring love Mrs. Turner as much as she loved him; and soon after Sir Arthur travelled many miles by night, and through a terrible storm, to visit the widow. Instead of ascribing this passion to her own personal charms,—and she was a most beautiful woman,—she attributed it entirely to the charms of the conjuror at Lambeth. All this she told to the amorous Lady Essex, who, anxious for a like spell upon Rochester, went with her to the house of Dr. Forman. Like Mrs. Turner, the fair countess thought her beauty less potent than his incantations. She was grateful to him for the favourite's love, and frequently visited him afterwards with Mrs. Turner, calling him "father!" and "very dear father!" It appeared, also, that the countess had secret meetings with Rochester at the house in Lambeth. The wizard was since dead, but they produced in court some of the countess's letters to him, in which she styled him "sweet father!" and some of his magical apparatus, as pictures, puppets, enchanted papers, and magic spells, which made the prisoners appear the more odious, as being known to have had dealings with witches and wizards. At this moment a loud crack was heard from the gallery, which caused great fear, tumult, and confusion among the spectators and throughout the hall, every one fearing hurt, as if the devil had been present, and grown angry to have his workmanship shown by such as were not his own scholars. There was also produced a list on parchment, written by Forman, signifying "what ladies loved what lords" in the court. The Lord Chief Justice Coke grasped this startling document, glanced his eye over it, and then insisted that it should not be read. People immediately said that the first name on the list was that of Coke's own wife, the Lady Hatton. It was further proved —though in some respects the evidence seems to have been such as would not satisfy a modern jury, —that Weston had once lived as a servant with Mrs. Turner, who had recommended him to the countess; that it was at the request of the countess and her uncle Northampton, communicated through her friend Sir Thomas Monson, chief falconer, that Elwes, the Lieutenant of the Tower, had received him as warder, and placed him over Sir Thomas Overbury; that Weston administered the poison, which was of several kinds, and procured from his former master, Franklin, in Sir Thomas's medicines, soups, and other food; that he, Weston, had told his employers that he had given him poison enough to kill twenty men, administering it in small doses at a time through a course of several months; and that Somerset had commanded, through the Earl of Northampton, that the body of the victim should be buried immediately after his death. Franklin, the apothecary, made a full confession, in the vain hope of saving his own neck; Weston also confessed the murder, and many particulars connected with it. Coke pronounced sentence of death upon all these minor criminals. As Weston was on the scaffold at Tyburn, Sir John Holles and Sir John Wentworth, with other devoted friends of the fallen Somerset, rode up to the gallows, and endeavoured to make him retract his confession; but the miserable man merely said, "Fact, or no fact, I die worthily!"—and so was hanged. Elwes, the Lieutenant of the Tower, who had made a stout defence on the trial, confessed all on the scaffold, and ascribed his misfortune to his having broken a solemn vow he had once made against gambling. The fate of the beautiful Mrs. Turner excited the most interest. Many women of fashion, as well as men, went in their coaches to Tyburn to see her die. She came to the scaffold rouged and dressed, as if for a ball, with a ruff, stiffened with yellow starch, round her neck; but otherwise she made a very penitent end.*

* Mrs. Turner had introduced yellow starched ruffs, &c. The fashion went out with her exit at Tyburn.

Both Coke and Bacon eulogised the righteous zeal of the king for the impartial execution of justice; but their praise was at the least premature. James betrayed great uneasiness on hearing that his chief falconer, Sir Thomas Monson, was implicated, and would probably "play an unwelcomed card on his trial." And when Monson was arraigned, some yeomen of the guard, acting under the king's private orders, to the astonishment and indignation of the public, carried him from the bar to the Tower. After a brief interval he was released from that confinement, and allowed not only to go at large, but also to retain some place about the court.* As for the trial of the great offenders, the Earl and Countess of Somerset, it was delayed for many months. The delay was imputed for a time to the necessity of waiting for the return of John Digby, the ambassador at Madrid, afterwards Baron Digby and Earl of Bristol, who, it was said, could substantiate the late favourite's treasonable dealings with the Spanish court; but, when Digby came, he could do nothing of the sort; and everything tends to prove that James had all along a dread of bringing Somerset to trial. Even from the documents which remain, we may see the king's unceasing anxiety, and a system of trick and manœuvre almost unparalleled, and which cannot possibly admit of any other interpretation than this;—Somerset was possessed of some dreadful secret, the disclosure of which would have been fatal to the king. The two prisoners, who were kept separate, were constantly beset by ingenious messengers from court, who assured them that, if they would only confess their guilt, all would go well,—that they would have the royal pardon to secure them in their lives and estates. Nay, more, there was held out to Somerset, "indirectly as it were, a glimmering of his majesty's benign intention to reinstate him in all his former favour." When we mention that James's chief messenger and agent was Bacon, it will be understood that the business was ably done, and that the hopes and fears of the prisoners were agitated with a powerful hand.† The countess, after much pains had been taken with her, confessed her guilt; but Somerset resisted every attempt, most solemnly protesting his innocence of the murder of Overbury. When Bacon spoke of the king's determination to secure him in life and fortune, he replied, "Life and fortune are not worth the acceptance when honour is gone." He earnestly implored to be admitted to the king's presence, saying that, in a quarter of an hour's private conversation, he could establish his innocence, and set the business at rest for ever. But James shrunk from this audience; and the prisoner's request to be allowed to forward a private letter to the king was denied him. Then Somerset threatened, instead of praying; declaring that, whenever he should be brought to the bar, he would reveal such things as his ungrateful sovereign would not like to hear. James Hay, afterwards Earl of Carlisle, the friend and countryman of Somerset, and other particular friends, were despatched from time to time by the trembling king to the Tower to work upon the prisoner; but though, in the end, something must have been done by such means, they for a long time produced no visible effect upon the resolution of the earl. When the confession of his wife was obtained (it did not materially bear against him), Bacon and the other commissioners, among whom were Coke and Chancellor Ellesmere, told Somerset that his lady, being touched with remorse, had at last confessed all, and that she that led him to offend ought now, by her example, to lead him to repent of his offence; that the confession of one of them could not singly do either of them much good; but that the confession of both of them might work some further effect towards both; and that therefore they, the commissioners, wished him not to shut the gates of his majesty's mercy against himself by being obdurate any longer. But his reasoning was thrown away upon him: Somerset would not "come any degree farther on to confess; only his behaviour was very sober, and modest, and mild; but yet, as it seemed, resolved to expect his trial." Then they proceeded to examine him touching the death of Overbury; and they made this farther observation, that, "in the questions of the imprisonment," he was "very cool and modest;" but that, when they asked him "some questions that did touch the prince,* or some foreign practice" (which they did "*very sparingly*"), he "grew a little stured."† James received a letter from the prisoner, but not a private one. The tone of the epistle was enigmatical, but bold, like that of a man writing to one over whom he had power.‡ In it Somerset again demanded a private interview; but James replied that this was a favour he might grant after, but not before, his trial.§

Bacon was intrusted with the legal management of the case, but he appears hardly to have taken a step without previously consulting the king, who postillated with his own hand the intended charges,

* Roger Coke, the author of the Detection, and the grandson of the great Coke, says that the Lord Chief Justice, Judge Dodridge, and Judge Hyde, declared Sir Thomas Monson to be as guilty of the murder as any of the others.

† Bacon's Works.—Cabala.—State Trials.

* It is by no means clear that Prince Henry is here alluded to. Bacon may possibly refer to the living prince, Charles, and the rumour of Somerset's undertaking to deliver him into the hands of the Spaniards. But it seems scarcely possible that Somerset should have betrayed agitation at an unfounded report. On a former examination, when, as we learn from Bacon himself, the charge was clearly that of a treasonable correspondence with Spain, Somerset showed no emotion whatever, merely saying that he had been too well rewarded by his majesty ever to think of Spain.—"If he (Prince Henry)," says Lord Dartmouth, in a note to Burnet's 'History of his Own Time' (i. 11), "was poisoned by the Earl of Somerset, it was not upon the account of religion, but for making love to the Countess of Essex; and that was what the Lord Chief Justice Coke meant, when he said, at the Earl of Somerset's trial, 'God knows what went with the good prince Henry, but I have heard something.'"

† Bacon's Letter to the King in Cabala. In his postscript the wily attorney-general says,—"If it seem good unto your majesty, we think it not amiss some preacher (*well chosen*) had access to my Lord of Somerset, for his preparing and comfort, although it be before his trial." From the whole tenor of this correspondence there can be no doubt whatever as to the sort of service Bacon would expect from this "well chosen" preacher! Several of the letters about the old favourite are addressed, with slavish and disgusting protestations, to the new minion, Sir George Villiers.

‡ See the Letter in Somers's Tracts.

§ Letter of James, in Archæologia.

EARL AND COUNTESS OF SOMERSET. From a Print of the period.

and instructed the wily attorney-general so to manage matters in court as not to drive Somerset to desperation, or give, in his own words, "occasion for despair or flushes." He was perfectly well understood by Bacon, who undertook to have the prisoner found guilty before the peers without making him too odious to the people. The whole business of Bacon was to put people on a wrong scent, for the purpose of preventing Somerset from making any dangerous disclosure, and the other judges from getting an insight into some iniquitous secret which it imported the king to conceal. On the 24th of May, 1616, the countess was *separately* arraigned before the peers. The beautiful but guilty woman looked pale, and sick, and spiritless: she trembled excessively while the clerk read the indictment; she hid her face with her fan at mention of the name of Weston; and she wept and spoke with a voice scarcely audible when she pleaded guilty and threw herself on the royal mercy. As soon as this was done she was hurried from the bar, and then, when she was not present to say that her confession did not involve her husband, Bacon delivered a very artful speech, stating the evidence he had to produce if she had made it necessary by pleading not guilty. After this speech the countess was recalled for a minute to the bar of the Lords to hear sentence of death, which was pronounced by the Chancellor Ellesmere, whom the king and Bacon, after long deliberation, had appointed High Steward for the trials. On the same day Somerset, who ought to have been tried with his wife, was warned by Sir George More, the present Lieutenant of the Tower, that he must stand his trial on the morrow. Owing to some causes not explained, but at which we may easily guess, the earl, who had before desired this, absolutely refused to go, telling the lieutenant that he should carry him by force in his bed; that the king had assured him he should never come to any trial, and that the king durst not bring him to trial. This language made More quiver and shake; . . . "yet away goes More to Greenwich, as late as it was, being twelve at night, and bounces up the back-stairs as if mad." The king, who was in bed, on hearing what the lieutenant had to say, fell into a passion of tears, and said, "On my soul, More, I wot not what to do! Thou art a wise man; help me in this great strait, and thou shalt find thou dost it for a thankful master."* "Returning to the Tower, the lieutenant told his prisoner that he had been with the king, and found him a most affectionate master unto him, and full of grace in his intentions towards him; but, said he, to satisfy justice, you must appear, although you return instantly again, with-

* Weldon says that Sir George More "was really rewarded with a suit worth to him 1500*l*, although Annandale, his great friend, did cheat him of one-half; so was there falsehood in friendship."

out any further proceeding, only you shall know your enemies and their malice, though they shall have no power over you. With this trick of wit he allayed his fury, and got him quietly, about eight in the morning, to the hall; yet feared his former bold language might revert again, and, being brought by this trick into the toil, might have more enraged him to fly out into some strange discovery, that he had two servants placed on each side on him, with a cloak on their arms, giving them a peremptory order, if that Somerset did any way fly out on the king, they should instantly hoodwink him with that cloak, take him violently from the bar, and carry him away; for which he would secure them from any danger, and they should not want also a bountiful reward."*

Somerset, however, when brought to the bar of the Lords, was in a very composed easy humour, which Bacon took good care not to disturb by any of those invectives that were usually employed against prisoners. He abstained, he said, from such things by the king's order, though of himself he were indisposed to blazon his name in blood.† He handled the case most tenderly, never urging the guilt of Somerset without bringing forward the hope or assurance of the royal mercy. But the prisoner, who displayed far more ability than he had ever been supposed to possess, though he abstained from any accusations or out-pourings of wrath against James, was not willing to submit to a verdict of guilty, however sure of a pardon. He maintained his innocence, and defended himself so ably that the trial lasted eleven hours. In the end the peers unanimously pronounced him guilty. He then prayed them to be intercessors for him with the king, adding, however, words which meant that he thought that it would hardly be needed. "But who had seen the king's restless motion all that day, sending to every boat he saw landing at the bridge, cursing all that came without tidings, would have easily judged all was not right, and that there had been some grounds for his fears of Somerset's boldness; but at last, one bringing him word he was condemned, and the passages, all was quiet."‡ A few weeks after sentence James granted a pardon to the countess, "because the process and judgment against her were not of a principal, but as of an accessary before the fact." A like pardon was offered to the earl, who said that he, as an innocent and injured man, expected a reversal of the judgment pronounced by the peers. After a few years' imprisonment, Somerset and his lady retired into the country,—there, as it is said, to reproach and hate one another. The king would not permit the earl's arms to be reversed and kicked out of the chapel of Windsor; and upon his account it was ordered "that felony should not be reckoned amongst the disgraces for those who were to be excluded from the Order of St. George, which was without precedent."* Further, to keep the discarded favourite and depositary of royal mysteries from desperation, he was allowed for life the then splendid income of 4000*l.* a-year. Considering the power of money and the baseness of the age, we are inclined to doubt the oratorical accounts of the loneliness and abandonment into which he fell. The countess died in 1632, in the reign of Charles I.; the earl, who survived her thirteen years, will reappear on the scene towards the close of the present reign. Their daughter, an only child, the Lady Anne Carr, who was born in the Tower, was married to William, fifth Earl, and afterwards first Duke, of Bedford, by whom she had many children, one of whom was the celebrated Lord Russell, who died on the scaffold in the time of Charles II. She is described as a lady of great honour and virtue: and it is said that her mother's history was so carefully concealed from her that she knew nothing of the story of the divorce of Lady Essex until a year or two before her death.† The ill-used Earl of Essex will appear hereafter, and most conspicuously, as the leader of the parliament army against the unfortunate successor of King James.

It should appear that the services of Bacon in the Overbury and Somerset case secured his triumph over his rival. Coke, however, had long been hated by the king, and in his irritation thereat he took an independent, and what might otherwise have been a patriotic course in administering the law. Hence he incensed James more and more, and involved himself in a quarrel with the old Chancellor Ellesmere, whom Bacon flattered and cajoled in the hope of succeeding to his high office. Many things had made the Lord Chief Justice totter in his seat, but a dispute with Villiers, the new favourite, about a patent place at court, a dispute with the king about bishoprics and commendams, and the ingenious malice of Bacon, who had James's ear, laid him prostrate at last. By the advice of Bacon, he was called before the council: the other judges had all been there before him, to kneel to the king and ask pardon for attempting to act according to law. Bacon, Ellesmere, and Abbot the primate had been employed for some time in collecting charges against him. Coke was accused of concealing a debt of 12,000*l.* due to the crown by the late Chancellor Hatton; of uttering on the bench

* Weldon. The lieutenant of the Tower may have thought of providing the two sentinels and the hood-winking cloaks, but all the rest had *certainly* been suggested before hand by Bacon, in a "Particular Remembrance for his Majesty." "It were good," says his miracle of genius and profligacy, "that after he is come into the hall, so that he may perceive he must go to trial, and shall be retired to the place appointed till the court call for him, then the lieutenant shall tell him roundly that if in his speeches he shall tax the king, that the justice of England is that he shall be taken away, and the evidence shall go on without him; and then all the people will cry, 'Away with him!' and then it shall not be in the king's will to save his life, the people will be so set on fire."—*State Trials.*

† This was a hint at Coke, who was a terrible dealer in invectives.

‡ Weldon. Old Sir Anthony's pen was no doubt occasionally dipped in gall, but his account of these transactions, which he says he and a friend had from Sir George More's own mouth *verbatim* in Wanstead park, after being long ascribed to his libellous spirit and hatred of James, has received the most complete confirmation by some letters from More himself, published in the Archæologia, vol. xviii. When he is found so veracious in one important particular it may be questioned whether Weldon has not been unfairly doubted in others.

* Camden, Annals of King James. † Oldmixon.

words of very high contempt, saying that the common law would be overthrown, wherein he reflected upon the king; and, thirdly, of uncivil and indiscreet carriage in the matter of commendams. Coke repelled the charge about the money, and he afterwards obtained a legal decision in his favour: without denying his words on the bench, he palliated the second charge; to the third he confessed, and prayed forgiveness. The king ordered him to appear a second time before the council, and then the proud lawyer was brought to his knees to hear the judgment of his royal master, which was, that he should keep away from the council-table, and not go the circuit, but employ himself in correcting the errors in his book of Reports. When Coke reported to the king that he could discover only five unimportant errors in his book, James chose to consider that he was proud and obstinate, and gave the chief justiceship to Montague, the Recorder of London. It is said that Coke, on receiving his *supersedeas*, wept like a child. Bacon not only made merry with the new favourite on his fall, but wrote Coke an insulting and most unmanly letter, made trebly atrocious by an assumption of exceeding great godliness.*

Prince Charles, now created Prince of Wales, was in his seventeenth year, and the king had not yet succeeded in negociating what he considered a suitable marriage for him. The religious feelings of his subjects, both in England and Scotland, were violently opposed to any Catholic match; but James's pride led him to prefer a family alliance with some one of the royal houses in Europe, and of those houses the greatest were all Catholic. Suspecting at last that the court of Spain had no intention to conclude any arrangement with him, he opened negociations with that of France for the hand of Madame Christine, sister to the young King Louis XIII.; but, notwithstanding an extravagant and pompous embassy, the French court preferred an alliance with the Duke of Savoy. Shortly after the failure of this treaty Concini, Marshal d'Ancre, a Florentine, who had accompanied the Queen Mother, Marie de' Medici into France, and who, since the death of Henry IV., had ruled the whole kingdom, was murdered on the drawbridge of the Louvre by Vitry, one of the captains of the body-guard. The deed was done in broad daylight by order of Louis, who had been kept in a state of subjection, and almost of bondage, by his mother's favourite. On the following day the people of Paris raised a cry against the excommunicated Jew and wizard; they dug up his body, which had been hastily buried, —dragged it through the streets,—hung it by the heels on a gibbet on the Pont Neuf,—cut it up,—burned part of it before the statue of Henry IV., and threw the rest into the Seine. The parliament of Paris proceeded against the memory of the deceased favourite, declared him to have been guilty of treason both against God and the king,—condemned his wife to be beheaded, and her body afterwards burnt,—and declared his son to be ignoble and incapable of holding any property or place in France. In this strange process there was more talk of sorcery and devil-dealing than there had been on the trial of the murderers of Overbury; and it was pretended that monstrous proofs were discovered of the Judaism and magic of the wretched Florentine. As soon as Louis saw Concini fall on the drawbridge, he presented himself at a window, exclaiming, "Praised be the Lord, now I am a king!" and the officers of his guard went through the streets of Paris shouting, "God save the king! The king is king!" James made haste to congratulate his most Christian majesty; and Sir Thomas Edmonds, his special ambassador, was instructed by the king or Villiers, or by both, to pay a high compliment to Vitry, the actual murderer;* But France, after all, did not gain much by the change, for Louis soon submitted to a contemptible favourite of his own, the Duke de Luines, who misgoverned the country as much as Concini had done.

In the meanwhile James's new favourite, Villiers, was becoming far more powerful and mischievous than his predecessor, Somerset. The old Earl of Worcester was made to accept a pension and the honorary office of President of the Council, and to resign his place of Master of the Horse to the minion, who was now Viscount Villiers, and was soon after (on the 5th of January, 1617) created Earl of Buckingham. Bacon, who told the king that he was afraid of nothing but that his excellent servant the new Master of the Horse and he should fall out as to which should hold his majesty's stirrup best, and who, on Villiers's first advancement, had written an elaborate treatise to show him how to demean himself in his post of prime favourite, got some reward at the same time.† The old Chancellor Ellesmere, who in moments of sickness had repeatedly complained of his great age, his griefs, and infirmities, of the dulness and heaviness of his sense, and his decaying memory, but who, when the fit was past, had baffled the hopes of the attorney-general and had clung to his place, having been gratified with the title of Viscount Brackley in November, 1616, felt his end approaching in the month of February, formally resigned the seals in March, and died a fortnight after. James gave the seals, with the title of Lord Keeper, to Bacon, who had pledged himself to do the royal will in all things. The great philosopher, now in the fifty-fourth year of his age, was made giddy by his elevation: he rode to

* Serinia Sacra; a Supplement to the Cabala.

* Birch, Negoc.—Secretary Winwood, writing to Sir Guy Carleton, ambassador in Holland, about this murder and special embassy, says,—"But what opinion soever private particular men, who aim at nothing else but the advancement of their own fortunes, have of this action (the murder of Concini), his majesty is pleased to approve of it, which doth appear not only by *the outward demonstration of his exceeding joy and contentment* when first he received the news thereof, but also by letters which, with his own hand, he hath written to the French king . . Besides, Mr. Comptroller, who hath charge in all diligence to return into France, hath express order to congratulate with the *Marshal* de Vitry, for so now he is, that by his hands the king his master was delivered out of captivity."

† Cabala, and Bacon's works.

Westminster Hall on horseback, in a gown of rich purple satin, between the Lord Treasurer and the Lord Privy Seal, with a splendid escort of lords, courtiers, judges, lawyers, law students, officers, and servants. He seemed inclined to rival the magnificence and finery of Buckingham, and, in the absence of that creature of the court, the fullest-blown fop was the head of the English law, the restorer of philosophy, the greatest wit, scholar, and scoundrel of his age. Before this, his last and fatal promotion, his income was immense, though apparently inadequate to his lavish expenditure: he came to the seals a needy, greedy man, but in his hopeful eyes there was no end to the wealth which the seals might command.

When James took his leave of his loving subjects of Scotland, he had promised that he would gladden their hearts and eyes with his presence at least once every three years; but fourteen years had elapsed, and he had never been able to recross the Tweed. This was owing to his improvidence and consequent poverty. It would have been too much to expect the poor Scots to pay the expenses of his costly progress. But in the course of the preceding year (1616) he had restored the cautionary towns of Brill, Flushing, and Rammekins, to the Dutch for 2,700,000 florins, which was about one-third of the debt really owing to him.* This Dutch money enabled James to pay off some of his most pressing debts, and to raise on the first blush of his improved credit nearly 100,000*l.* at ten per cent. per annum, for his journey into Scotland. "He begins his journey with the spring, warming the country as he went with the glories of the court; taking such recreations by the way as might best beguile the days, and cut them shorter, but lengthen the nights (contrary to the seasons); for what with hawking, hunting, and horse-racing, the days quickly ran away; and the nights, with feasting, masking, and dancing, were the more extended. And the king had fit instruments for these sports about his person, as Sir George Goring, Sir Edward Zouch, Sir John Finnit, and others, that could fit and obtemperate the king's humour; for he loved such representations, and disguises in their maskaradoes, as were witty and sudden; the more ridiculous, the more pleasant. . . . . And his new favourite, being an excellent dancer, brought that pastime into the greater request. . . . He now reigns sole monarch in the king's affection—everything he doth is admired for the doer's sake. No man dances better; no man runs or jumps better; and, indeed, he jumpt higher than ever Englishman did in so short a time, from a private gentleman to a dukedom. But the king is not well without him—his company is his solace; and the court grandees cannot be well but by him; so that all addresses are made to him, either for place or office in court or commonwealth. The bishops' sees did also ebb and flow, from the wane or fulness of his influence upon them."* At Berwick the king and his favourite, and his English courtiers and jesters, were met by a numerous deputation of the Scottish nobility, who conducted them by slow stages to Edinburgh—for James loved to stop at every good house or sporting-ground that he came nigh. His chief object in visiting Scotland was, however, to effect the complete establishment of the episcopal form of church government, and to assimilate the religious worship of the two countries. Without the least spark of religious zeal or fanaticism, James was most determinately bent on the subversion of the Presbyterian system, the spirit and form of which he detested more than ever, as inimical to his notion of the divine right of kings, and their absolute supremacy over the church as well as state. From the time of his controversy with the English Puritans at Hampton Court, he had been devising how he should fully restore episcopacy in Scotland; and, by means of English money and the boldness and cunning of his principal minister there, Sir George Hume, afterwards Earl of Dunbar, he had made some progress in this direction. The first blow was struck at the general assembly of the Scottish kirk in 1605. This assembly was arbitrarily prorogued by royal authority three times in rapid succession. A number of the clergy met at Aberdeen; their meeting was prohibited, but they proceeded to assert their rights, chose a moderator, fixed an assembly to be held in the course of that year, and then dissolved themselves, in compliance with an order from the privy council. Thirteen of the leading members were forthwith selected for fierce prosecution; and out of this number Welsh, Dury, and four other popular preachers, were convicted by the crown lawyers and a slavish jury of *high treason*. After a rigorous confinement, sentence of death was commuted into perpetual banishment. These conscientious men, whose fate would excite more sympathy if they had been themselves less intolerant, retired to the Protestant churches in France and Holland, whither they were soon followed by many voluntary exiles, who revered their doctrines, and who were scared by the approaching horns of the mitre. The clergy at home, in spite of an admonition from the court, bewailed in prayer the tribulations of their brethren; and in their sermons boldly announced the impending danger and ruin of the true church of Christ. Soon after the bishops, who had never altogether ceased to exist in name, were re-established in authority and in revenue—that is, to the extent of the power of James and his slavish court. These occupants of dilapidated sees, who were ready on all occasions to maintain that it was a part of the royal prerogative to prescribe the religious faith and worship of the people, soon came into conflict with the Presbyterian clergy. Old Andrew Melvil, the successor of John Knox, James Melvil, his nephew, and six others, were

*Rymer. It appears that the English ministers and negociators were bribed by the Dutch, who must, however, have known that James's wants would make him grasp at any offer of ready money. Peyton says that Secretary Winwood got 29,000*l.* from the States.

* Arthur Wilson.

summoned up to London, where James disputed with them about doctrine and practice. It is probable that the king did not treat them with more respect than he had treated the Puritans at Hampton Court; and old Melvil was made of firmer materials than those preachers. To the king his behaviour was respectful; but when he was interrogated by some Scottish lords he said, indignantly, "I am a free subject of Scotland—a free kingdom, that has laws and privileges of its own. By these I stand. No legal citation has been issued against me, nor are you and I in our own country, where such an inquisition, so oppressive as the present, is condemned by parliament. I am bound by no law to criminate or to furnish accusation against myself. My lords, remember what you are: mean as I am, remember that I am a free-born Scotsman; to be dealt with as you would be dealt with yourselves, according to the laws of the Scottish realm." James, who had only invited them to a free conference, prohibited the return of the Scottish preachers to their own country, and insisted on their attending worship in his royal chapel, where they might hear the preaching of his courtly bishops. This made matters worse. The characters of the bishops most about court were not spotless, and their discourses seemed monstrously slavish to the proud Calvinists: nor did the rites and oblations of the chapel, the gilded altar, the chalices, the tapers, improve in their eyes upon a closer but compulsory acquaintance. Old Andrew Melvil vented his feelings of disgust in a Latin epigram of six lines, in which he set down all these things as relics of the scarlet she wolf of Rome.* The verses were shown to James, who summoned the author before his English privy council, where Andrew was so irritated that he burst forth into an invective against the whole Anglican church, and pulled or shook what he called the Romish rags of the Archbishop of Canterbury's surplice. For all these offences James arbitrarily committed him to the Tower of London, where he lay for four years. He was then liberated at the earnest prayer of the Duke of Bouillon, but only upon condition that he should pass the remainder of his life in some foreign country. The venerable champion of Calvinism, the bosom friend of Theodore Beza, retired to Sedan, and died abroad in 1620. His nephew, James Melvil, was confined for life to Berwick, on the confines of his native country, where he died six years before his uncle. The other six Scottish preachers who had accompanied them to the free conference were banished to separate and remote districts in Scotland. To quiet the murmurs of the Presbyterian clergy,—to win them over to the bishops, whose indefinite powers the king continued to advance,—the Earl of Dunbar employed threats and bribes. Forty thousand marks were distributed among the members of an ecclesiastical convention summoned by royal authority, that met at Linlithgow, at the end of the year 1606, and appointed certain clergymen to be permanent moderators of the presbyteries within which they resided, and the bishops to be *ex officio* the moderators of the provincial synods. But the great body of the Scottish clergy—a spiritual republic—were incensed at this subversion of equality; they soon resumed their independence in the synods, and set aside the authority of the bishops as perpetual moderators. The synods were then, as seditious bodies, prohibited from assembling. In 1609 the Consistorial Courts, which at the Reformation had been given to civil judges, were restored to the bishops; and the Archbishop of Glasgow was created an extraordinary lord of session, in order to restore a spiritual intermixture to that high court of law, which had originally consisted of an equal number of temporal and spiritual judges. But this latter plan was stopped in the commencement, by the determination of James to establish a separate and paramount court, which, if he was so minded, he might fill entirely with bishops. The High Commission Court—the greatest grievance of the land—existed in England as a part or a result of the king's supremacy over the church; but in Scotland this supremacy had not yet been acknowledged, and no such court could be imposed with anything like a decent regard to law. Yet notwithstanding this fact, and the violent repugnance of the people, James, in 1610, erected two courts of High Commission—one at St. Andrew's, the other at Glasgow,—more arbitrary, more absolute than the detestable court in London. They had power given to them to receive secret depositions, to cite and examine any individual whatsoever touching his religious opinions or general life and conduct, to excommunicate, imprison, fine, and outlaw. And, as if the Scots did not already sufficiently hate the name of bishop, the Archbishops of St. Andrew's and Glasgow were put at the head of these tyrannical courts, and it was declared that either of these prelates and four assistants should compose a quorum, from whose sentence there was no appeal. Schools and colleges were subjected to their visitation, and they could suspend, deprive, or imprison at discretion any of the clergy who disobeyed their orders. It was soon evident that an oppression of this kind must be enforced by troops of horse, as well as by bishops; but the peace-loving king would not see the inevitable result of his system.

An assembly of the kirk was held at Glasgow in June, 1610, for the purpose of confirming the authority of the bishops within their respective dioceses; and partly by the high exercise of authority, partly by a trick which kept away the bolder ministers, and partly by bribery, the Primate obtained several important concessions. Then Dunbar, and some of the bishops, would have proceeded to the entire suppression of presbyteries; but the more prudent considered such a measure as dangerous or premature, and it was laid aside for the present. The packed clergy, however, solemnly recognised the king's ecclesiastic supre-

* Calderwood.

macy, and the right of bishops to ordain and induct to churches. Under the crafty and bold management of the Earl of Dunbar, the Scottish parliament confirmed and enlarged these decisions. Hitherto the Scottish prelates had not been consecrated by the imposition of prelatical hands; but, now, three of their number were summoned up to London to undergo that ceremony, and on their return they imposed their hands on the other Scottish bishops, who were thus presented to the scorning and incredulous people as legitimate successors of the apostles. These proceedings were soon followed by the death of the Earl of Dunbar, whose place, whether for the king or the bishops, was badly supplied by some of the kinsmen of Carr, Earl of Somerset, who misruled Scotland till the downfal of that favourite.

In 1616, the year before James's visit, the Episcopalians and the Presbyterians seem to have witnessed with equal satisfaction the barbarous execution of one Ogilvy, a Jesuit. Presently after James's arrival, in the month of June, 1617, a parliament assembled to establish, upon an unchangeable basis, the faith, and ceremonies, and discipline of the Scottish church. But by this time sundry of the lords, who were holders of lands which had formerly belonged to the bishoprics, began to be alarmed as to the security of those parts of their property. James disarmed their opposition by inviting these great nobles to a secret conference, wherein, it is generally supposed, he addressed himself to their most sensitive feelings, and promised that they should not be disturbed in any of their possessions. Forthwith an act was prepared to declare, "that, in ecclesiastical affairs, whatever should be determined by the king, with the advice of the prelates and a competent number of the clergy, should receive the operation and the force of law." This bill was brought suddenly into parliament, and passed there; and James was on the point of making it law in the Scottish manner, by touching it with the sceptre, when the clergy presented to parliament a loud and alarming remonstrance or protest against it. James trembled and hesitated; and, in the end, to save his honour, he pretended that it was idle to give him by statute that which was part of the inherent prerogative of the crown; and the bill was silently withdrawn. Another bill, assigning chapters to the different bishoprics, and regulating the methods to be followed in the election of bishops, appears to have passed without any sturdy opposition either in parliament or out of it. After a very short session parliament was dissolved, and James removed to St. Andrew's, to attend a great meeting of the clergy. There he caused Simpson, Ewart, and Calderwood, distinguished preachers, who had signed the late protest (which they were supposed to have penned), to be brought before the High Commission Court, and convicted of seditious behaviour. Simpson and Ewart were suspended and imprisoned; Calderwood, the most learned and most hated or feared of the three, was condemned to exile for life. The people soon began to consider these victims of kingly and prelatical rage as martyrs, and bitterly did they avenge their wrongs on James's successors. But, now, that complacent sovereign proceeded to announce to the clergy assembled at St. Andrew's how they must forthwith transplant and adopt the ceremonies of the English church. It was his royal will—1st. That the eucharist should be received in a kneeling, and not in a *sitting* posture, as hitherto practised by the Presbyterians. 2ndly. That the sacrament should be given to the sick at their own houses, in all cases where there was imminent danger of dissolution. 3rdly. That baptism should be administered in private houses in similar cases. 4thly. That the bishops should give confirmation to youths. 5thly. That the festivals of Christmas, Good Friday, Easter, Ascension Day, and Whit Sunday, should be commemorated in Scotland as in England. It was his prerogative as a Christian king to command in these matters,—so he told the clergy,—nor would he regard their disapprobation or remonstrances; *but*, if they could convince him in fair, theological disputation, then he might withdraw his ordinances. But the Scottish theologians were too wise to gratify the king with the field-day he desired. They knew all about his great victory at Hampton Court, and the result of his free conference with old Andrew Melvil; the fate of their three brethren, Simpson, Ewart, and Calderwood, was appalling; and, so, instead of disputing or opposing the royal will, they fell on their knees and implored him to remit the five articles of the ceremonies to the consideration of a general assembly of the whole kirk. James at first turned a deaf ear to their prayer; but he graciously granted it when some minister or ministers assured him that matters would be so managed as to make the general assembly altogether submissive to his will. He, however, insisted on the immediate enforcement of some of the ceremonies at court; and he kept Whitsuntide in the English manner, surrounded by his applauding bishops and courtiers, whose knees and consciences were flexible. And from that time no man was admitted into any office or employment that would not kneel as ordered, and conform in the other particulars. James slowly wended his way back to England in all the pride of victory; but he was followed by the curses of the large majority of his Scottish subjects, who had not forgotten his former solemn pledges to maintain their church and their liberties, and who regarded him as an apostate, a renegade, and a faithless tyrant. And James himself soon found that, instead of finishing, he had but begun the war between episcopacy and presbytery,—a war which was not to be finished by synods and assemblies, but by bullets and broadswords.*

During the king's absence in Scotland he had been greatly annoyed by the strict manner in which the Sabbath was kept by the Presbyterians.

* Calderwood.—Malcolm Laing.

As he travelled southward he thought over these things, and no doubt talked of them too. In Lancashire, where the Catholics were numerous, and, it was said, increasing in numbers, petitions were presented to him complaining that the strictness of the Puritans in keeping the Sabbath, and putting down all manly exercises and harmless recreations, drove men to popery and the ale-house, where "they censured in their cups his majesty's proceedings in church and state." Being met by his hounds and hunters, James made his progress through the hunting counties, stopping at Sherwood Forest, Needwood, and all the other parks and forests in his way; but when he got to London he did not forget the Presbyterians or Puritans, and their observance of the Lord's day. Assisted by some of his chaplains and bishops,—many were opposed to the measure on the grounds both of religion and policy,—he prepared and put forth his Book of Sports, pointing out to the people with his usual minuteness what pastimes they might, and indeed ought to use, on Sabbath-days and festivals of the church,—what running, vaulting, archery, and morrice-dancing, what May-poles, church-ales, and other rejoicings they might indulge in "upon Sundays, after evening prayers ended, and upon holidays." He was also pleased to ordain "that women should have leave to carry rushes to the church, for the decorating of it, according to their old custom." He prohibited, upon Sundays only, all bear and bull baitings, interludes, and bowls; and he barred from the benefit and liberty of the other sports "all such known recusants, either men or women," to quote the words of the declaration, "as will abstain from coming to church or divine service; being, therefore, unworthy of any lawful recreation after the said service, that will not first come to the church and serve God: prohibiting, in like sort, the said recreations to any that, though conform in religion, are not present in the church, at the service of God, before their going to the recreations His majesty's pleasure likewise is, that they to whom it belongeth in office shall present and sharply punish all such as, in abuse of this his liberty, will use these exercises before the end of all divine services for that day. And he doth likewise strictly command that every person shall resort to his own parish church to hear divine service; and each parish by itself to use the said recreation after divine service: prohibiting likewise any offensive weapons to be carried or used in the same times of recreation. And his pleasure is, that this his declaration shall be published, by order from the bishop of the diocese, through all the parish churches; and that both the judges of the circuits and the justices of the peace be informed thereof." It is quite certain that Abbot, the primate, disapproved of the whole measure, and thereby he increased the suspicion which attached to him at court of being a puritan or precisian himself; and it is said that he positively refused to read the book in his own church of Croydon. But the other bishops were less bold or less convinced that some amusements, after the celebration of divine service, were so heinous; and the Book of Sports seems to have been generally read as appointed.

In many parts of the country, more particularly in the North, the peasantry, tired of the severities and gloom of the puritanic Sabbath, which was that of Moses rather than that of Christ, fell readily into the spirit of the new law, and people again came from church with merry faces, and the village-green again resounded on the Sunday evening with merry voices. But except to the poor labourers in these parts, and to the high-church party, the measure was, in the highest degree, odious; and many people, who were not convinced, perhaps, that the Christian Sunday ought to be kept as the old Jewish Sabbath, refused to be merry and sportful upon compulsion, and thought it absurdly illegal that the king, of his own and sole authority, should issue such an ordinance. "This book," says a sturdy puritan, "was only a trap to catch conscientious preachers that they could not otherwise with all their cunning ensnare; for they would preach the gospel in a fool's coat (as some of them expressed) rather than be silenced for a surplice. And their conjuring of them with the cross in baptism, and the circle of the ring in marriage, could not make a well-composed reason and a sound conscience then start at it; but when so frightful an apparition as the dancing-book appeared, some of the ministers left all for fear, others by force, they were so terrified with it."* If nothing worse, the Book of Sports was a great political blunder, tending to increase ill-will and irritation. But for the present the murmurs of the puritans were timid and subdued, and the full danger to royalty was not felt till the year 1633, when, by the advice of Laud, Charles I. revived his father's book, and tried to give it the force of law—"out of a like pious care for the service of God, and for suppressing of any humours that oppose truth, and for the ease, comfort, and recreation of his well deserving people."

In departing for Scotland James had entrusted extraordinary powers to Lord Keeper Bacon, whose head was thereby turned more than ever, and who, during his majesty's absence, conducted himself in such a manner as to give mortal offence to most of the ministers and men of business that were left behind. According to a caustic reporter of his doings, he instantly began to believe himself king, to lie in the king's lodgings, to give audience in the great banqueting-house at Whitehall to am-

* Arthur Wilson.—Wilson says that it was some of the bishops that procured the king to put out this book; and that the ministers who would not read it in church to their parishioners were brought to the High Commission Court, imprisoned, and suspended. The following passage marks the creed of this writer, and the non-episcopal times in which he wrote:—"These, and such like machinations of the bishops, to maintain their temporal greatness, ease, and plenty, made the stones in the wall of their palaces, and the beam in the timber, afterwards cry out, moulder away, and come to nothing: whereas, if those in most authority had not been so pragmatical, but holy, prudent, and godly men (as some others of the function were), then light might have shined still upon the Mount, and not have gone out, as it did, offensive to the nostrils of the rubbish of the people."

bassadors and others, to make the rest of the council attend his motions with the same state that the king was used to do, and to tell the counsellors when they sate with him for the dispatch of business to know their proper distance. "Upon which," continues Weldon, "Secretary Winwood rose, went away, and would never sit more, but instantly dispatched one to the king to desire him to make haste back, for his seat was already usurped; at which, I remember, the king reading it unto us, both the king and we were very merry. . . . In this posture he lived until he heard the king was returning, and began to believe the play was almost at an end, he might personate a king's part no longer, and therefore did again reinvest himself with his old rags of baseness, which were so tattered and poor at the king's coming to Windsor: he attended two days at Buckingham's chamber, being not admitted to any better place than the room where trencher-scrapers and lackeys attended; there, sitting upon an old wooden chest (amongst such as, for his baseness, were only fit for his companions, although the honour of his place did merit far more respect), with his purse and seal lying by him on that chest.* . . . After two days he had admittance: at his first entrance he fell down flat on his face at the Duke's (Earl's) foot, kissing it, and vowing never to rise till he had his pardon, and then was he again reconciled, and since that time so very a slave to the Duke, and all that family, that he durst not deny the command of the meanest of the kindred, nor yet oppose anything: by which you see a base spirit is ever most concomitant with the proudest mind; and surely never so many brave parts and so base and abject a spirit tenanted together in any one earthen cottage as in this one man." Buckingham, at this reconciliation, told the Lord Keeper that he had been obliged to go down on his own knees to implore the king not to put a public disgrace upon him. But the great offence of Bacon, for which more than for anything else he was made to lick the dust at the minion's feet, was his conduct in an affair which closely concerned the "kindred" of the favourite. Coke, who in many things was not a whit more high-minded than his rival Bacon, perceiving the capital error he had committed in opposing the views of Buckingham, took up, by the advice of Secretary Winwood, a little family project which he thought would restore him to place, and give him again his old superiority over his rival. The ex-Lord Chief Justice of England had a marriageable daughter,—a young lady that was considered a great match,—for Coke had kept his money instead of spending it like Bacon, and his wife, the Lady Hatton, was very wealthy, from the lands and houses which Elizabeth had bestowed on her handsome and dancing chamberlain and chancellor. One of the first uses made by Sir George Villiers of his high favour at court and of the influence of James, who was a prince very prevalent in such matters, was to secure rich wives for his poor brothers and kindred. His elder brother, John Villiers, afterwards created Viscount Purbeck, was proposed as a suitable husband for this young lady; but Coke then, being not sufficiently informed of court news, and not foreseeing the mighty destinies of the new favourite, rejected the proposal. But when he saw himself deprived of office and the favourite in the ascendant, he changed his tone, and before Buckingham's departure with the king for Scotland, he made a secret bargain to give his daughter, and to take place and honours in return. Bacon, a courtier to the backbone, soon discovered this secret compact, which boded him no good; but counting as well on his own great favour with the favourite and the king as on Coke's disfavour with the king, and relying on his own ready wit and talent for intrigue, he fondly fancied that he had conjured down this brewing storm, and made Buckingham and "the kindred" averse to the marriage. At the same time he had spirited on Coke's wife, who was always disposed to act in direct opposition to the wishes of her husband, whom she despised and hated with an intensity rare even in the matrimonial history of those days, to carry off her daughter and lodge her for safety in the house of her friend Sir Edward Withipole, near Oxford, and to conclude a written contract of marriage with Henry de Vere, Earl of Oxford, for whom it appears the young lady herself entertained some affection. Coke, in a fury, followed the fugitive, and recovered his daughter by force. As for his wife, he was but too happy to leave her where she was. Upon this the proud widow of Lord Hatton, the grand-daughter of the great Burleigh, carried her complaints before the privy council, where her ally for the occasion, the Lord Keeper Bacon, charged the disgraced chief justice with a flagrant breach of the peace, and countenanced Yelverton, the new attorney-general, in filing an information in the Star Chamber against Coke. Bacon would not have gone thus far if he had not been convinced that the absent favourite had given up the scheme; but, to be doubly sure, he now wrote two letters to Scotland, one to Buckingham and one to the king. In the first, after treating the renewed scheme for the match between his brother, Sir John Villiers, and the young lady solely as a device of Coke and Winwood, he went on to tell him that many a better match, upon reasonable conditions, might be found; that the mother's consent to it was not had, "nor the young gentlewoman's, who expecteth a great fortune from her mother, which, without her consent, is endangered;" and that this match was altogether very inconvenient, both for his brother and himself. *Because*, "First, he shall marry into a disgraced house, which in reason of state, is never held good. He shall marry into a troubled house of man and wife, which, in reli-

* "Myself," says Weldon, "to a servant of my Lord of Buckingham, it was a shame to see the purse and seal of so little value or esteem in his chamber, though the carrier, without it, merited nothing but scorn, being worst among the basest: but he (the servant) told me they had command it must be so."

gion and Christian discretion, is disliked. "Your lordship," continues Bacon, "will go near to lose all such your friends as are adverse to Sir Edward Coke (myself only except, who, out of a pure love and thankfulness, shall ever be firm to you). And lastly and chiefly, believe it, it will greatly weaken and distract the king's service; for though, in regard of the king's great wisdom and depth, I am persuaded those things will not follow which they imagine, yet opinion will do a great deal of harm, and cast the king back, and make him relapse into those inconveniences which are now well on to be recovered." Therefore, according to Bacon, his lordship would gain a great deal of honour, if, according to religion and the law of God, he would think no more of this marriage for his elder brother. To the king Bacon begged to state his disinterested opinion in the business of this match, which he took to be *magnum in parvo*. After saying some bitter things to keep alive James's hatred of the ex-chief justice, he reminded him of his own servility, and how, by God's grace and his majesty's instructions, he had been made a servant according to his heart and hand. If, indeed, it was his majesty's desire that the match should go on, then, upon receiving his express will and commandment from himself, he would conform himself thereunto, imagining, though he would not wager on women's minds, that he could prevail more with the mother of the young lady than any other man. And then, returning to his attack on Coke, he begged the king to observe how much more quietly matters had gone on since that judge and minister had been in disgrace. "Let me most humbly desire your majesty," continued Bacon, "to take into your royal consideration, that the state is at this time not only in good quiet and obedience, but in good affection and disposition: your majesty's prerogative and authority having risen some just degrees above the horizon more than heretofore, which hath dispersed vapours. Your judges are in good temper, your justices of peace (which is the body of the gentlemen of England) grow to be loving and obsequious, and to be weary of the humour of ruffling; all mutinous spirits grow to be a little poor, and to draw in their horns; and not the less for your majesty's disauctorising the man I speak of. Now, then, I reasonably doubt that if there be but an opinion of his coming in with the strength of such an alliance, it will give a turn and relapse in men's minds into the former state of things hardly to be holpen, to the great weakening of your majesty's service. Again, your majesty may have perceived that, as far as it was fit for me in modesty to advise, I was ever for parliament, which seemeth to me to be *cardo rerum*, or *summa summarum* for the present occasions. But this, my advice, was ever conditional—that your majesty should go to a parliament with a council united and not distracted; and *that* your majesty will give me leave never to expect if that man come in. Not for any difference of mine own (for I am *omnibus omnia* for your majesty's service), but because he is by nature unsociable and by habit popular, and too old to take a new ply. And men begin already to collect, yea, and to conclude, that he that raiseth such a smoke to get in will set all on fire when he is in."* This letter went home to the bosom of James; but Buckingham, who now led him as he chose, was not only fully bent upon the marriage, but was intriguing, by means of which probably both Coke and Bacon were ignorant, to remove the violent objections of Coke's termagant wife. As for the affections of the young lady, they were things too trivial to enter into the consideration of any party. Thus, when the great philosopher brought down his glorious intellect to low cunning and matrimonial court intrigues, notwithstanding his boast of his great experience in the world, he could be outwitted by an ignorant stripling like Buckingham, to whom he had given the power of insulting him and degrading him in his own eyes. Buckingham wrote him a stinging letter, reproaching him with his pride and audacity, and giving him to understand that he who had made him could unmake him at his pleasure. James, taking the cue from his favourite, dispatched an admonitory epistle of awful length, rating and scolding the mighty sage like a schoolboy. Upon this Bacon veered round and went before the wind with an alacrity known only to harlequins or courtiers of the true breed. He stopped proceedings begun against Coke in the Star Chamber; sent for the Attorney-General, and made him know that, since he had heard from court, he was resolved to further the match; sent also for my Lady Hatton and some other special friends, to let them know that they must not hope for his assistance in their disobedience to the young lady's father; wrote to the mother of Buckingham, to offer all his good offices for furthering the marriage; and addressed a humble letter of excuses and protestations to the favourite, telling him that his apprehension that this alliance would go near to lose him his lordship, whom he held so dear, was the only respect particular to himself that had moved him to be as he was, till he had heard his lordship's pleasure. But all this was not enough; and about a month after writing this letter, Buckingham kept him in the hall among trencher-scrapers, and brought him to his feet. After the reconciliation at Windsor he wrote another base letter to thank the minion.† The marriage now proceeded apace, the king driving at it as if the safety of the state depended upon its completion. Lady Hatton was confined and interrogated by the council, instead of her husband; and Coke, to use his own expres-

* Cabala.—Bacon's Works.

† This is the epistle:—"My ever best lord, none better than yourself, your lordship's pen, or rather pencil, hath pourtrayed towards me such magnanimity, and nobleness, and true kindness, as methinketh I see the image of some ancient virtue, and not anything of these times. It is the line of my life, and not the lines of my letter, that must express my thankfulness; wherein, if I fail, then God fail me, and make me as miserable as I think myself at this time happy by this reviver, through his majesty's singular clemency and your incomparable love and favour."

sion, "got upon his wings again." The obstinacy of this dame yielded at last to the instances of the king, and the manœuvres of the favourite's mother, by her second marriage Lady Compton, who was all-powerful at court, and who pretended a sudden friendship for her. She made a liberal settlement out of her own property upon her daughter; and in the month of September that unwilling fair one was dragged to the altar, in the Chapel Royal at Hampton Court, to marry a sickly idiot. A splendid feast, enlightened by the presence of royalty, was given soon after at Lady Hatton's house in Holborn; and to make it more absolutely her own, express orders were given by her ladyship, as was reported, that neither Sir Edward Coke nor any of his servants should be admitted.* The union, as might be expected, turned out a most wretched one; and this appears to have been the case with nearly all the matches promoted by James, who, in the matter of number, was one of the greatest of match-makers. The daughter of Coke became a profligate and an adulteress;† and the crazy Sir John Villiers, created Viscount Purbeck about a year and a half after his marriage, became so mad that it was necessary to place him in confinement. His brother Buckingham took charge of the property his young wife had brought him, and kept it, or spent it upon himself.‡ But, after all, the selfish father of the victim,—the great lawyer,—was juggled by Buckingham and that courtly crew. As soon as the favourite saw the marriage completed and the dower safe, he felt a natural repugnance to risking favour by urging the suit of a bold-spoken, obnoxious man. Bacon, again in cordial alliance with Lady Hatton, who was most conjugally disposed to thwart and spite her husband in all things, administered daily to the king's antipathies; and all that Coke got by sacrificing his poor child, was his restoration to a seat at the council-table,—a place where he was no match for his rival.

A.D. 1618.—On the 4th of January the supple Lord Keeper was converted into Lord High Chancellor, and in the month of July following he was created Baron Verulam. "And now Buckingham, having the Chancellor or Treasurer, and all great officers his very slaves, swells in the height of pride, and summons up all his country kindred, the old countess providing a place for them to learn to carry themselves in a court-like garb." Rich heiresses, or daughters of noblemen, were soon provided as wives for his brothers, half-brothers, and cousins of the male gender. "And then must the women kindred be married to earls, earls' eldest sons, barons, or chief gentlemen of greatest estates; insomuch that his very female kindred were so numerous as sufficient to have peopled any plantation. . . . So that King James, that naturally, in former times, hated women, had his lodgings replenished with them, and all of the kindred; . . . and little children did run up and down the king's lodgings like little rabbits started about their burrows. Here was a strange change! that the king, who formerly would not endure his queen and children in his lodgings, now you would have judged that none but women frequented them. Nay, this was not all; but the kindred had all the houses about Whitehall, as if bulwarks and flankers to that citadel."*

People now looked back with regret to the days of Somerset, for that favourite had some decency, some moderation; and, if he trafficked in places and honours, he trafficked alone. But "the kindred," one and all, engaged in this lucrative business. The greatest trafficker, or most active broker, in the market, was the Old Countess, as Buckingham's mother, though not an old but very beautiful woman—and infamous as beautiful—was commonly called.† She sold peerages and took money for all kinds of honours and promotions, whether in the army, navy, courts of law, or the church. There were plenty of purchasers not over-scrupulous as to the purity of the sources whence they derived their honours or titles; but, in some cases, wealthy men were forced into the market against their inclination, and made to pay for distinctions which they were wise enough not to covet. Thus one Richard Robartes, a rich merchant of Truro in the county of Cornwall, was compelled to accept the title of Baron Robartes of Truro, and to pay 10,000*l.* for it.‡ The titles that were not sold were given out of family considerations: one of the favourite's brothers, as already mentioned, was made Viscount Purbeck, another Earl of Anglesey;

* Stafford Papers.—It is said that Coke, on the day of this great feast, dined among the lawyers at the Temple.

† Mr. D'Israeli (Curiosities of Literature) says that Coke's daughter, Lady Purbeck, was condemned, as a wanton, to stand in a white sheet; but he does not give his authority for this assertion, which seems to be contradicted by published letters of the time.

‡ In a letter in the Cabala, without date, we find Lady Purbeck complaining most piteously to the Duke of Buckingham of being kept from her husband (which was certainly no hardship), and deprived of her property. She says, that if he will give her husband her company, which he desires above all things, she will, notwithstanding his sickness, bear with him, and give what comfort she can to his afflicted mind. "But," she adds, "if you can so far dispense with the laws of God as to keep me from my husband, yet aggravate it not by restraining from me his means, and all other contentments; but, which, I think, is rather the part of a Christian, you especially ought much rather to study comforts for me, than add ills to this, since it is the marriage of your brother makes me thus miserable. For if you please but to consider, not only the lamentable state I am in, deprived of all comforts of a husband, and having no means to live of, besides falling from the hopes my fortune then did promise me; for you know very well I came no beggar to you, though I am like so to be turned off. For your own honour and conscience sake take some course to give me satisfaction, to tie my tongue from crying to God and the world for vengeance for the unworthy dealing I have received. And think not to send me again to my mother's, where I have stayed this quarter of a year, hoping (for that my mother said you promised) order should be taken for me, but I never received penny from you. Her confidence of your nobleness made me so long silent, but, now, believe me, I will sooner beg my bread in the streets to all your dishonours, than any more trouble my friends." In this same letter she says that she has, with too much credulity, waited the performance of Buckingham's fair promises "almost these five years." It is necessary to take a glance at details like these, in order to have a notion of the wretched private history which forms so large a part of the history of James's reign.

* Weldon.

† She was created Countess of Buckingham for life, in July 1618.

‡ All the titles of that date, borne by the Spensers, the Fanes, the Petres, the Arundells, the Sackvilles, the Cavendishes, the Montagues, &c., were purchased *à pords d'or*, except those that were granted to the vilest favouritism. This practice also continued through the reign of Charles I., and was even more publicly acted upon as the necessities of the king and his courtiers rendered the sums of money so obtained the more necessary to them. Among the noble families who appear to owe their honours to these causes, may be mentioned the Stanhopes, Tuftons, and many others.—*Remarks on the Origin of the Families and Honours of the British Peerage, by the late Lord Dover.*

Fielding, who married the favourite's sister, was made Earl of Denbigh, and Fielding's brother Earl of Desmond in Ireland. Cranfield also "mounted to be Earl of Middlesex, from marrying one of Buckingham's kindred."* James, in one of his lengthy speeches delivered in the Star Chamber in 1616, complained that churchmen were had in too much contempt by people of all degrees, from the highest to the lowest, and yet, notwithstanding the sharp criticisms of the puritans, who were every day finding more reasons for reviling the whole hierarchy, he permitted his minion and "the kindred" to hold all the keys to church promotion, and to sell every turn of them to the highest bidder, or to give them as rewards to their companions and creatures. Williams, dean of Westminster, a "secret friend" of the Old Countess, whom at one time it was said he was to marry, retained the rectories of Dinam, Waldgrave, Grafton, and Peterborough, and was also chanter of Lincoln, prebendary of Asgarbie, prebendary of Nonnington, and residentiary of Lincoln.† And when Williams, failing in his scheme to get the bishopric of London, was advanced to the see of Lincoln, he retained the deanery of Westminster and all his other preferments; so that, as Heylin says, he was a perfect diocese within himself, being bishop, dean, prebendary, residentiary, and parson; and all these at once! This Williams was an accomplished courtier and man of business, and paid for his promotions in services to Buckingham. But Martin Fotherby, of Salisbury, paid in cash 3500*l.* for his bishopric. And when men could not pay in ready money, they contracted to pay by instalments out of their revenues when they should be put in possession of the good things of the church. "There were books of rates on all offices, bishoprics, and deaneries in England, that could tell you what fines, what pensions were to pay."‡

In the course of this year, the favourite was created a marquis, and as he expressed a desire for the post of Lord High Admiral, the brave old Howard, Earl of Nottingham, the commander-in-chief of the fleets that had scattered the Spanish Armada in 1588, was obliged to accept a pension, and make room for the master of the horse, who was entirely ignorant of ships and sea affairs. To all these high offices were subsequently added those of Warden of the Cinque Ports, Chief Justice in Eyre of all the parks and forests south of Trent, Master of the King's Bench-office, High Steward of Westminster, and Constable of Windsor Castle. The doting, gloating king had taught Somerset Latin; Buckingham he attempted to teach divinity and prayer-writing, and these exercises appear prominently in a correspondence, for the most part too gross for quotation, wherein the favourite calls the king "dear dad and gossip," or "your sow-ship," and the king calls the favourite "Steenie."

Never before was there such a mixture of finery and effeminacy as in the person of this minion. As dancing was the thing he could do best, he made the court almost a constant scene of balls and masks. "It was common for him at an ordinary dancing to have his clothes trimmed with great diamond buttons, and to have diamond hat-bands, cockades, and ear-rings; to be yoked with great and manifold ropes and knots of pearl; in short, to be manacled, fettered, and imprisoned in jewels." This year Buckingham attacked the Earl of Suffolk, lord treasurer, and father-in-law of the disgraced Somerset—all the rest of that party had long since been dismissed the court—and that noble Howard was now charged with peculation and corruption, particularly with reference to the money paid by the Dutch for the recovery of the cautionary towns, a business in which, as we have already stated, all the public men had taken bribes. Suffolk and his wife were both thrown into the Tower, and the ingenuity of Bacon and of commissioners appointed by him, was employed in making out a strong case of embezzlement against the treasurer. The earl wrote to the king, imploring him by his former services, by his majesty's sweet and princely disposition, and by that unmatchable judgment which the world knew his majesty possessed, to pardon his weakness and errors—guilt he would never confess—and telling him that, instead of being enriched by the places he had held, he was little less than 40,000*l.* in debt.* The name of this Howard was rather popular, for he had fought bravely at sea in the time of Elizabeth, and James was half inclined to stop proceedings against him: but Buckingham was of a different mind, and the earl and countess were brought up to the Star Chamber. There Coke, who hoped to fight his way back to favour by some of his old sharp practices, charged the prisoners on one side, while Bacon, who spoke like an Aristides, assailed them on the other. The venal and corrupt chancellor was eloquent in exposing the shameful vice of corruption. The countess, he said, was like unto an exchange woman, who kept her shop, while Sir John Bingley, her husband's chief officer in the Treasury, went about crying, "What d'ye lack?" Suffolk, disregarding a hint to plead guilty and make sure of the royal pardon, stood upon his innocence, and it was the general opinion that, as compared with his wife, he was innocent. But the Star Chamber sentenced them to pay a fine of 30,000*l.*, and sent them both to the Tower. After some time, however, the fine was reduced to 7000*l.*, which was "clutched up by Ramsay Earl of Haddington," and the Count and Countess of Suffolk recovered their liberty. The post of lord treasurer was sold to Sir Henry Montague, chief-justice of the King's Bench, for a large sum; but in less than a year it was taken from him and bestowed on

* Wilson.

† For this list of his preferments see Dr. Williams's own letter to the Duke of Buckingham begging for the bishopric of London, and beginning, "It hath pleased God to call for the Bishop of London."—*Cabala.*

‡ Weldon.

* Cabala.

Cranfield, afterwards Earl of Middlesex, who had married one of "the kindred."

To the disgusting trial of Lady Roos and Lady Lake we shall do little more than refer. It was a case involving accusations of double adultery, incest, and obscene mysteries, and as such it was calculated to take hold on the prurient fancy of James. But the characteristic incident was this: a servant wench swore to certain particulars which she had seen and heard from behind the hangings of a room. His majesty posted down to the house in question—it was at Wimbledon—placed himself behind the hangings, and made some of his courtiers walk and talk in the room, and thus he practically arrived at the conclusion that the wench could not have seen and heard from behind that hanging the thing she had sworn to. Nay, he even ascertained that, if Sally Swarton had stood behind the said hangings, her legs must have been seen by any one within the apartment, *because* the hangings were too short, and did not reach the floor. Swollen with these important discoveries, he took his seat behind the judges in the Star Chamber, and directed their proceedings, which ended in sending the servant-girl to be whipped at a cart's tail, and sentencing Lady Lake, or rather her husband, who had positively nothing to do with the business, to the payment of fines and damages to the enormous amount of 15,000*l.*

But this same year witnessed a far more memorable proceeding—one which, while it blackened for all ages the name of James, has perhaps brightened beyond their deserts the fame and character of the illustrious victim. Sir Walter Raleigh, it will be remembered, after receiving sentence of death at Winchester, was immured in the Tower of London. In that dismal state prison he found several men fit to be his mates, and these were increased year after year by the absurd tyranny of the court, until it seemed almost to be James's intention to shut up all the genius, taste, and enterprise of England in that great cage. Henry Percy, the accomplished and munificent Earl of Northumberland, the friend of science and scientific men, the enthusiastic promoter of natural and experimental philosophy, the favourer of all good learning; and Serjeant Hoskins, the scholar, poet, wit, and critic, the admired of Camden, Selden, Daniel, the friend and polisher of Ben Jonson, were among the distinguished co-mates of Raleigh; and these men constantly attracted to the Tower some of the most intellectual of their contemporaries, who enlivened their captivity with learned and pleasant discourse. Thomas Hariot, the astronomer, the algebraist, the traveller, who had been mathematical tutor to Raleigh, and his companion, at a later period, in his voyage to Virginia; Doctor Robert Burchill, the learned Grecian and Hebrew scholar, a distinguished Latin poet and commentator of the Scriptures, were frequent visitors at different times. Northumberland served as a centre for these wits, and his purse appears to have been always open to such as were in need, whether prisoners or free. For some time Raleigh did not require pecuniary assistance, for, though his moveable estate was forfeited by his attainder, it was consigned to trustees appointed by himself for the benefit of his family and creditors, and his principal estate and castle of Sherborne in Dorsetshire, which his taste and unsparing outlay of money in his prosperous days "had beautified with orchards, gardens, and groves of much variety and great delight," had been cautiously conveyed to his eldest son some time before the death of Elizabeth and the beginning of his troubles. But some sharp eye, in looking for prey, discovered that there was a legal flaw in the deed of conveyance, and the chief-justice, Popham, Raleigh's personal enemy, and the same that had sat on his trial, decided that, from the omission of some technicality, the deed was altogether invalid. No doubt the chief-justice knew before-hand that the king wanted the property for his minion Robert Carr, who was just then commencing his career at court, and who forthwith got from James a grant of the land and castle. From his prison Raleigh wrote to the young favourite, telling him that, if the inheritance of his children were thus taken from them for want of a word, there would remain to him but the name of life. Some of the expressions in this letter are exceedingly affecting; but, in reading them, we cannot but remember that Raleigh himself, at his own dawn, had greedily grasped at the possessions of the fatherless—that he himself had got from Elizabeth a grant of the lands of Anthony Babington, leaving the young and innocent widow and children to beggary.* The letter to the favourite produced no effect. Then the prisoner's wife, the devoted and spirited Lady Raleigh, got access to the king, and, throwing herself on her knees, with her children kneeling with her, implored him to spare the remnant of their fortunes. James's only reply was, "I maun ha' the land—I maun ha' it for Carr;" and the minion had it accordingly. From this time it is probable that the hospitable table kept by the Earl of Northumberland was of consequence to Raleigh on other grounds than those of society and conversation. This extraordinary man had always had a determined turn to letters and the sciences; in the bustle of the camp, in the court, in the discomforts of the sea, he had snatched hours for intense studies, which had embraced the wide range of poetry, history, law, divinity, astronomy, chemistry, and other sciences. In the Tower, the quiet of the place, the necessity his restless mind felt for employment and excitement, and the tastes of his fellow-prisoners and visitors,

* The first entry in Lord Burleigh's diary, under the year 1587, is the following:—

"A grant of Anthony Babington to Sir Walter Raleigh."

The touching expressions in Raleigh's letter to Carr are these:—

"And for yourself, sir, seeing your fair day is now in the dawn, and mine drawn to the evening, your own virtues and the king's grace assuring you of many favours and of much honour, I beseech you not to begin your first building upon the ruins of the innocent, and that their sorrows with mine may not attend your first plantation.... I therefore trust, sir, that you will not be the first who shall kill us outright, cut down the tree with the fruit, and undergo the curse of them that enter the fields of the fatherless; which, if it pleases you to know the truth, is far less in value than in fame."—*Scrin. Sac.*

all led him to an increased devotion to these absorbing pursuits. If he was a rarely-accomplished man when he entered his prison-house, the thirteen years he passed there in this kind of life were likely to qualify him for great literary undertakings. During one part of his confinement he devoted a great deal of his time to chemistry,* not without the usual leaning to alchemy, and an indefinite hope of discovering the philosopher's stone—a dream which was fully indulged in by his friend Northumberland, and which was no stranger to Bacon himself. Raleigh fancied that he had discovered an elixir, or grand cordial of sovereign remedy in all diseases, a sort of panacea. On one occasion, when the queen was very ill, she took his draught, and experienced or fancied immediate relief. Prince Henry, who had always taken a lively interest in his fate, and for whom Raleigh had written some admirable treatises in the Tower, joined his grateful mother in petitions for his liberation; but without avail. Indeed it may be doubted whether the prince's enthusiastic admiration of the captive was not of prejudice to him in the eyes of James. For the instruction of the young prince, Raleigh commenced his famous History of the World—a work, as far as it goes, of uncommon learning and genius, and altogether extraordinary if we consider the time, the trying circumstances under which it was written, and the previous busy life of the author. The first part was finished in 1612.† Shortly after young Henry died; and then, though (to use his own expression) he had "hewn out" the second and third parts, he had not heart to finish them ‡ The portion of the History of the World which we possess is so full of classical and other learning, that attempts have been made to deprive him of the honour of the authorship, but with singularly bad success. In 1614 the revolutions at court had thrown Somerset into disgrace, and brought Buckingham into favour. Raleigh built new hopes on the change, and instantly became a suitor to George Villiers. But he and his friends had never ceased their endeavours at court, and before this time Sir Walter had proposed to Secretary Winwood a scheme which, he fancied, must excite the king's cupidity, and lead to his immediate release. In the year 1595, Raleigh, in the course of one of his adventurous voyages, had visited Guiana in South America, the fabled El Dorado, or Land of Gold, which, though discovered by the Spaniards, had not been conquered or settled. The capital city of Manoa, which had been described by Spanish writers as one vast palace of Aladdin—a congeries of precious stones and precious metals—eluded his pursuit; but he found the country to be fertile and beautiful, and he discovered at an accessible point, not far from the banks of the mighty Oronoco, some signs of a gold mine. He now proposed to Secretary Winwood an expedition to secure and work that virgin mine, which he was confident would yield exhaustless treasures. The ships necessary, their equipment, and all expenses, he undertook to provide by himself and his friends: he asked nothing from the king, who was to have one-fifth of the gold, but his liberty and an ample commission. Winwood, though a practised and cautious man of business, was captivated by the project—it is possible that the empty state of the treasury made him grasp eagerly at even a desperate hope—and he recommended it to the king as a promising speculation. James, who was almost pennyless, entered into it at first with more eagerness than the secretary; but, on reflection, he fancied that the enterprise might involve him in a war with Spain, which still pretended its exclusive right, by papal bull, to all those regions; and war was James's horror. Still, however, his increasing wants made him often dream of El Dorado, and he began to talk about Raleigh as a brave and skilful man. Some noble friends of the captive took advantage of this frame of mind; but nothing was now to be done at court without conciliating "the kindred;" and it was a sum of 1500*l.* paid to Sir William St. John and Sir Edward Villiers, uncles of the favourite, that undid the gates of the Tower. Raleigh walked forth in the beginning of March, leaving behind him, in that fortress, the fallen Robert Carr, Earl of Somerset, who, in the following month, was brought to his trial for the murder of Overbury. The contrast of circumstances was dramatic, and Raleigh had the folly to liken himself to Mordecai, Somerset to Haman—a comparison that did him no good with the king. But, though admitted to liberty, Sir Walter as yet had no pardon; and to obtain one, and to restore his shattered fortune, to indulge again in his favourite pursuits, his romantic adventures, he laboured heart and soul to remove the king's objections to his great project. James had a hard struggle between his timidity and his cupidity: he longed for the gold as the traveller in the desert longs for water, but still he dreaded the Spaniards, the dragons of the mine. His indecision was increased when, by his indiscreet gossiping, the project became known to the Spanish ambassador. Count Gondomar was a very accomplished diplomatist, the best that could possibly have been found for such a court as that of James. "He had as free access to the king as any courtier of them all, Buckingham only excepted, and the king took delight to talk with him, for he was full of conceits, and would speak false Latin a purpose, in his merry fits, to please the king; telling the king plainly, 'You speak Latin like a pedant, but I speak it like a gentleman.'"* While he could

* The lieutenant of the Tower, at the time, was the father of the famous Mrs Hutchinson, Sir Allen Apsley—"a father to all his prisoners." Mrs. Hutchinson says, "Sir Walter Raleigh and Mr. Ruthin, being prisoners in the Tower, and addicting themselves to chemistry, she (my mother) suffered them to make their rare experiments at her cost, partly to comfort and divert the poor prisoners, and partly to gain the knowledge of their experiments, and the medicines to help such poor people as were not able to seek physicians." – *Fragment of Autobiography prefixed to her Life of her husband Colonel Hutchinson, Governor of Nottingham Castle, &c.*

† It was not published till 1614.

‡ It should be remembered, however, that he was released from the Tower after the prince's death, and again involved in the active business of life.

* Arthur Wilson.

drink wine with his majesty and the men, he could win the ladies of the court by his gallantry and liberality; and it is said that, in that sink of dishonour and immorality, he intrigued with some of the highest dames, and bribed some of the proudest nobles. If the indiscretion of the king over his cups were not enough, he had plenty of other keys to the secrets of government. According to James's own declaration, Gondomar "took great alarm, and made vehement assertions, in repeated audiences, that he had discovered the objects of the expedition to be hostile and piratical, tending to a breach of the late peace between the two crowns."* Raleigh drew up a memorial, stating that he intended to sail not for any Spanish possession, but for a country over which England could claim a right both by priority of discovery and by the consent of the natives; that there would be no hostile collision with the Spaniards; and that the arms and soldiers he took with him would be solely for self-defence. According to James, the ambassador then seemed to be satisfied, observing to Secretary Winwood, that if Raleigh only meant to make a peaceful settlement, Spain would offer no resistance. Thereupon the energetic adventurer pressed the preparations for his expedition, and his reputation and merit "brought many gentlemen of quality to venture their estates and persons upon the design." Sir Walter obtained from the Countess of Bedford 8000*l.* which were owing to him, and Lady Raleigh sold her estate of Mitcham for 2500*l.*; all of which money he embarked in the adventure. Having obtained ample information as to the course he intended to pursue, and securities, in persons of wealth and rank, for his good behaviour and return, James granted his commission under the privy seal, constituting Raleigh general and commander-in-chief of the expedition, and governor of the colony which he was about to found. On the 28th of March, 1617, he set sail with a fleet of fourteen vessels. The 'Destiny,' in which he hoisted his flag, carried thirty-six pieces of ordnance, and had on board two hundred men, including sixty gentlemen, many of whom were his own or his wife's relations. The voyage began inauspiciously; the ships were driven by a storm into the Cove of Cork, where they lay till the month of August. They did not reach the Cape de Verd Islands before October, and it was the 13th of November when they "recovered the land of Guiana." During the long rough voyage, disease had broken out among the sailors; forty-two men died on board the admiral's ship alone, and Raleigh suffered the most violent calenture that ever man did and lived. But he wrote to his wife "We are still strong enough, I hope, to perform what we have undertaken, if the diligent care at London to make our strength known to the Spanish king by his ambassador have not taught that monarch to fortify all the entrances against us." He was received by his old friends, the Indians on the coast, with enthusiasm;† but he soon learned that the Spaniards were up the country, and prepared to dispute with him the possession of it. Being himself so reduced by sickness as to be unable to walk, he sent Captain Keymis up the river Oronoco with five of the ships, and took up his station with the rest at the island of Trinidad, close to the mouths of that river. He had been given to understand that a Spanish fleet was in the neighbourhood; and it is quite certain that he intended not only to fight it if challenged, but also to fight in order to prevent it following Keymis up the river. This brave captain, who had been for many years devoted to Raleigh, and had suffered many troubles on his account, had explored the country where the mine was situated in 1595, and he was now ordered to make direct for the mine, "the star that directed them thither." If he found it rich and royal he was to establish himself at it; if poor and unpromising, he was to bring away with him a basket or two of ore, to convince the king that the design was not altogether visionary. Keymis began sailing up the river on the 10th of December. If we are to believe the English accounts, the Spaniards began the war, and shot at the ships both with their ordnance and muskets, which they were very likely to do, even without a reference to the exclusive pretension of sovereignty, from the recollection of the mode in which the great Drake and other English commanders had behaved, and that too when, as now, there was no declaration of war between England and Spain.* Keymis soon arrived off the town of St. Thomas, which the Spaniards had recently built on the right bank of the river; and he landed and took up a position between that town and the mine. It is said that he had no intention of attacking the place—we confess that, from a consideration of the circumstances, we doubt the assertion—and that the Spaniards broke in upon him by surprise, in the middle of the night, and butchered many of his people in their sleep. In the morning the English assaulted the town and forced their way into it. The fight was desperate: on one side the governor, who was a near relation of the ambassador Gondomar, was slain; on the other the brave young Captain Walter Raleigh, the general's eldest son. This young Walter was the true son of his father: he cut down one of the chief officers of the Spaniards, and was cut down himself in the act of charging at the head of his own company of pikemen. His death infuriated the English, who loved him dearly; and, after much bloodshed, they set fire to the houses. All the Spaniards that escaped retired to strong positions among the hills and woods, to guard, as Raleigh said, the approaches to some mines they had found in the neighbourhood of St. Thomas. We cannot help suspecting that the adventurers expected to find and secure some rich

* James's declaration in App to Cayley's Life of Raleigh.

† "To tell you that I might here be king of the Indians were a vanity. But my name hath still lived among them here. They feed me with fresh meat, and all that the country yields. All offer to obey me."—*Letter to his Wife.*

* It was an axiom with sailors long before and long after this voyage of Raleigh, that the treaties of Europe did not extend across the ocean—that there was "no peace beyond the Line."

prize, like what had been pounced upon by the Drakes and Hawkinses, but all they really found in the captured and destroyed town of St. Thomas were two ingots of gold and four empty refining-houses. They immediately showed their disappointment and discontent, became mutinous and dangerous, and Keymis, oppressed with grief for the loss of young Raleigh, and confounded by their clamours and conflicting projects, appears to have lost his head. He however led them some way higher up the river; but, on receiving a volley from a body of Spaniards lying in ambush, which killed two and wounded six of his men, he retreated and made all haste to join his chief. Their meeting was dreadful: Raleigh, in anguish and despair, accused Keymis of having undone him, and ruined his credit for ever. The poor captain answered, that when his son was lost, and he reflected that he had left the general himself so weak that he scarcely thought to find him alive, he had no reason to enrich a company of rascals, who, after his son's death, made no account of him. He further urged, that he had hardly force sufficient to defend the town of St. Thomas, which they had taken, and therefore, for them to pass through thick woods it was impossible, and more impossible to have victuals brought them into the mountains. Raleigh, in the utter anguish of his soul, repeated his charges. Keymis drew up a defence of his conduct in a letter to the Earl of Arundel, which he requested his commander to approve of; but, though some days had been allowed to elapse, Raleigh was not yet in a humour to be merciful to the brave friend of many years. He refused to sign the letter; he vented reproaches of cowardice or incapacity; and then Keymis retiring to his cabin, which he had in the general's ship, put an end to his existence with a pistol and a knife.* All now was horror, confusion, and mutiny in the fleet. Captain Whitney, for whom Raleigh said he had sold all his plate at Plymouth, and in whom he reposed "more credit and countenance" than in all the other captains, took off his ship, and sailed for England, and Captain Woolaston went with him. Others followed — "a rabble of idle rascals," — and Sir Walter was soon left with only five ships. But the men that remained were, for the most part, dashing, daring sailors, or desperate adventurers; and these men would have wished Raleigh to take a leaf or two out of the book of the lives of some of his predecessors (men honoured above all naval heroes in the annals of their country); and, though Raleigh rejected their plans of plunder, it appears to have been after a struggle with the overwhelming feeling of his utter desperation. With his "brains broken,"† he sailed down the North American coast to Newfoundland, where he refitted his ships. When they were fit for sea, a fresh mutiny broke out, and Raleigh avowedly kept them together by holding out the hope of intercepting the treasure galleons. What followed at sea is open to much doubt; but, in the month of June, 1618, Sir Walter came to anchor at Plymouth, where he was welcomed by the intelligence that there was a royal proclamation against him. Gondomar, who had received intelligence of all that had passed on the Oronoco, and of the death of his kinsman, had rushed into the royal presence, crying, "Pirates! pirates!" and had so worked upon James that the worst possible view of Raleigh's case was instantly adopted at the English court, and a proclamation was published, accusing him of scandalous outrages in infringing the royal commission, and inviting all who could give information to repair to the privy council, in order that he might be brought to punishment; and, a few days after Raleigh's arrival, Buckingham wrote a most humble letter to the Spanish ambassador, informing him that they had got the offender safe, and had seized his ships and other property; that King James held himself more aggrieved by the proceedings than King Philip could do; that all kinds of property belonging to the subjects of the king of Spain should forthwith be placed at his disposal; and that, though the offenders could not be put to death without process of law, the king of England promised that a brief and summary course should be taken with them, and that he would be as severe in punishing them as if they had done the like spoil in an English town. As if this were not enough, Buckingham concluded by saying that the king, his master, would *punctually perform his promise* by sending the offenders to be *punished in Spain*, unless the king of Spain should think it more satisfactory and exemplary that they should receive the reward of their crimes in England: and he requested the ambassador to send an express messenger into Spain because the king his master would not have the vindication of his affection to the king of Spain, or his sincere desire to do justice, long suspended. This warmth of affection arose out of James's belief that Philip was now quite ready to bestow the Infanta, with a large sum of ready money, upon Prince Charles.

The thirst of the Spaniards for Raleigh's blood was provoked by many causes besides the burning of the little town of St. Thomas. He was hated and feared as the ablest commander England possessed, and one whose place it was thought would not soon be supplied. It was remembered how he had butchered the Spaniards in the surrendered fort on the coast of Ireland, and the feeble garrison on the coast of Guiana, at the time of his first voyage thither in 1595. There were other bitter recollections of his exploits with Essex among the Azores and the Canary Islands, and Gondomar was eager to avenge the death of his kinsman. Sir Walter was fully aware of his danger; his sailors had told him that if he returned to England he would be undone; but, according to the testimony of his

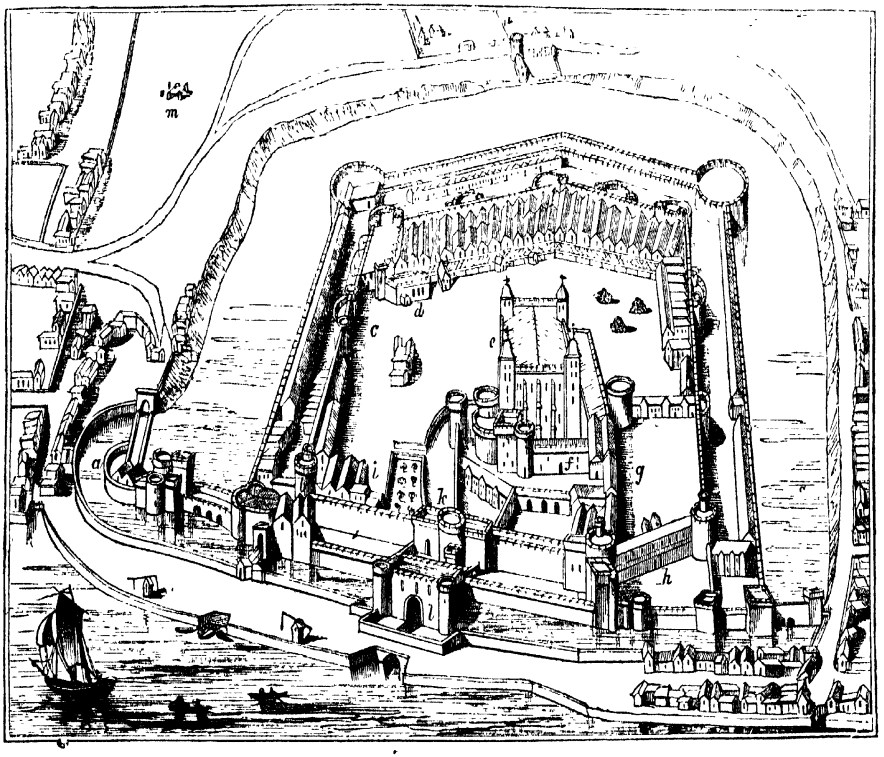
* "I rejected all these his arguments, and told him that I must leave it to himself to answer it to the king and state. He shut himself into his cabin, and shot himself with a pocket pistol, which brake one of his ribs: and finding that he had not prevailed, he thrust a long knife under his short ribs up to the handle, and died."—*Raleigh's letter to his wife.*

† This striking expression is Raleigh's own, in a letter to his wife.

younger son Carew, given many years after his father's death, the Earls of Pembroke and Arundel had become bound for his return, and he had therefore come to discharge his friends from their heavy engagement, and to save them from trouble on his account. Upon landing at Plymouth, he was arrested by Sir Lewis Stukely, Vice-Admiral of Dover, and his own near relation, who took him to the house of Sir Christopher Harris, not far from that sea-port, where he remained more than a week. As he had returned and delivered himself up, Pembroke and Arundel were released from their bond, and Sir Walter now attempted to escape to France, but he failed through his indecision, or—which is more probable—through the faithlessness of his agents and the vigilance of Stukely.

When he was carried forward from the coast to be lodged again in the Tower, Sir Walter feigned to be sick, to have the plague, to be mad; and if what is related of him be true, which we doubt, never did man play wilder or sadder pranks to save his life. Having gained a little wretched time and the king's permission to remain a few days at his own house at London before being locked up, he sent forward Captain King, one of his old officers and friends, to secure a bark for him in the Thames, in which he might yet escape to the continent. He then followed slowly to the capital, giving a rich diamond to his loving kinsman Stukely, and some money to one Manourie, a Frenchman, Stukely's servant, who both took the bribes, and promised to connive at his escape. On reaching London, his faithful friend, Captain King, informed him that he had a bark waiting near Tilbury Fort; and on that same evening Le Clerc, the French chargé d'affaires, sought him out privately, and gave him a safe conduct to the governor of Calais, with letters of recommendation to other gentlemen in France. On the following morning, as he was descending the Thames, he was basely betrayed by Stukely, who, to the last moment, pretended that he was assisting him through the toils.* He was brought back to London, and securely lodged in that wretched prison where he had already spent so many years, and where he was soon subjected to frequent examination by a commission composed of the Archbishop

* For the particulars of Stukely's villany see Mr. Tytler's Life of Raleigh.



The Tower of London. From a Print published by the Royal Antiquarian Society, and engraved from the survey made in 1597, by W. Haward and J. Gascoigne, by order of Sir J. Peyton, governor of the Tower.—*a.* Lions' Tower; *b.* Bell Tower; *c.* Beauchamp Tower; *d.* The Chapel; *e.* Keep, called also Cæsar's, or the White Tower, *f.* Jewel House; *g.* Queen's Lodgings; *h.* Queen's Gallery and Garden; *i.* Lieutenant's Lodgings; *k.* Bloody Tower; *l.* St. Thomas's Tower (now Traitor's Gate); *m.* Place of Execution on Tower Hill.

of Canterbury (Abbot), Lord Chancellor Bacon, Sir Edward Coke, his old and fierce antagonist, and some other members of the privy council. He was charged, first, with having fraudulently pretended that his expedition was to discover a mine, while his real object was to recover his liberty, and commence pirate; secondly, that he intended to excite a war with Spain; thirdly, that he barbarously abandoned his ships' companies, and exposed them unnecessarily to extreme danger; fourthly, that he had spoken disrespectfully of the king's majesty; that he had imposed upon the king by feigning sickness and madness; and lastly, had attempted to escape in contempt of his authority. Raleigh calmly replied that his sincerity as to the gold mine was proved by his taking out refiners and tools, at his own expense, "of not less than 200*l.*;" that the affair of St. Thomas was contrary to his orders; that he never abandoned his men, or exposed them to more danger than he underwent himself; that all that he had said of the king was, that he was undone by the confidence he had placed in his majesty, and that he knew his life would be sacrificed to state purposes. As to his feigning sickness and attempting to escape, it was true, but natural and justifiable. As the commissioners could gain no advantage over him in these interrogatories, it was resolved to place a familiar or spy over him who might ensnare him into admissions and dangerous correspondence. The person chosen for this detestable but at that time not uncommon office was Sir Thomas Wilson, keeper of the State Paper Office, a learned, ingenious, base, scoundrel. If this Wilson is to be credited, Raleigh acknowledged that, had he fallen in with the treasure-ships, he would have made a prize of them according to the old principles which he had learned in the school of Drake and Cavendish. "He fell of himself into discourse, telling what the lords asked, and what he answered; . . . . also what discourse he and my Lord Chancellor had about taking the Plate-fleet, which he confessed he would have taken had he lighted on it; to which my Lord Chancellor said, 'Why, you would have been a pirate.' 'Oh!' quoth he, 'did you ever know of any that were pirates for millions?' They that work for small things are pirates.'"* Bacon's palm must have itched as he thought of all this gold, and perhaps, in spite of James's fears, Raleigh's fate would have been somewhat different if he had returned with the "millions," or even brought back as good a booty as Drake had landed at Plymouth, in time of peace, forty-five years before. But as things were, there was no making a capital crime of an intention; nor could all the cunning, and zeal, and perseverance of Sir Thomas Wilson, though acting in many ways at once, both within the Tower and without, extract or detect anything of the least consequence. As it was fully resolved that he should lose his head,* James ordered his council to devise some other means; and, on the 18th of October, Bacon and Coke and the other commissioners who had examined him presented two forms of proceeding for his majesty's consideration. The one was to send his death-warrant at once to the Tower, only accompanying it with a narrative of Raleigh's late offences, to be printed and published; the other form, to which they said they *rather* inclined, as being *nearer to legal proceedings*, was, "that the prisoner should be called before a council of state, at which the judges and several of the nobility and gentlemen of quality should be present; that some of the privy council should then declare that this form of proceeding was adopted because he was already civilly dead (in consequence of the sentence pronounced at Winchester fifteen years before); that, after that, the king's council should charge his acts of hostility, depredation, abuse of the king's commission, and of his subjects under his charge, impostures, attempts to escape, and other his misdemeanors:" and they recommended that, after this charge, the "examinations should be read, and Sir Walter heard, and some persons confronted against him, if need were; and then he was to be withdrawn and sent back, because no sentence could by law be given against him; and, after he was gone, that the lords of the privy council and the judges should give their advice whether upon these subsequent offences the king might not, with justice and honour, give warrant for his execution."† For reasons not explained this latter form was rejected, and the former alternative, somewhat modified, was adopted; and a privy seal was sent to the judges of the Court of King's Bench, directing them to order immediate execution of the old sentence upon Sir Walter Raleigh. The judges, cowardly and corrupt as they were, were startled with the novelty and injustice of the case, and a consultation of all the twelve judges was held, wherein it was determined that neither a writ of privy seal, nor a warrant under the great seal, would be a sufficient authority, after so great a lapse of time, to order execution without calling upon the party to show cause against it;‡ and, in the end, they unanimously resolved that the legal course would be to bring the prisoner to the bar by a writ of *habeas corpus*. Accordingly, such a writ was issued to the lieutenant of the Tower, who, upon the 28th of October, at an early hour of the morning, made Raleigh, who was suffering from fever and ague (this time his maladies were not feigned), rise from his bed and dress himself. As soon as he was brought to the bar of the Court of King's Bench at Westminster, Sir Henry Yelverton, the attorney-general, said, "My Lords,

* Sir Thomas Wilson's own MS. in the State Paper Office, as quoted by Mr. Tytler, Life of Raleigh. It appears that the Spanish ambassador expressly charged Raleigh with "propounding to his fleet to go and intercept some of the Plate galleons."—*Howell, Letters.*

* "Gondomar will never give him over till he hath his head off his shoulders."—*Howell, Letters.*

† Cayley, Life of Raleigh.

‡ "For, it was said, among other reasons, that the original judgment being of so long standing, the party might have a pardon to show, or he might plead that he was not the same person."—*Hutton's Reports, as quoted by Mr. Jardine, Crim. Trials.*

Sir Walter Raleigh, the prisoner at the bar, was fifteen years since convicted of high treason at Winchester; then he received judgment to be hanged, drawn, and quartered; but his majesty, of his abundant grace, hath been pleased to show mercy unto him till now, when justice calls upon him for execution. Sir Walter Raleigh hath been a statesman and a man who, in respect of his parts and quality, is to be pitied; he hath been as a star at which the world hath gazed; but stars may fall, nay, they must fall when they trouble the sphere wherein they abide. It is, therefore, his majesty's pleasure now to call for execution of the former judgment, and I now require your lordships' order for the same." Then, the clerk of the crown having first read the old conviction and judgment, the prisoner was asked why execution should not be awarded. "My lords," replied Raleigh, "my voice is grown weak by reason of sickness." Montague, the chief justice, told him his voice was audible enough. "Then, my lords," continued Raleigh, with admirable composure, "all I have to say is this: I hope that the judgment which I received to die so long since cannot now be strained to take away my life; for, since that judgment was passed, it was his majesty's pleasure to grant me a commission to proceed in a voyage beyond the seas, wherein I had power, as marshal, over the life and death of others; so, under favour, I presume I am discharged of that judgment. By that commission I gained new life and vigour; for he that hath power over the lives of others, must surely be master of his own . . . . Under my commission I departed the land, and undertook a journey, to honour my sovereign and to enrich his kingdom with gold, the ore whereof this hand hath found and taken in Guiana; but the voyage, notwithstanding my endeavour, had no other event but what was fatal to me—the loss of my son and the wasting of my whole estate." The chief justice told him that he spoke not to the purpose; that his voyage had nothing to do with the judgment of death formerly given against him, which judgment it was now the king's pleasure, upon certain occasions best known to himself, to have executed; that the commission given to him could in no way help him, for by that he was not pardoned, nor was there any word tending to pardon him in all that commission;* that in cases of treason there must be a pardon by express words. To this Raleigh replied, that, if such was the law, he must put himself on the mercy of the king, and hope that he would be pleased to have compassion. He then said, "Concerning that judgment at Winchester passed so long ago, I presume that most of you that hear me know how that was obtained; nay, I know that his majesty was of opinion that I had hard measure therein, and was so resolved touching that trial; and if he had not been anew exasperated against me, certain I am, I might, if I could by nature, have lived a thousand and a thousand years before he would have taken advantage thereof." The chief justice told him that he had had an honourable trial at Winchester (and honourable it was to Raleigh!); that for fifteen years he had been as a dead man in the law, and might at any minute have been cut off, had not the king, in mercy, spared him. "You might justly think it heavy," he continued, "if you were now called to execution in cold blood; but it is not so; for *new offences have stirred up his majesty's justice to revive what the law hath formerly granted.*" (This was admitting what Raleigh said, and what all the world knew.) And after praying God to have mercy on his soul, he ended with the fatal words—"Execution is granted." The undaunted victim then begged for a short respite to settle his affairs, and for the use of pen, ink, and paper to "express something," and to discharge himself of "some worldly trust;" "and I beseech you," he said, "not to think that I crave this to gain one minute of life; for now, being old, sickly, disgraced, and certain to go to death, life is wearisome unto me." The gentle James had the barbarity to refuse the brief respite; but pen, ink, and paper were allowed, or procured from the humanity of the gaoler. Sir Walter, instead of being carried back to the Tower, was conveyed to the Gate-House at Westminster, where, in the evening, his affectionate wife took her last farewell. On parting, she told him that they had granted her the favour of having his body. "It is well, Bess," said he, smiling at the conceit, "that thou may'st dispose of that dead thou had'st not always the disposing of when alive." At an early hour on the following morning (October the 29th) he was waited upon by Dr. Tounson, dean of Westminster, appointed by the court to give him ghostly consolation; for he was not allowed to choose his own minister. This dean administered the sacrament, which he took very reverently, declaring that he forgave all men, even his relative Sir Lewis Stukely, who had so basely betrayed him. It has been well said of Raleigh, by a contemporary, that he rather loved life than feared death—the reverse we believe being generally the case with inferior minds. He would have lived on for the beauty of this visible world, of which, as a traveller, he had seen so much,—for the science and the literature he cultivated,—for the grand schemes of discovery he indulged in to the last,—for his wife and dear boy;—but, as soon as he felt his doom to be inevitable, he made up his mind to meet it with alacrity and cheerfulness. He breakfasted heartily, smoked a pipe of tobacco after it, as was his usual practice, and when they brought him a cup of good sack, and asked him how he liked it, he said, gaily, that it was good drink if a man might tarry by it. It was mercifully arranged at court that he should be beheaded instead of being hanged, drawn, and quartered.

* "The old sentence," says Howell, "still lies dormant against him, which he could never get off by pardon, notwithstanding that he mainly laboured in it before he went; but his majesty could never be brought to it; for he said he would keep this as a curb to hold him within the bounds of his commission, and of good behaviour."—*Letters.*

At about eight o'clock in the morning he was conveyed to the scaffold erected in Old Palace Yard, Westminster, where an immense crowd was collected, including many great lords and courtiers, and no doubt ladies—for it was common then for high-born dames to attend these scenes of blood. There was so great a press that it was with difficulty the sheriffs and their men could get him through. When Sir Walter was upon the scaffold he saluted, with a cheerful countenance, the lords, knights, and gentlemen. He then began to speak, and, perceiving a window where the Lords Arundel, Northampton, and Doncaster were seated, he said he would strain his voice, for he would willingly have them hear. But my Lord of Arundel said, "Nay, we will rather come down to the scaffold." And this he and some others did; and then Raleigh, after saluting them one by one, continued to speak. He thanked God heartily that he had brought him to die in the light, and not left him to perish obscurely in the dark prison of the Tower, where for so many years he had been oppressed with many miseries: he denied, by all his hopes of salvation, that he ever had any plot or intelligence with France; that he had ever spoken dishonourably or disloyally of his sovereign. He solemnly asserted, that in going to Guiana he knew that the mine he spoke of really existed, and that it was his full intent to search for gold for the benefit of his majesty and himself, and of those that ventured with him, together with the rest of his countrymen.* Then, after defending himself at some length against other charges—*never once mentioning the enmity of the Spaniards*—he spake about the fall and death of the gallant Essex, by which he knew he had lost the favour of the people, and which (as we believe) weighed heavily on his soul in spite of his denial of having hastened that execution. "It doth make my heart to bleed," said he, "to hear that such an imputation should be laid upon me; for it is said that I was a prosecutor of the death of the Earl of Essex, and that I stood in a window over against him when he suffered in the Tower, and puffed out tobacco in disdain of him. I take God to witness that *I had no hand in his blood, and was none of those that procured his death.* I shed tears for him when he died; and, as I hope to look to God in the face hereafter, my Lord of Essex did not see my face when he suffered; for I was afar off, in the Armoury, where I saw him, but he saw not me. I was heartily sorry for him, though I confess I was of a contrary faction, and helped to pluck him down; but in respect of his worth I loved him, and I knew that it would be worse with me when he was gone; for I got the hate of those that wished me well before; and those that set me against him afterwards set themselves against me, and were my greatest enemies. My soul hath many times since been grieved that I was not nearer to him when he died; because, as I understood afterwards, he asked for me at his death, to have been reconciled unto me." * Then the Dean of Westminster asked him in what faith he meant to die; and Raleigh said in the faith professed by the church of England. "Then, before he should say his prayers, because the morning was sharp, the sheriff offered him to bring him down off the scaffold to warm himself by a fire. "No, good Mr. Sheriff," said he, "let us dispatch, for within this quarter of an hour mine ague will come upon me, and, if I be not dead before then, mine enemies will say that I quake for fear." So he made a most divine and admirable prayer, and then rose up and clasped his hands, saying, "Now I am going to God." He then took his leave of the lords, knights, and gentlemen. Though so ready to die, he was anxious for the fame that should survive him; and, in bidding farewell to the Earl of Arundel, he entreated him to desire the king that no scandalous writing to defame him might be published after his death. He poised the axe, felt its edge, and then said, with a smile, "This is a sharp medicine, but it will cure all diseases." He laid his neck across the block; the executioner hesitated; "What dost thou fear?" said he; "strike, man!" The headsman struck, and at two blows severed the neck of the soldier, sailor,

* Here, turning to the Earl of Arundel, he said, "My Lord, being in the gallery of my ship, at my departure, I remember your lordship took me by the hand, and said you would request one thing of me, which was, 'That I would not turn pirate when I got abroad, and that, whether I made a good voyage or a bad, I should not fail to return again into England;' which I then promised you, and gave you my faith I would, and so I have." To which the Earl of Arundel answered and said, "It is true; I do very well remember it; they were the very last words I spake unto you."

* We have already alluded (Vol. ii. p. 655) to a remarkable letter written by Raleigh to Sir Robert Cecil, recommending that minister to get Essex put out of the way. We here give the whole of that epistle, from Murdin's Burleigh Papers. It is generally admitted that Essex was designated under the nickname of Bothwell: "I am not wise enough to give you advice, but if you take it for a good counsel to relent towards this tyrant, you will repent it, when it shall be too late. His malice is fixt, and will not evaporate by any your mild courses, for he will ascribe the alteration to her majesty's pusillanimity, and not to your good nature, knowing that you work but upon her humour, and not out of any love towards him. The less you make him, the less he shall be able to harm you and yours. And if her majesty's favour fail him, he will again decline to a common person. For, after revenges, fear them not. For your own father, that was esteemed to be the contriver of Norfolk's ruin, yet his son followeth your father's son and loveth him. Humours of men succeed not, but grow by occasions, and accidents of time and power. Somerset made no revenge on the Duke of Northumberland's heirs. Northumberland that now is thinks not of Hatton's issue. Kelloway lives that murdered the brother of Horsey; and Horsey let him go by all his lifetime. I could name you a thousand of those; and, therefore, after fears are but prophecies, or rather conjectures, from causes remote. Look to the present, and you do wisely. His son shall be the youngest earl of England but one; and if his father be now kept down, Will Cecil shall be able to keep as many men at his heels as he, and more too. He may also match in a better house than his; and so, that fear is not worth the fearing. But if the father continue, he will be able to break the branches, and pull up the tree, root and all. Lose not you advantage, if you do, I read your destiny.

"Let the queen hold Bothwell while she hath him. He will ever be the canker of her estate and safety. Princes are lost by security and preserved by prevention. I have seen the last of her good days and all ours after his liberty."

Mr. Tytler and other writers who have taken a more favourable view of the moral character of Raleigh than we can possibly adopt, have raised some doubts as to the precise date of this letter; but the date signifies little—it may have been written at the time of Essex's first disgrace, or at the time of his second imprisonment—it matters not when it was written. It may, however, be argued that its design was to recommend, not the putting of Essex to death, but only what Raleigh called in his dying speech the plucking of him down. Some of the words, indeed, seem to imply that the earl's life should be spared, and that he should be only reduced to a subsistence, or perhaps kept in confinement. But even this interpretation convicts Raleigh of having behaved with sufficient ingratitude to the man who had been his friend. We believe, from the evidence of his own writings, that the heart of Raleigh was chastened by misfortune; that he came out of the Tower a much better man than he entered it; but, to propose him at any period of his life as a high moral example and model, is worse than ridiculous.

statesman, poet—the universal Raleigh, who was then in the sixty-seventh year of his age:—

> "Even such is Time, that takes on trust
> Our youth, our joys, our all we have,
> And pays us but with age and dust:
> Who, in the dark and silent grave,
> When we have wander'd all our ways,
> Shuts up the story of our days!"*

King James made a merit of this execution with the court of Spain: the people set it down to his eternal disgrace.

The death of Sir Walter Raleigh was soon followed by that of Queen Anne, who had interceded warmly but in vain in his favour; and by a war into which James found himself dragged, in spite of his soul, and in which, though it was conducted with no spirit, it was scarcely possible not to miss the genius and bravery of Raleigh.

The country of Bohemia, surrounded on all sides by mountains, was occupied by an interesting people, a branch of the great Slavonian family of nations. The Cteches, or Bohemians as they were called in the rest of Europe, maintained their independence, and were governed by an elective king of their own choosing till the year 1526, when the house of Austria, a house which has gained more by fortunate marriages than by arms, obtained the sovereignty through the union of Ferdinand I. with the daughter of Lewis II. Long before this event, sects had arisen in the country inimical to the Church of Rome: Conrad Stekna, John Milicz, and Mathias Janowa, between the middle and the end of the fourteenth century, had raised their voices against some fundamental doctrines, for which the Pope proceeded against them as heretics. They were obliged to seek refuge in Poland, where they continued to preach their doctrines, which were not eradicated in Bohemia by their persecution. The reader will remember that our unfortunate King Richard II. married a Bohemian princess, the good Queen Anne, as she was called by the gratitude of the English people. At her death in 1394, many persons of her household who had accompanied her from her native country, returned thither and contributed to spread the doctrines of our first reformer Wycliffe. At the same period, a considerable intercourse existed between the universities of Prague and Oxford; English students occasionally frequented the former—Bohemian students the latter. Hieronymus of Prague, the friend of John Huss, and in the end his companion at the stake, is supposed to have returned from Oxford about the year 1400. He probably assisted Huss when, shortly after, that reformer translated all the works of Wycliffe which, aided by the preaching of Huss, had a much greater effect in Bohemia than in England. Huss was burned in 1414 by sentence of the council of Constance, but his opinions survived him, and, when Luther began his great work about a century after, the majority of the Bohemians became ready converts. Their religious feelings allied themselves with the hereditary hostility which existed between the Slavonian and the German races, and with their nationality and jealousy of the house of Austria, which remained steadfast in its attachment to the Roman church, and which was not very scrupulous in performing its engagement to maintain the ancient rights of the Bohemian nation.* There followed a series of insurrections and sanguinary conflicts; but in the year 1609, the Emperor Rodolph conceded the boon of religious freedom to Bohemia, formally acknowledging by treaty the right of every man there to worship God in his own way. This treaty was not very religiously observed by Rodolph's successor; but, at the same time, it must be allowed that the Protestant Bohemians were not satisfied with a simple toleration: their aim and object was to establish their own faith as the only or the dominant church, and to snatch their old Slavonian crown out of the grasp of the Tudesque house of Austria—to restore the nationality in all respects. The latter aim was natural and honourable, but unfortunately the Protestant Bohemians had not all adopted the same branch of the Reformation; some were Lutherans, some Calvinists; and these sections hated each other as much as they did the Pope and the Devil. The Catholics also were still numerous, and included some of the noblest families. Hence the national cause was sacrificed, for the people were divided against themselves. The Calvinists, the most numerous or the boldest, began the quarrel this time by seizing some lands, which belonged to the Catholic archbishop of Prague and the Abbot of Brunaw, to build Protestant churches upon. The Archbishop and the Abbot appealed to the Emperor, who gave a decision in their favour. Thereupon the Calvinists fasted and prayed, and deliberated during two whole days, and upon the third day (the 23rd of May 1618) they repaired well armed to the castle of Prague, where the council of state was sitting, and after some altercation flung Martinitz Slavatta and Philip Fabricius, members of the council and zealous Papists, out of the windows into the castle ditch. The Catholics said that the lives of these men were saved by a miracle, but it appears that there was plenty of mud and water in the ditch, so that they fell in soft places. Immediately after their unceremonious ejection, Count Thurn, the leader of the insurrection, delivered a spirited harangue to the people, telling them that the privileges of their old and free kingdom had been violated, their religion made dependent upon the will of princes not their own, that their crown had been converted into a revenue and inheritance for a foreign house, that the sovereign who claimed to rule over them had been brought up in the abhorrence of all Protestants, and was governed by that sort of religious priests and people, who detested, with an equal aversion, the liberty and the belief of the Bohemians; and

* Raleigh's works. It is said that he wrote these lines on a blank leaf of his Bible the night before his execution.

* Some interesting information regarding the history of religion among the Bohemians, and other people of the Slavonian stock, has been recently given by Count Valerian Krasinski a Polish exile, in the first volume of his "Historical Sketch of the Rise, Progress, and Decline of the Reformation in Poland." London, 1838.

he ended by assuring them that their lot was drawn, that nothing was left for them but liberty or the scaffold. The Calvinists to a man flocked round the national banner; but the Lutherans and the Catholics remained loyal to the house of Austria, or were neutral. In a very short time most of the fortresses were taken, two armies were raised, a manifesto was published, and a provisional government established. The old Emperor Matthias offered an amnesty, and proposed that the grounds of the quarrel should be referred to the amicable arbitration of the two Catholic Electors of Mentz and Bavaria, and the two Protestant Electors of Saxony and the Palatinate; but the Bohemians who were greatly encouraged by seeing the insurrection spread into the provinces of Lusatia, Silesia, and Moravia, rejected the proposal. The old Emperor died at the end of the year, and was succeeded by his cousin, Ferdinand II., a weak and bigoted prince. The Bohemians reviving the old principle, that their crown was elective, that their sovereign was to be chosen by themselves, offered the dangerous honour to two of the princes who had been selected by the Emperor as arbitrators—first to John George, Elector of Saxony, who refused it, and then to the Elector Palatine. The Palatine Frederick, without taking counsel of his honour, without making a proper estimate of his means to resist the great confederacy of the Catholics and the house of Austria, and blindly counting upon the assistance of his father-in-law, the King of England, as chief of the Protestant interests, accepted the invitations of the Bohemians, or rather of the Calvinist insurgents, hastened with his family to Prague, and was crowned on the 4th of November 1619.* Frederick had declared that the finger of God was made visible in his election; the Protestants abroad considered it as a great and glorious victory obtained over the Papists, and the encroaching spirit of the house of Austria; and the Protestants of England were disposed to view it in the same light. Nobody looked coolly at the question as a political one: Abbot, the primate, declared that the Palatine ought to follow where God led him, and the mass of the people thought that a holy war ought to be made to secure him in possession of the kingdom of Bohemia. In a short time, the cry for war spread throughout Scotland and England, and became louder and louder, when news arrived that immense preparations were making by the Catholic powers to drive Frederick not only from Bohemia, but also out of his hereditary dominions. James was astounded, and gored by the horns of several dilemmas. Could he, who had declared, written, and preached against the transfer of crowns on religious pretexts, and by the will of the people and popular revolutions, assist the Bohemians against their lawful sovereign lord the Emperor? But could he, on the other hand, remain quiet and see his son-in-law ruined? the inheritance of the children of his only daughter swallowed up? Could he, as a Protestant monarch, witness the aggrandizement of the Catholic powers? But, on the other side, what sympathy could he feel with Calvinists? If he assisted his son-in-law, he should lose that Spanish daughter-in-law elect, and that rich dower, his heart had so long yearned after. If he should enter into the war without money in his treasury, without ships in his arsenal, what chance had he of success? But then, on the other side, in the inflamed state of his subjects' minds, would it be safe for him to try to remain at peace? He procrastinated, equivocated, and shuffled. He told the Protestant envoys from Germany and Bohemia, that he would assuredly support the true faith, and aid his dear son: he told Gondomar that the Palgrave was a villain, a usurper, and he gave his royal word that he would not assist him and the confederate princes. But when, while Frederick was in his new kingdom, the Catholics fell might and main upon the Lower Palatinate, the cry of indignation in England was so terrifying that he was obliged to do something more than talk, and, without flying in the face of his principles, he thought he might assist his son-in-law in his own patrimonial states, if he meddled not with Bohemia. After sending ambassadors to Brussels and Madrid on negotiations that proved altogether fruitless, he raised and equipped four thousand volunteers, who, under the command of the Earls of Oxford and Essex, and Sir Horatio Vere, proceeded by Holland and the Rhine to the Palatinate. This force was too small and too late to be of much service; but in the raising of it James had completely exhausted his means and his credit, and he found himself again driven to the hard necessity of thinking about a parliament.

A.D. 1621.—James summoned a parliament to meet on the 16th of January, taking care to give in his proclamation as many unconstitutional directions or commands, touching what sort of members the people should elect, as he had done in 1604. At the same time, he warned the people not "to presume talk or write saucily of the *arcana imperii*, or state affairs."* The session did not actually commence till the 30th of January, when James delivered what was meant to be a very conciliatory speech. He well knew how much that alliance was hated, and he asserted that he had no particular disposition towards the Spanish match; he even acknowledged that he had been misled by evil counsellors, "that bred an abruption," and that at the last parliament, "there came up a strange kind of beasts called undertakers, which had done mischief." He gave promises of better government for the future, and then with a bold face asked for liberal supplies to carry on war in the Palatinate, which he said he was determined to preserve for his son-in-law. The commons were ready enough to vote supplies for this popular war, but, before giving their money, they requested the King to be more rigorous with regard to the Papists, upon whom they

* Frederick did not even wait for the letters of the ambassador he had dispatched to England to consult with James, who wisely prophesied from the beginning, that the undertaking would miscarry, and involve his son-in-law in ruin and disgrace.

* Camden.—Rymer.

laid the blame of the miscarriages in Bohemia, and they asked satisfaction for the imprisonment of four of their members at the close of the last parliament. James promised in general terms to attend to their requests; and on the 15th of February they voted two subsidies. Then he told them, that though the supply was small, he preferred it to millions, because it was so freely given, and he promised again that he would check popery, and respect the freedom of speech in parliament. The Commons then proceeded to attack the patent monopolists, who robbed the people, and shared their spoils with the government or with the courtiers. Sir Giles Mompesson, and his partner Sir Francis Mitchell, a justice of peace, were particularly obnoxious. Mompesson, seeing that the Court had abandoned him as a scape-goat, fled beyond sea; Mitchell was taken, voted by the Commons to be incapable of being in the commission, and sent by them to the Tower. As the Lords had never shown any alacrity in the correction of abuses, the Lower House had taken all this upon themselves, and in so doing had clearly exceeded their jurisdiction. Coke, who was not without a hope of implicating Bacon with Mompesson, took a deal of trouble with the case, and proved to the Commons that the proper mode of conducting it would be by joining with the Lords in an impeachment. The Commons then requested a conference, at which they informed the other House generally as to the offence; and then the Lords, taking upon themselves the enquiry, and becoming satisfied of the guilt of the parties, sent for the Commons and delivered judgment, which was, that Mompesson and Mitchell should be degraded from the honour of knighthood, fined, and imprisoned. James, who had been frightened out of endeavours he was making to save them, came forward to express his detestation of their offence, and to increase the severity of their punishment. By a very unusual exercise of the prerogative, it was settled that Sir Giles should be banished for life. Sir Henry Yelverton, the Attorney-General, who was connected with the illegal practices, and who boldly charged Buckingham at the bar of the Lords with being a partaker in them, was condemned to two heavy fines and imprisonment for life. The ball, once set a-going down such a foul and slippery declivity, was not likely to stop soon. Sir John Bennet, judge of the prerogative court, was impeached for corruption in his office; and Doctor Field, now bishop of Landaff, was impeached for being concerned in a matter of bribery in the Chancery Court. The Lord Chancellor Bacon, whose own hour was coming, said truly that corruption was the vice of the time. Within not many days after, Bacon was impeached himself for corruption in his high office. Coke took a prominent share in this business; but Buckingham wanted the seals for his creature, Bishop Williams. James had never had much affection for Bacon, and, even if that wonderful man had been as innocent as he was notoriously guilty, he would have been degraded. A report of a committee of the Lower House to enquire into abuses in the courts of justice, recommended proceedings against the Lord Chancellor, Viscount St. Albans*—"a man endued with all parts both of nature and art," said Sir Robert Phillips, who reported for the committee, "as that I will say no more of him, being not able to say enough;" (the most violent, the most incensed at his dishonesty, could not withhold their admiration of his genius;) and the Commons, having been told by the King to proceed fearlessly, charged him before the Lords with twenty-two several acts of bribery and corruption. A constitutional timidity, united with a consciousness of guilt, or still more perhaps, the certainty that the Court had devoted him to ruin, made Bacon's heart sink within him. He took to his bed, wrote an affecting letter to the Lords, and prayed for time that he might recover from his sickness, and prepare his defence He was gratified in this respect, for the two Houses adjourned from the 27th of March to the 17th of April. In that interval, the falling chancellor was admitted to an audience of the King. On the 24th of April, a week after the re-assembling of parliament, Bacon sent his submission, and a confession in general terms to the Lords, which, it appears, was presented by Prince Charles. "This poor gentleman," writes Sir Arthur Wilson, "mounted above pity, fell down below it: his tongue, that was the glory of his time for eloquence (that tuned so many sweet harangues), was like a forsaken harp, hung upon the willows, whilst the waters of affliction overflowed the banks. And now, his high-flying orations are humbled to supplications, and thus he throws himself and cause, at the feet of his judges, before he was condemned." His humble submission he said, came from a wasted spirit and oppressed mind, from the midst of a state of as great affliction as a mortal man might endure, honour being above life. Still, he, continued, he found gladness in some things: the first being, "that hereafter the greatness of a judge or magistrate shall be no sanctuary or protection to him against guiltness, which is the beginning of a golden work. The next; after this example, it is like that judges will fly from anything in the likeness of corruption (though it were at a great distance) as from a serpent; which tends to the purging of the courts of justice, and reducing them to their true honour and splendour. And in these two points, (God is my witness), though it be my fortune to be the anvil upon which these two effects are broken and wrought, I take no small comfort." He told the Lords, his "judges, under God and his lieutenant" (the King), that he understood some justification had been expected from him, but that the only justification he would make should be out of Job, and that he should justify with Job in these words,—"I have not hid my sin, as did Adam, nor concealed my faults in my bosom." He then proceeded:—"It resteth therefore, that without fig leaves I do ingenuously confess and

* Bacon had been raised to the title of Viscount St. Albans on the 27th of January of this same year.

acknowledge that, having understood the particulars of the charge, not formally from the house, but enough to inform my conscience and memory, I find matter sufficient and full, both to move me to desert my defence, and to move your lordships to condemn and censure me. Neither will I trouble your Lordships by singling these particulars, which I think might fall off. *Quid te exempta juvat spinis de millibus una?* Neither will I prompt your Lordships to observe upon the proofs where they come not home, or to scruple touching the credits of the witnesses. Neither will I represent to your Lordships, how far a defence might, in divers things, extenuate the offence, in respect of the time and manner of the guilt, or the like circumstances;* but only leave these things to spring out of your more noble thoughts, and observations of the evidence, and examinations themselves, and charitably to wind about the particulars of the charge, here and there, as God shall put into your minds, and to submit myself wholly to your piety and grace." Having, as he said, spoken to their lordships as judges, he would say a few words to them as peers and prelates, humbly commending his cause to their noble minds and magnanimous affections. He told them a story out of Livy, to show that the questioning of men in eminent places had the same effect as their punishment; adding, "My humble desire is, that his majesty would take the seals into his hands, which is a great downfal, and may serve, I hope, in itself, for an expiation of my faults." He hoped that the peers "would behold their chief pattern, the king,—a king of incomparable clemency, and whose heart is inscrutable for wisdom and goodness,—a prince whose like had not been seen these hundred years,—a prince who deserved to be made memorable by records of acts mixed of mercy and justice." "And yourselves," continued Bacon, "are nobles (and compassion ever beateth in the veins of noble blood) or reverend prelates, who are the servants of Him that would not break the bruised reed or quench the smoking flax. You all sit upon a high stage, and therefore cannot but be sensible of the change of human conditions, and of the fall of any from high place." He told them that corruption and bribery were the vices of the time, and that any reform would, in the beginning, be attended with danger. "The beginning of reformation," said he, "hath the contrary power to the pool of Bethesda; for that had strength to cure him only that was first cast in, and this hath strength to hurt him only that is first cast in; and, for my part, I wish it may stay here, and go no farther." He reminded their lordships of their noble feeling and loving affections towards him as a member of their own body, and concluded his remarkable letter with these words:—"And therefore my humble suit to your lordships is, that my penitent submission may be my sentence, the loss of my seal my punishment, and that your lordships would recommend me to his majesty's grace and pardon for all that is past God's holy spirit be among you."* But the lords were not satisfied with this submission, humble as it was, nor with this general and vague confession; and though they excused him from appearing as a criminal at their bar, they exacted from him a distinct confession to all the charges specifically brought against him. He then wrote and signed a confession of particulars; and to a deputation of the lords, who waited upon him to know whether this paper was his own voluntary act, he said, with tears, "It is my act,—my hand,—my heart. Oh, my lords, spare a broken reed." Our own hearts ache at this sad spectacle.

On the 30th of April his second confession was read in the Lords, who, on the 3rd of May, informed the Lower House that they were ready to pronounce sentence against the late Lord Chancellor, if it pleased the House, with the Speaker, to come and demand judgment. So the House went up, and the Speaker demanded judgment. The Lord Chief Justice (sitting as Speaker in the higher House) said that the lords had duly considered of the complaints presented by the commons against the Lord Verulam, Viscount St. Albans, late Lord Chancellor, and had found him guilty, as well by oath of witnesses as by his own confession, of those and many other corruptions, for which they had sent for him to come and answer; and upon his sincere protestation of sickness, they, admitting his excuse of absence, had yet notwithstanding proceeded to his judgment, namely,—That he be fined 40,000*l.*; to be imprisoned in the Tower during the king's pleasure; made incapable to bear office in the commonwealth; never to sit in parliament; nor to come within the verge, which is within twelve miles, of the court.† Bacon had not 40,000*l.*—so steadily had his expense kept pace with his increasing income that he probably had not 40,000 pence. James was pleased to remit the fine, which he never could have paid, and to liberate him from the Tower after a *pro forma* imprisonment of two days. Such a man could not be without his friends and admirers—even in the House of Commons, Sir Edward Sackville and others adventured to speak in his favour; and, apart from politicians and courtiers, there were, no doubt, many high and honest minds that revered the philosopher, the wit, the scholar, though they condemned and despised the chancellor. It is, at all events, a sort of consolation to know that, when Bacon took his departure from the verge of the court, a beggared and disgraced man, he was not wholly forsaken even in that time-serving generation. On that day, as Prince Charles was returning from hunting, "he espied a coach, attended with a goodly troop of horsemen," who it seems were gathered together to wait upon the chancellor to his house at Gorhambury, at the time of his declension. At which the p[illegible]

* When the fierce general attack first began, Bacon wrote to the King—"I hope I shall not be found to have the troubled fountain of a corrupt heart, in a depraved habit of taking rewards to pervert justice, however, I may be frail, and *partake of the abuses of the times.*"

* Bacon's Works.

† Journals.

smiled; "Well, do we what we can," said he, "this man scorns to go out like a snuff."* He had inscribed his name on the scroll of the immortals—he had written his greatest works before his fall; his History of Henry VII., and some other things, were produced after his disgrace. If he had satisfied himself with these ennobling pursuits—if he had remained quiet in the beautiful solitudes of Gorhambury, which lie like a piece of Paradise under the ancient town of St. Alban's, he would have risen into respect, even personally, from the moment he fell from power; but so mean was this great man's soul,—so dependant was he for his gratifications on money, and place, and court honour, that he struggled and begged incessantly, and wrote the most humiliating of letters for the light of the king's countenance, for a pension, for some fresh employment. The king, the favourite Buckingham, the prince, received these letters, and despised the man that could write them. At times his baseness and flattery were closely allied to impiety. He wrote, for example, to the prince, that he hoped, as his father, the king, had been his creator, so he, the son, would be his redeemer.†

The Commons had scarcely made this session memorable by the impeachment of high delinquents, when they proceeded to make it disgraceful by a spiteful and meanly tyrannical prosecution—a glaring instance of vulgar, savage intolerance. There was one Edward Floyde, a Catholic of good family, a prisoner in the Fleet for debt or popery, or both, who sorely offended Protestant ears by rejoicing at the success of the Catholic arms against the new king of Bohemia, or by saying, simply (for this was the burden of the matter), that Prague was taken, and goodman Palgrave and goodwife Palgrave had taken to their heels. For this offence, which was not worthy the attention of the pettiest court, the Commons, in a headlong fury, sentenced him to pay a fine of 1000*l.*, to stand in the pillory in three different places, and to be carried from place to place on a horse without a saddle, and with his face turned to the tail. But the next day the Chancellor of the Exchequer delivered a message from the king, telling the Commons that his majesty thanked them for their zeal; but, lest it should transport them to inconveniences, he would have them reconsider whether they could sentence one who did not belong to them, and who had not offended against their house or any member of it; and whether they could sentence a denying party without the oath of witnesses.‡ His majesty further reminded them that the judicial power of parliament did not belong to the Commons alone; and at the end of his message he desired them to consider whether it would not be better to leave the case of Floyde in *his* hands. Nothing could well be clearer than that the Commons had exceeded their jurisdiction, as they had so recently done, and confessed it, too, in the case of Sir Giles Mompesson; but, now, instead of yielding the point, they debated it long and loudly, and persisted in their first votes. James, who for once was perfectly right, asked them to show precedents—they had none to show. The Lords requested a conference; and this, with the declaration of Noye, that the matter of judicature clearly remained with the Upper House, led the Commons to yield. The difference was merely between the two Houses—a conflict of privileges: but Lords and Commons were alike ready to be unmerciful to the poor offender; and the Lords, "to keep up a good understanding between the two Houses," augmented the severity of the original sentence. The fine of 1000*l.* was raised to 5000*l.* Whipping at the cart's tail from the Fleet to Westminster Hall was added to the infamous punishment of the pillory: Floyde was to be degraded from his rank of a gentleman, to be held an infamous person, and, as a climax to all this brutality and injustice, he was to be imprisoned in Newgate for life. Prince Charles, to his honour, interfered and obtained the remission of the whipping; but the unfortunate man, it appears, underwent the rest of the atrocious sentence. The king was what we have seen; but, assuredly, lords, commons, and people, had yet much to learn,—had yet to free themselves from some of the worst of vices ere there could be any rational hope of true liberty and good government. In the whole of this particular business the blame rests with them; for James had been talked into something like a jealousy of his own son-in-law, who, though in reality rather a contemptible personage, was constantly represented by the Calvinistic Puritans as a great and godly prince, the champion of the true faith; and James would certainly of himself have punished no man for talking of his defects and calling him goodman Palgrave.

The king considered that he had done a great deal to conciliate the Commons in this session, but still there was no prospect of their voting the fresh supplies which he needed. Therefore, on the 24th of May, as they were going on in full career with other bills for reformation of abuses, for the checking of popery, &c., he unexpectedly announced his intention of proroguing the parliament at the end of the week. The Commons petitioned for a longer time. The king offered them a fortnight, which they considered too little; and the parliament was prorogued to November, by commission, after a unanimous declaration made by the Commons, and entered on record in the Journals, of their resolution to spend their lives and fortunes for the defence of the Protestant religion and the palatinate.*

It was, indeed, time to be stirring if they meant to keep the Palatine from utter ruin. In the month of November of the preceding year (1620) the Imperialists and the Spaniards, commanded by his own relative, but bitter enemy and rival,

* Aulicus Coquinariæ. † Howell.
‡ The Commons had proceeded upon declarations of the chaplain of the Fleet and others. Floyde, in a letter to the king, denied the words.

* Journals.—Rushworth.

the Duke of Bavaria, and by the famous Tilly, gained a decisive victory over him in the neighbourhood of Prague, drove him from that city, where he had been king twelve months all but three days, took all his artillery, baggage, standards, and a great treasure he had not the heart to touch, and which, if properly and timely employed, might have given him the advantage over his enemies. He fled with his wife and children to Breslaw, leaving the heads of his party in Prague to be victims to their enraged enemies. From Breslaw he got to Berlin, and thence to the Hague in Holland, "having made a long progress, or rather a pilgrimage, about Germany."* During this flight the fair and captivating Elizabeth of England, who was styled the Queen of Hearts when she could no longer be called Queen of Bohemia, was far advanced in pregnancy. The princes of the Protestant union, to whom the Palatine had intrusted the defence of his patrimonial possessions during his absence in Bohemia, were no match for the great Italian general Spinola, with his army of "old tough blades"† and veteran commanders. They lost town after town, and were constantly outmanœuvred or beaten by very inferior forces. The 4000 English were far too few, and their generals too unskilful, to turn the fortune of the war. The petty princes were jealous of each other; they acted upon no one concerted plan of operations; and when they were all put to the ban of the empire, they began to abandon as hopeless the cause of the Palatine, who soon found himself left alone in the war, with no other means at his disposal than the weak English force and two free corps commanded by a younger son of the House of Brunswick and Count Mansfeldt. The English threw themselves into Heidelberg, Manheim, and Frankendael. Brunswick and Mansfeldt carried on a very irregular, partisan-like warfare. Sir Arthur Chichester, one of the envoys, said plainly, that the English army should have been greater or none at all; but James had neither the means nor the steady wish to increase it. He fondly fancied that he could reinstate his son-in-law, and make up all those differences,—which eventually ran into the "Thirty Years' War," the starting point being Bohemia,—by his admirable skill in diplomacy; and he continued to send ambassadors in all directions, with instructions that were very minute and deeply laid, but frequently contradictory the one to the other. The earls of Essex and Oxford, who had returned from the palatinate, said that the only way to recover that country was by force of arms; and the English people not only believed them, but joined in their complaints that the money which ought to be spent in retrieving the national honour was wasted in inglorious idlings. The discontents of these two noble commanders, and of the Earl of Southampton, gave rise to a great political novelty—a spirited opposition to the court in the House of Lords.

During the recess, James, acting, it is said, under the advice of Bishop Williams, to whom, to the great vexation of all lawyers, he had given the seals, abolished, by proclamation, thirty-six of the most oppressive of the patents and monopolies, and adopted certain regulations meant for the improvement and protection of foreign commerce. These measures were calculated to put the Commons and the nation in good-humour; but other circumstances had happened that tended to produce a very different effect. The pirates of Algiers and other ports on the African coast had for some years been very troublesome to all the flags of Europe. Several English ships trading to Smyrna had been plundered, and occasionally the Corsairs, issuing from the Mediterranean, had made prizes on the coast of England, and had carried off people into slavery from the coast of Ireland. James proposed that the different Christian powers should unite to destroy the pirates' chief nest, Algiers, and burn all their ships. Spain, whose subjects had suffered most, engaged to co-operate; but when the time came, they fell short of the promised supply, and Sir Robert Mansell sailed to Algiers with an insufficient force and a cramped commission, by which, it should appear, he was ordered by the timid, needy king of England not to risk his ships. On the 24th of May Mansell sailed up to the port, and the English sailors soon set fire to the ships and galleys; but they had scarcely retired when the Algerines, assisted, it is said, by a "cataract of rain which hindered the working of the English fire-works," put out the flames, recovered their ships, brought down artillery, mounted batteries on the mole, and threw booms across the harbour-mouth. We may safely calculate that Mansell did not much expose himself or his fleet, for he lost only eight men in the whole affair, and brought back all his ships undamaged; in fact he did not renew the attack, and all the Algerine ships were saved with the exception of two that were burnt to the water's edge.* This was clearly another case where more ought to have been done or nothing at all. The pirates turned their whole fury against the flag of James, and, within a few months, thirty-five English merchantmen were captured by them; and the crews sold as slaves. The country was filled with bitter and just complaints, when, in the month of November, the parliament re-assembled. The king lay at Royston under a real or feigned sickness; but, by his orders, Lord Digby, at a conference of the Houses, explained his bootless embassies into Germany for the recovery of the Palatinate, which he plainly hinted was now hopeless unless by means of English arms and English money. There were, he said (with a very considerable exaggeration), yet 21,000 men in the Lower Palatinate, 16,000 under Count Mansfeldt, and 5000 Englishmen, now under the supreme command of Sir Horatio Vere, who would certainly mutiny unless they got their pay. But money for other purposes, and more men, were

* Howell. † Id.

* Howell.

Great Seal of James I.

needed immediately, and, if they were not sent, his lordship saw no chance of success. Lord Cranfield, the treasurer, told the Commons that, to maintain a sufficient force in that country for one year would require 900,000*l.*: all that the Commons would vote was one subsidy, which would make about 70,000*l.*! We can scarcely be surprised at this parsimony; they had every ground for believing that the money would have been applied to other purposes than the Protestant war; and, in spite of the mystery kept up by the court, they knew that James was, at the very moment, engaged in a treaty with Spain to get for his son a Catholic wife, which, according to most of them, would be a bringing back of Antichrist into the kingdom. And, indeed, it required some uncommon faculty to discover how James should wage a fierce war with the whole House of Austria (for Spain had been as active as the emperor against his son-in-law) and intermarry with that House at one and the same time. The Commons, moreover, and not a few of the Lords, were exasperated by fresh stretches of the prerogative. Since the adjournment the Earls of Oxford and Southampton, Sutcliff, Dean of Exeter, Brise, a Puritan preacher, Sir Christopher Neville, Sir Edwin Sandys, who was a bold-spoken member of the Lower House, and the great constitutional lawyer and antiquary Selden, who had been in prison before for differing in opinion with the king and the bishops in the matter of tithes, had all been arbitrarily arrested; and Coke, whose patriotic vigour increased with his years and his disappointments at court, and who had boldly espoused the country party—as the popular party was called—in the preceding session, had been exposed to a prosecution for various offences and malpractices committed when he was a judge.* It was felt by the Commons that all this severity had been provoked by the expression of liberal opinions; and, putting aside Coke, though not until they attempted to prove that there was a conspiracy against him, they stood by the only other member of their House, Sir Edwin Sandys (against whom there were no legal proceedings), and, as he was sick in bed, they sent two members to wait upon him and hear from his own mouth the cause of his arbitrary arrest, giving no credit whatever to the declaration of Secretary Calvert, that he had not been committed for any parliamentary matter. Together with intelligence of these proceedings, James received information respecting a petition, proposed by Coke in the Commons, against the growth of popery and the Catholic marriage of the Prince of Wales (though Spain was not named, she was clearly designated, and set down as the worst enemy of England and Protestantism), and for the vigorous prosecution of the war in the Palatinate—an unreasonable prayer when they would not trust the king with the money necessary to carry on that war. The petition encountered a strong opposition in the House; those who supported it were fain to agree to the insertion of a clause that "they did not mean to press on the king's most undoubted and royal prerogative;" and it neither passed nor was very likely to pass when James, proud of his finding the Commons in error in two cases in the preceding session, inflated by his extravagant notions of prerogative, and enraged and transported out of all discretion by this bold intermeddling with his *arcana imperii*, addressed a most absolute letter

* It is said that his wife, the implacable Lady Hatton, did her best to bring on this prosecution, and that she was privately assisted by Bacon, to whom she was bound, even in his disgrace, by a community of hatred against Coke.

to Sir Thomas Richardson, Speaker of the House of Commons. It was as follows:—

"Mr. Speaker, we have heard by divers reports, to our great grief, that our distance from the Houses of Parliament, caused by our indisposition of health, hath emboldened the fiery and popular spirits of some of the Commons to argue and debate publicly of matters far above their reach and capacity, tending to our high dishonour and breach of prerogative royal. These are, therefore, to command you to make known, in our name, unto the House that none therein from henceforth do meddle with anything concerning our government, and deep matters of state; and, namely, not to deal with our dear son's match with the daughter of Spain, nor to touch the honour of that king, or any other of our friends and confederates; and also not to meddle with any man's particulars, which have their due motion in any of our ordinary courts of justice. And whereas we hear they have sent a message to Sir Edwin Sandys, to know the reasons of his late restraint, you shall, in our name, resolve them, that it is not for any misdemeanor of his in parliament; but, to put them out of doubt of any question of that nature that may arise among them hereafter, you shall resolve them, in our name, that we think ourself very free and able to punish any man's misdemeanors in parliament, as well during their sitting as after; which we mean not to spare hereafter upon any occasion of any man's insolent behaviour there that shall be ministered unto us: and if they have already touched any of these points which we have forbidden, in any petition of theirs which is to be sent to us, it is our pleasure that you tell them that, except they reform it before it comes to our hands, we will not deign the hearing nor answering of it."

The House received this letter with less warmth than might have been expected, but they were unanimous, or nearly so, in their resolution to disapprove of and resist the propositions it contained. They drew up a remonstrance in firm but mild and respectful language, telling the king that they could not conceive how his honour and safety, or the state of the kingdom, could be matters unfit for their consideration in parliament, and asserting their undoubted right of liberty of speech as an inheritance received from their ancestors. James replied at length, showing them how unfit they were for entering on high matters of government, and criticising the language of their remonstrance. In the end he told them that, although he could not allow of the style of calling their privileges an undoubted right and inheritance, but could rather have wished that they had said that their privileges were derived from the grace and permission of his ancestors and himself, yet, as long as they contained themselves within the limits of their duty, he would be as careful of their privileges as of his own prerogative, so that they never touched on that prerogative, which would enforce him or any just king to retrench their privileges. This was bringing matters to an issue: this was an explicit assertion on the part of the sovereign that the privileges of parliament existed only by sufferance, or depended entirely upon what the court might choose to consider good behaviour. The assertion exasperated the House beyond measure, and Secretary Calvert and other ministers or courtiers vainly attempted to pacify them by admitting that the king's expressions were incapable of defence, and calling them a mere slip of the pen. James, in a fright, wrote a letter to Calvert to qualify what he had said; but, even in this conciliatory epistle, he could not abstain from reasserting that the liberties and privileges of the House were not of undoubted right and inheritance unless they were so from their being granted by the grace and favour of his predecessors on the throne: and therefore, on the memorable 18th of December, a day which forms an era in constitutional history, they drew up the following protestation:—

"The Commons, now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, privileges, and jurisdictions of parliament, amongst others not herein mentioned, do make this protestation following:—That the liberties, franchises, privileges, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the arduous and urgent affairs concerning the king, state, and the defence of the realm, and of the Church of England, and the making and maintenance of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that, in the handling and proceeding of those businesses, every member of the House hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same: that the Commons in parliament have like liberty and freedom to treat of those matters, in such order as, in their judgments, shall seem fittest; and that every such member of the said House hath like freedom from all impeachment, imprisonment, and molestation (other than by the censure of the House itself), for or concerning any bill, speaking, reasoning, or declaring of any matter or matters touching the parliament or parliament business; and that, if any of the said members be complained of and questioned for anything said or done in parliament, the same is to be showed to the king, by the advice and assent of all the Commons assembled in parliament, before the king give credence to any private information." After a long and spirited debate (it lasted till the unusual hour of five or six in the evening, being carried on even by candle-light!*) the Commons entered this protestation in their journals, "as of record."

James's wrath overcame his caution and cowardice, and he forgot that he was reported sick: he rode up to London foaming or slavering at the

* This is one of the earliest instances of a debate by candle-light.

mouth,—prorogued parliament,—ordered the clerk of the House of Commons to bring him the journals,—erased the famous protestation with his own royal hand, in the presence of the judges of the land and a full assembly of the council,—commanded an act of council to be made thereon, and what he had done to be entered in the council-book,—and a few days after (on the 6th of January, 1622,) dissolved the parliament by an insulting proclamation, taking care, however, to inform his subjects that, though this late parliament had offended him with their evil-tempered spirit, he should be glad to call another on the first convenient occasion, and that he intended to govern well in the interval.*

The first act the king did to make good his promise to govern well was to commit Coke and Sir Robert Phillips to the Tower,—Mr. Selden, Mr. Pym, and Mr. Mallery to other prisons,—and to send Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, and Sir James Parott on a commission into Ireland, as a sort of a cover for banishment. It was evident to every one that the offence of these men was their free conduct in the House of Commons, or, as in the case of Selden, who was not a member, conversations out-of-doors or writings in support of the privileges of parliament. It will be remembered that an opposition party had sprung up in the House of Lords; therefore several of the peers were called before the privy council, and one or two of them committed to the Tower.

It is said that Prince Charles was rather constant in his attendance in the House of Lords during this most significant session; but, if so, he certainly had neither the good sense nor the good fortune to understand its meanings and indications, or to perceive the great changes men's minds were undergoing,—the mighty events that were indeed casting their shadows before them.

The day of the dissolution of parliament had well-nigh been that of the mortal dissolution of King James, for "he rode by coach to Theobald's to dinner, and, after dinner, riding on horseback abroad, his horse stumbled and cast his majesty into the New River, where the ice broke, and he fell in, so that nothing but his boots was seen. Sir Richard Yong was next, who alighted, went into the water, and lifted him out. There came much water out of his mouth and body; but his majesty rode back to Theobald's, went into a warm bed, and did well."†

A.D. 1622-3.—At this time the popular feeling was greatly excited by the misfortunes and sufferings of the king's daughter, which, by a little exaggeration, were heightened into a wonderfully dramatic interest. The young and the brave declared themselves her champions, and troubled James with their enthusiasm. "The Lieutenant of the Middle Temple played a game this Christmas time, whereat his majesty was *highly displeased.* He made choice of some thirty of the civilest and best-fashioned gentlemen of the House to sup with him, and, being at supper, took a cup of wine in one hand, and held his sword drawn in the other, and so began a health to the *distressed Lady Elizabeth;* and, having drunk, kissed his sword, and laying his hand upon it, took an oath to live and die in her service; then delivered the cup and sword to the next, and so the health and ceremony went round."* Every step that the Palatine took was a blunder, and James could do little for him but send more ambassadors. His relation, the king of Denmark, was no longer able or willing to do him service; and the Dutch, who were said to have contributed to all his troubles, by urging him to accept the crown of Bohemia, could not do much by themselves. The Catholics of Antwerp turned all these illustrious parties into ridicule in their public theatres. A courier came puffing on the stage with cries of "News!—great news!" Upon being asked what news? he replied that the Count Palatine was likely to have a formidable army soon, for the King of Denmark was to send him a thousand, the Hollanders ten thousand, and the King of England a hundred thousand. Thousands of what? asked the bystanders? Oh! said the courier, the King of Denmark's are red herrings, the Hollanders' are Dutch cheeses, and the King of England's are ambassadors.† At the same time they pictured King James at one place with a scabbard without a sword; in another with a sword which nobody could pull out of its sheath, though many kept tugging at it. In Brussels they painted him with his pockets turned inside out, and his purse empty; and at Antwerp they drew a large caricature, representing the ex-queen of Bohemia trudging on foot with her child on her back, and her father, King James, carrying her cradle after her: and all these caustic specimens of art had stinging mottos, aimed more particularly at his sacred majesty.

The French, out of their ancient rivalry and jealousy of the House of Austria, and their love of war, would have been disposed to strike a blow for the dispossessed prince; but their young king, like our old king, was ruled by a despicable favourite:‡ their court was occupied by profligate intrigues and selfish factions; and their country was again the scene of a civil and religious war, for the Huguenots about this time rushed or were driven into open hostilities. Instead of being in a condition to lead an army to the Rhine, Louis XIII.

* Rymer.—Rushworth.—Parl. Hist.—Coke.—Carte.

† The Rev. Joseph Meade, or Mede (a great news collector), to Sir Martin Stuteville.—*Sir Henry Ellis, Orig. Letters.*

* Id. Id.—In this same letter Meade tells another story, not less amusing. "The gentlemen of Gray's Inn, to make an end of Christmas on Twelfth Night, in the dead time of the night, shot off all the chambers (small pieces of ordnance) they had borrowed from the Tower, being as many as filled four carts. The king awakened with this noise, started out of his bed, and cried "treason! treason!" The city was in an uproar, and the whole court almost in arms; the Earl of Arundel running to the bed-chamber with his sword drawn, as to rescue the king's person."

† Howell's Letters.

‡ His favourite was one Monsieur de Luynes, who, in his non-age, gained much upon the king by making hawks to fly at all little birds in his gardens, and by making some of those catch butterflies.—*Life of Edward Lord Herbert of Cherbury, written by himself.*

saw himself compelled to lay siege to his own cities in the heart of France. The French Protestants, as usual, applied to England for assistance; but all that James could do for them was to transmit a few diplomatic messages to their young king. The French ministers told him, in return, that before he interfered with their persecutions of Protestants, he would do well to leave off persecuting his own Catholic subjects: and when the ambassador, Lord Herbert of Cherbury, became importunate, hoping that, when they had established peace at home by toleration, they would be the more easily disposed to assist the palatine, the favourite Luynes told him that they would have none of his advice, and that they did not fear his master.* The Catholic priests, or at least such of them as were about the court, urged on the war against those of the religion; and the king's confessor "made a sermon upon the text that we should forgive our enemies; upon which argument, having said many good things, he at last distinguished forgiveness, and said, we were indeed to forgive our enemies, but not the enemies of God, such as were heretics, and particularly those of the religion; and that his majesty, as the most Christian king, ought to extirpate them wheresoever they could be found."† This was atrocious; but at the same time there was scarcely a better spirit on our side the Channel.

The Count Mansfeldt, and Prince Christian of Brunswick, after maintaining a wild sort of war, more on their own account than on that of the ex-King of Bohemia, evacuated the Palatinate, and took service with the Dutch; and James, who found it burdensome to pay the garrison, and who wished to propitiate his Catholic majesty, delivered up Frankendael to the Spaniards, upon their promise of restoring it if a satisfactory peace were not concluded in eighteen months. The emperor had already given the greater part of the Palatine's territories to the Duke of Bavaria, who was formerly invested with the electorate by the diet of Ratisbon. Without kingdom or electorate, without a province, without a house or home of his own, the luckless Palatine, with his wife and family, was left to subsist at the Hague upon a Dutch pension. But the Solomon of his age, his loving father-in-law, who found a gratification in the fulfilment of his prophecy, and who was little touched by his disgrace, saw elevation in this depression—a light in all this darkness. He had done the will of Spain in many things; he was doing it in more, even at the risk of a civil war at home; and he deluded himself with imagining that, with his own consummate skill and coolness, he had at last removed all obstacles to the Spanish match, and that the treaty of marriage would be followed by the entire restitution of the Palatinate to his son-in-law. Philip III. had died in the month of March, 1621, and had been succeeded by his son Philip IV., brother to the intended bride of Prince Charles. The Lord Digby, now Earl of Bristol, and special ambassador to the young sovereign, reported that he was favourable to the match, but that Philip could not marry his sister to a Protestant without a dispensation from the Pope, and a full assurance that she should be left to the enjoyment of her own conscience and her own religion in England. Gondomar, who had returned from London to Madrid, to forward, as he said, the plans and wishes of his royal friend and boon companion, gave equally hopeful assurances. In fact, the King of Spain applied to Rome for a dispensation. James, impatient of delay—and the churchmen of Rome were seldom quick in these matters—dispatched an agent of his own (Mr. George Gage) to the Vatican, while his favourite, Buckingham, employed another. Nay, in his anxiety, James did, what he had done before in Scotland—he wrote himself two letters to the Pope, or rather to two popes, for there was a death and a new election during the negociations.*

It was well for James that the secret correspondence with Rome was not discovered by the Puritans, who, however, were wonderfully disquieted by certain proceedings which arose out of it and James's eagerness to gratify the Pope. If what he did had been his own free and disinterested act, it would have entitled him to high praise. He issued pardons for recusancy to all English Catholics that should apply for them; and he ordered the judges on their circuits to discharge from prison every recusant that could find security for his reappearance. The prisoners thus liberated were counted by thousands. All the zealots took the alarm, and the Lord Bishop, and Lord Keeper Williams, to quiet their fears, represented, by order of the king, that this lenity was only meant to secure better

* Life of Edward Lord Herbert, of Cherbury, written by himself.
† Idem.

* The greatest caution was used in this correspondence. In the first letter, which was addressed to Gregory XV., James merely dwelt upon generalities, and, for what remained further to say, referred his Holiness to the bearer, George Gage, who would deliver unto him more at large. The king did not even mention the marriage, or the toleration which was to accompany it. He only said that he was most anxious to put a stop to the calamities, discords, and bloodsheds which so miserably rent the Christian world; and that he hoped, as Catholics and Protestants agreed to worship the same most blessed Trinity, and to hope for salvation through the same Saviour, that he and his Holiness might agree to act together in putting an end to all these storms and rancours.—*See Cabala.*

James's second letter has not been discovered, but there are some allusions to it in a letter written by the Prince to Buckingham. Charles's letter is a curiosity:—

"His Majesty," says he, to his *dear Steeny*, "likes the last letter better than the first, only it has two faults, where the other has but one. In the first it has only this—that it binds his majesty to a promise, that if any of his majesty's popish subjects offend, he must let the pope know of it before he punish them, which ye may remember upon the inditing of the letter his majesty stuck upon; and the second error in the new letter is, that his majesty wishes the pope to expel the Jesuits by order. Now his majesty leaves the ordinary form of doing it to the pope, by his own ordinary ways, his majesty hath nothing ado to teach him by what order to do it. He has likewise put in the last letter before the subscription, S. V. *devotissimus*, whereas, in his majesty's letter to the former pope there was nothing written but his majesty's name. He likewise, in one place, at least of the second letter, omits to put in *Romanos* after *Catholicos*. Now, ye know my father has ever stood upon it, both by word and writing, that he is as good a Catholic as the pope himself; therefore, since they take to themselves the style of Catholic Roman, let them brook it a God's name, he will not scant them of a syllable of it . . . . As for your letter *to the Cardinal*, he likes very well of it." The rest of the epistle is all about his majesty's amusements and sport. Charles says it will be against his majesty's heart to stay much longer at Theobalds, "where he can have no reception but to doil up and down the park, for there is no kind of field hawking there."—*Hardwicke, State Papers.*

treatment for the Protestants abroad; and that, though the recusants were released from prison, they had still the shackles about their heels, and might be seized again at the shortest notice. But some preachers thundered from their pulpits, and provoked his majesty to issue orders that no preacher, under the degree of bishop or dean, should, in preaching, deviate from the subject of his text; and that no preacher whatsoever should fall into bitter invectives or indecent railings against Papists or Puritans. No doubt James thought to conciliate the latter class, but he was miserably mistaken: the loudest of the preachers of intolerance at this moment were Puritans in disguise: the Puritans, as a body, wished not for a toleration, but for a universal conformity to their particular faith and practice; they were bent on establishing a persecuting church of their own, and scorned to share a minor boon with Papists and idolaters.

By the month of January, 1623, such progress was made in the Spanish match, that James and his son signed articles, promising that the English Catholics should be relieved from all kinds of persecution, and permitted to have their masses and other ceremonies in their own houses; and the Spanish king agreed to give his sister two millions of ducats, and to celebrate the espousals at Madrid (the Prince of Wales being represented by proxy), within forty days after the arrival of the dispensation from Rome. James wished to have the money, which was to be paid by instalments, at closer intervals; Charles wished to shorten the period, which, according to Spanish etiquette, was to elapse between the espousals and the actual marriage; and both appear to have apprehended that the business, which had already been seven years on the carpet, might still be spun out a year or two longer, if left to the management of ministers and diplomatists. It is said that the strange idea of the prince's journey into Spain was first suggested by a few words which dropped from Olivares, the Spanish favourite, who said, or who was reported to have said, to an English envoy, that, if Charles were himself at Madrid, all would go on well. But, if Olivarez really said this, he certainly never expected that the heir apparent of the English crown would undertake such a Quixotic journey. Charles and Buckingham, however, suddenly made up their minds to become travellers. If the precious scheme had not been seconded by the all-prevailing minion, it would assuredly have failed through the opposition of the king. Various motives are assigned for Buckingham's going into it with the eagerness he did: according to some, he already hated the Earl of Bristol, and was jealous of the consideration and the influence over the mind of the Spanish Infanta, which that nobleman would obtain, if he were left to bring the match to completion, and conduct the bride into England; while Clarendon says, not only that he entered into the scheme to gain favour with the prince, but that he originated it, and that it was "the beginning of an entire confidence between them, after a long time of declared jealousy and displeasure on the prince's part, and occasion enough administered on the other." But we can discover nothing of these displeasures and jealousies; there is, on the contrary, every ground for believing that Buckingham and the prince had long lived on the most friendly terms, and the favourite was not likely to forget the advice given to him at the beginning of his career at court by Bacon.* There can be no doubt, however, that the merit of the project rested entirely with the prince and the favourite, who concerted in private how they should prevail over the king. One morning Charles waited upon his father, declaring that he had an earnest desire and suit upon which the happiness of his life depended; but that, as the doing or not doing what he desired depended wholly and entirely upon his majesty's approbation and command, he would not communicate the substance of his suit without his father's promise to decide upon it himself, and not to consult with, or communicate the secret to, any person whatsoever. James gave this promise, and then grew very eager to know what this great secret could be. Then, watching the moods and turns of the king's humour, and seizing their opportunity, Charles fell on his knees, and stated his request, the duke standing by without saying a word. The king talked over the whole matter to the prince with less passion than they expected, and then looked at the favourite, as inclined to hear what he would say. Buckingham spoke nothing to the point, but enlarged upon the infinite obligation his majesty would confer upon the prince by his yielding to the violent passion his highness was transported with; and then, after he had gone on to state that his refusal would make a deep impression upon the spirits and peace of mind of his only son, Charles, seeing that his father was touched, put in his word, and represented that his arrival at Madrid must certainly be presently followed by his marriage, and in a moment determine the restitution of the Palatinate to his brother and sister. "These discourses, urged with all the artifice and address imaginable, so far wrought upon and prevailed with the king, that, with less hesitation than his nature was accustomed to, and much less than was agreeable to his great wisdom, he gave his approbation, and promised that the prince should make the journey he was so much inclined to." But as soon as James was left to his reflections he bitterly repented; and, when his son and favourite next presented themselves, he fell into a great passion with tears, and told them that he was undone, and that it would break his heart if they

* In his celebrated Letter of Advice to George Villiers, when he first became favourite. The very long and elaborate epistle concludes with these words:—

"I have but one thing more to mind you of, which nearly concerns yourself: you serve a great and gracious master, and there is a most hopeful young prince, whom you must not desert; it behoves you to carry yourself wisely and evenly between them both: adore not so the rising son, that you forget the father who raised you to this height, nor be you so obsequious to the father, that you give just cause to the son to suspect that you neglect him: but carry yourself with that judgment, as, if it be possible, you may please and content them both, which, truly, I believe will be no hard matter for you to do; so may you live long beloved of both, which is the hearty prayer of

"Yours, &c." *Cabala.*

persisted; and after exposing to them the uselessness and danger of such a journey, the power it would give the Spaniards, the jealousies and suspicions it would excite among the English, he implored them to release him from his promise, and concluded, as he had begun, with sighs and tears. Neither the prince nor the favourite took any pains to answer the reasons his majesty had insisted on; but Charles put him in mind of the sacredness of his promise, telling him that the breaking of it would make him never think more of marriage; and Buckingham, who, according to the royalist historian, better knew what kind of arguments were of force with him, treated him more rudely, telling him that nobody could believe anything he said, when he retracted so soon the promise he had so solemnly made; and that he plainly perceived it all proceeded from another breach of his word, in communicating with some rascal who had furnished him with those pitiful reasons. His majesty passionately, and with many oaths, denied that he had communicated the matter to any person living; and presently, conquered by the "humble and importunate entreaty" of his son, and "the rougher dialect of his favourite, he withdrew his opposition to the journey; and it was settled that in two days they should take their leave," his highness pretending to hunt at Theobald's, and the duke to take physic at Chelsea. They told the king that, as it was before resolved they should only take two persons with them, they had selected Sir Francis Cottington and Endymion Porter as men grateful to his majesty and well acquainted with Spain. The king approved of their choice, and called for Sir Francis Cottington, who was in waiting. "Cottington will be against the journey," whispered Buckingham to the prince. "No, Sir," said Charles, "he dares not." But the prince was somewhat mistaken; for, when the king told Cottington that Baby Charles and Steeny had a mind to go by post into Spain, to fetch home the Infanta, and commanded him to tell him, as an honest man, what he thought about it, Cottington, after such a trembling that he could hardly speak, told the king that the expedition was unwise and unsafe; and then the king threw himself upon his bed, crying, "I told you so, I told you so before; I shall be undone, and lose Baby Charles." The prince and Buckingham were furious, and the latter fell upon poor Cottington as if he had been a courier or post-boy, telling him that he should repent his presumption as long as he lived. This put the king into a new agony. "Nay, by God, Steeny," said he, "you are very much to blame to use him so: he answered me directly to the question I asked him, and very honestly and wisely." After all this passion on both sides, James again yielded, plainly perceiving, it is said, that the whole intrigue had been originally contrived by Buckingham, whom he durst not oppose, and whom Clarendon says he was never well pleased with afterwards. On the 17th of February, 1623, the two knights-errant took their leave of the king, and on the following day they began their journey from New Hall, in Essex, a seat which Buckingham had recently purchased, setting out with disguised beards and borrowed names. The prince was John Smith—the noble marquis, Thomas Smith. They were attended only by Sir Richard Graham, master of the horse to the marquis, and "of inward trust about him." On crossing the river to Gravesend they excited suspicion, by giving a piece of gold to the ferry-man, and were near being stopped at Rochester. On ascending the hill beyond that city they were perplexed at seeing the French ambassador in the king's coach, "which made them baulk the road, and teach post-hackneys to leap hedges." At Canterbury an officious mayor would have arrested them, but Buckingham took off his beard, and told him who he was. Then, on the road, the baggage post-boy, who had been at court, got a glimmering who they were, but his mouth was easily shut—at least so they thought. At Dover they found Sir Francis Cottington and Master Endymion Porter, who had been sent before to provide a vessel; and on the following morning they hoisted their adventurous sails for the French coast.* Even as a masquerade the performance did them little credit, for they were discovered nearly everywhere they went; and as for their secret being kept at court, it was blown abroad through town and country almost as soon as they put on their false beards. For a day or two, however, it was not known whither they had directed their steps. When it was discovered that the prince was going to Spain, to throw himself among priests and monks, familiars and inquisitors, there was a dreadful consternation among the people, who declared at once that he would never come back alive, or, if he did, he would come a Papist. James commanded his clergy "neither in their sermons nor prayers to prejudicate his journey, but yet to pray to God to preserve him in his journey, and grant him a safe return unto us, yet not in more nor in any other words."† James heard not the alarming talk of the people; and a week or two after the prince's departure he let loose at once all the Jesuits and seminary priests that were in prison in London. He, however, thought fit to send two Protestant chaplains after Baby Charles, "together with all stuff and ornaments fit for the service of God." "I have fully instructed them" (the chaplains), says his majesty, in announcing their departure, "so as all their behaviour and service shall, I hope, prove decent and agreeable to the purity of the primitive church, and yet so near the Roman form as can lawfully be done; *for it hath ever*

* Reliq. Wotton.

† Meade's Letter to Sir M. Stuteville.—This amusing newsmonger in another letter gives a pleasant jest. "The Bishop of London, you know, gave order, from his majesty, to the clergy, not to prejudicate the prince's journey in their prayers, but only to pray God to return him home in safety again unto us, and *no more*. An honest plain preacher, being loth to transgress the order given, desired, in his prayer, 'That God would return our noble prince home in safety again to us, *and no more*:' supposing the words *no more* to be a piece of the prayer enjoined, whereas the bishop's meaning was they should use no more words, but that form only."—*Sir H. Ellis*

been my way to go with the Church of Rome usque ad aras."*

At the same time James sent an ambassador from the king of Spain, and a Flemish ambassador, to visit the universities, which two learned bodies had made themselves very conspicuous by their servility and fulsome adulation, and their prompt falling in with the whims of the court. On this occasion the men of Cambridge seem to have surpassed themselves; vice-chancellor, doctors, regents, non-regents, all met the ambassadors at Trinity College gate; they gave up the greater part of the college for their use; they addressed them with a speech in every college they went to see; and their orators fathered the foundation of the university upon the Spaniards, out of an old legend about Cantaber, and told the ambassadors how happy they should be to have the Spanish blood come hither. When their excellencies walked privately into King's College Chapel in the middle of prayer-time, they broke off their prayers in the middle to salute and entertain them. The doctors pledged healths fathoms deep to the infanta, the promised bride; and, if any of them left heel-taps in their glasses, the Spanish ambassador, who was a jovial person, or who had caught the genius of the place (like Gondomar at court), would cry "*Super naculum! super naculum!*"† The two ambassadors, two gentlemen of their retinue, and Sir Lewis Lewknor, the master of the ceremonies, were all made masters of arts. The ambassadors requested the same honour for one Ogden, a catholic priest, a native of Cambridge, and once belonging to St. John's College; but this was denied them as a thing not in the power of the university unless he would take the oaths. "Upon this," adds the Cantab, "the said Ogden out-faced us all on our own dung-hill, and threatened us all openly that the king should know of it, and such like."‡

Meanwhile, the prince and Buckingham, or, as the king addressed them, the "sweet boys and dear venturous knights, worthy to be put in a new romanso," continued their journey in disguise. Late one night the English ambassador at Paris, Mr. Edward Herbert, afterwards Lord Herbert of Cherbury, was waited upon by one Andrews, a Scotchman, who asked him whether he had seen the prince. The ambassador asked what prince? "He told me," says Herbert, "the Prince of Wales, which yet I could not believe easily, until, with many oaths, he affirmed the prince was in France, and that he had charge to follow his highness, desiring me, in the mean while, on the part of the king, my master, to serve his passage the best I could."* Though nettled that the prince should have passed without visiting him and letting him into the secret, Herbert, full of anxiety for his safety, went, very early the next morning, to Monsieur Puisieux, principal secretary of state, whom, in his urgency, he dragged out of bed, telling him he had important business to dispatch. The French secretary's first words were, "I know your business as well as you. Your prince is departed this morning post to Spain!"† And then he added that he would suffer him quietly to hold his way without interrupting him. The French ministry certainly did not regard the matrimonial alliance between England and Spain with pleasant feelings; but what they more immediately apprehended was that Charles, who was stealing secretly through their kingdom, might have dangerous communications with the disaffected or revolting Huguenots; and, when Herbert requested that no one might be sent after him, the secretary replied, politely and adroitly, that he could do no less than send some one to know how the prince fared on his journey. The hint was enough: Herbert hurried home and dispatched a courier after Charles, warning him to make all the haste he could out of France, and not to treat with any of the religion on the way, since his being in Paris was publicly known, and, though the French secretary of state had promised that he should not be interrupted, yet they were sending after him, and might, if he gave an occasion of suspicion, perchance detain him. The ambassador afterwards learned that Charles had spent the whole of the preceding day in "seeing the French court and city of Paris, without that anybody did know his person, but a maid that had sold linen heretofore in London, who, seeing him pass by, said, certainly this is the Prince of Wales, but withal suffered him to hold his way, and presumed not to follow him."‡ On that same night the prince had written to tell his father how he and Buckingham had been at court, without being known by any one, where he saw the young queen, and little Monsieur, and nineteen "fair dancing ladies" practising a masque, and the queen

* The two chaplains selected were Dr. Mawe, Master of Trin. Col. Cambridge, afterwards Bishop of Bath and Wells, and Dr. Wren, afterwards Bishop of Norwich, and then of Ely. They had some scruples and misgivings as to how they should behave; and on taking their leave of the king, who was hunting at Newmarket, they asked his advice what they should do, if they chanced to meet the host carried in the streets, as the manner is. The king told them that they should avoid meeting it if they could; if not, they must do as people did there. Meade, who tells the story, says this was a very hard case. The Puritans, if they knew it, must have set it down as something worse. The "stuff and ornaments" were never used at Madrid. Howell, writing on the spot, says, "The prince hath no public exercise of devotion, but only bed-chamber prayers; and some think that his lodging in the king's house is like to prove a disadvantage to the main business: for, whereas most sorts of people here hardly hold us to be Christians, if the prince had a palace of his own, and been permitted to have used a room for an open chapel, to exercise the Liturgy of the Church of England, it would have brought them to have a better opinion of us; and to this end there were some of our best church plate and vestments brought hither, but never used."—*Letters.*

† Lit. Killy, upon the nail—upon the nail. It is still a custom with the Germans and other scholastic topers, in drinking healths, to strike the rim of the glass upon the thumb-nail, to show that it has been fairly emptied to the toast. The custom is a very old one.

‡ Meade.

* Life of Lord Herbert of Cherbury.

† The two travellers, it appears, were recognised even before they finished their journey from Boulogne to Paris.—"Some three posts before, they had met with two German gentlemen that came newly from England, where they had seen at Newmarket the prince and the marquis taking coach together with the king, and retained such a strong impression of them both that they now betrayed some knowledge of their persons; but were out-faced by Sir Richard Graham, who would needs persuade them they were mistaken."—Reliquiæ Wottonianæ.

‡ Id. It should appear that Charles and Buckingham were two days in Paris. According to Lord Herbert, "The Duke of Savoy said that the prince's journey was *un tiro di quelli cavalliери antichi che andavano così per il mondo a diffare li incanti*; that it was a trick of those ancient knights-errant, who went up and down the world after that manner to undo enchantments."

was the handsomest of them all, which had wrought in him the greater desire to see her sister.* Among these fair dancing ladies was one really destined to become his wife, and it has been suspected that the dark eyes of Henrietta Maria now fascinated Charles, and that he went to pay his court to the infanta with his mind pre-occupied by another. At Bayonne the venturous knights were detained and examined, and, for a moment, fancied they would not be allowed to proceed across the Pyrenees; but their fears proved to be unfounded, and they presently crossed the Spanish frontier. At the close of an evening towards the end of March two mules stopped at the house of my Lord of Bristol in Madrid. The riders alighted. Mr. Thomas Smith went in first with a portmanteau under his arm; and then Mr. John Smith, who staid awhile on the other side of the street in the dark, was sent for. When the diplomatist recognised in this John Smith the heir to the English crown, and in Thomas the Marquis of Buckingham, he stared as if he had seen two ghosts; but presently he took the prince up to his bed-chamber, wrote a letter, and dispatched a courier that night to acquaint the King of England how his son, in less than sixteen days, had arrived safely at the capital of Spain. The next day Sir Francis Cottington and Mr. Porter rode into Madrid, the prince and Buckingham having out-ridden them, and dark rumours ran in every corner how some great man was come from England; "and some would not stick to say, among the vulgar, it was the king."† Knowing that their arrival must be discovered, and, not wishing the discovery to be made by a postilion, the prince and the favourite lost no time in sending for Count Gondomar, the man who had sent Raleigh to the block, and who was now in very high favour at court.‡ Gondomar hastened to Lord Bristol's and then back to the palace (we must use the words of Charles, in the joint letter he and Buckingham wrote to Solomon), and presently went to the Condé of Olivares, and as speedily got me your dog Steenie a private audience of the king; and, when I was to return back to my lodging, the Condé of Olivares himself alone would accompany me back again to salute the prince in his king's name." "The next day" (we continue the story in the appropriate language of the other chief performer in it) "we had a private visit of the king, the queen, the infanta, Don Carlos, and the cardinal, in the sight of all the world, and I may call it a private obligation hidden from nobody; for there was the pope's nuncio, the emperor's ambassador, the French, and all the streets filled with guards and other people; before the king's coach went the best of the nobility, after followed all the ladies of the court; we sat in an invisible coach, because nobody was suffered to take notice of it, though seen by all the world; in this form they passed three times by us, but, before we could get away, the Condé of Olivares came into our coach and conveyed us home, where he told us the king longed and died for want of a nearer sight of our wooer. First, he took me in his coach to go to the king; we found him walking in the streets, with his cloak thrown over his face, and a sword and buckler by his side; he leaped into the coach, and away he came to find the wooer in another place appointed, where there passed much kindness and compliment one to another." Steenie goes on to tell his master that Philip is in raptures with the journey and with the prince; that Olivares, the potent favourite, had told him, that very morning, that, if the pope would not give a dispensation for a wife, they would give the infanta to his son Baby "as his wench;" and that he had just written to the pope's nephew, entreating him to hasten the dispensation. He then mentions that the pope's nuncio, at Madrid, was working maliciously against the match, and concludes with these ominous words: "We make this collection, that the Pope will be very loth to grant a dispensation, which, if he will not do, *then we would gladly have your directions how far we may engage you in the acknowledgment of the pope's special power, for we almost find, if you will be contented to acknowledge the pope chief head under Christ, that the match will be made without him.*"* Meanwhile all honour was paid by the Spanish court to the Prince of Wales; grandees were appointed to attend him, and various diversions were proposed to amuse him till the time of his solemn entrance and public reception, when the king was to charge himself with his entertainment, and keep him company. On the Sunday afternoon, Charles having signified his desire to see his bride again, the king went abroad to take the air with the queen, his two brothers, and the infanta, who were all in one coach; but the infanta sat in the boot with a blue ribbon about her arm, on purpose that the prince might distinguish her. The royal carriage was followed by twenty coaches, full of grandees and ladies. Then his highness of Wales, with the Earl of Bristol and Gondomar, took coach and drove to the Prado, where he met and passed the king's carriage three several times. As there had been no public presentation, etiquette did not allow his majesty to notice the prince or stop his coach; but as soon as the infanta saw the prince, her colour rose.† The infanta, Donna Maria, who was then in the bloom of youth, is

Charles's letter to the king, dated Paris, the 22d of February, 1623, in Sir Henry Ellis. Anne of Austria, the young French queen, was elder sister to the Infanta Donna Maria.

† Howell.

‡ Gondomar had lost none of his wit and genius in compliment-making. "I have forgot to tell you," says Howell, "that Count Gondomar being sworn councillor of state that morning, having been before but one of the council of war, he came in great haste to visit the prince, saying he had strange news to tell him, which was, that an Englishman was sworn privy councillor of Spain, meaning himself, who, he said, was an Englishman in his heart."

* Hardwicke State Papers. This letter, like the many other joint letters, is signed, "Your majesty's humble and obedient son and servant, Charles—Your humble slave and dog, Steenie."—This name, the Scotch for Stephen, is said to have been bestowed by James upon his minion in allusion to St. Stephen, who is always painted as a good-looking saint.

† Howell's Letters.

thus described by the lively and attentive observer of these doings:—"She is a very comely lady, rather of a Flemish complexion than Spanish, fair-haired, and carrying a most pure mixture of red and white in her face. She is full and big-lipped, which is held a beauty rather than a blemish."* According to this portrait, the fair Spaniard must have been less striking than the lively, black-eyed Frenchwoman. In the following week Charles was amused with hunting and hawking, and parties of pleasure to the Casa de Campo; but on Sunday he was conducted to the royal monastery of St. Jerome, whence the kings of Spain were wont to proceed on the day of their coronation. As soon as he was there, Philip, attended by his two brothers, his eight ministers of state, and the flower of the Spanish nobility, went to bring him back in triumph to Madrid. Charles rode at the king's right hand, through the heart of the town, under a great canopy, and was brought so into his lodgings in the king's palace, and the king himself accompanied him to his very bedchamber. "It was a very glorious sight to behold," says our reporter, who adds, that the common people were enthusiastic in their applause, and did mightily magnify the gallantry of the prince's journey. From his apartment (it was the most magnificent in the palace) Charles proceeded to visit the royal family. Four chairs of precisely equal size (an important matter) were placed under a canopy of state; one for the king, one for the queen, one for the infanta, and one for his highness of Wales. The Earl of Bristol attended as usual as interpreter, for Charles knew no Spanish, and the royal personages possessed no one language in common. It is said that the queen spoke first, and that the conversation was carried on for half an hour in a most spirited and agreeable manner.† When Charles went back to his chamber, he found many costly presents which the queen had sent him.‡ Though he had arrived so poorly attended, the Prince of Wales had by this time a pretty numerous retinue, which kept increasing with fresh arrivals from England. James made haste to send the Earl of Carlisle to the French court to excuse his son's incognito. Carlisle was accompanied by Lord Mountjoy; and when they had given their explanations at Paris, these two lords rode on towards Madrid. A few days after this James hurried off in the same track Master Kirk and Master Gabriel to carry Georges and Garters with all speed, and the Lords Holland, Rochfort, Denbigh, Andover, Vaughan, and Kensington, and a whole troop of courtiers, to keep "the sweet boys" company. Others followed from time to time, some going by land and some by sea—some receiving money from the king, and some defraying their own expenses. Archibald Armstrong, the famous court fool, was among these travellers to Madrid, so that, by the time they all arrived, his royal highness must have had a tolerably complete court. This said Archy, notwithstanding his profession, and the cap and bells, was a stout presbyterian or puritan, and, as such, very much averse to the Catholic match. "Our cousin Archy," says the attentive observer of this court comedy, "hath more privilege than any; for he often goes with his fool's coat where the Infanta is with her Meninas and ladies of honour, and keeps a blowing and blustering among them, and blurts out what he list."* They were altogether an ill-bred, disorderly crew, and the wonder is, that with such conflicting prejudices, and such fiery tempers as those of the Spaniards, they did not get knocked on the head. Before quarrelling about religion, they quarrelled about cookery—a point on which nationality is extremely susceptible, every people considering their own kitchen, like their own religion, not merely the best, but the only good one in the world. The King of Spain "used all industry to give contentment" to this rabble rout, and appointed his own servants to wait upon them at table in the palace; "where," adds Howell, "I am sorry to hear some of them jeer at the Spanish fare, and use other slighting speeches and demeanour." King Philip, a weak youth of nineteen, but accomplished, cheerful, and good-natured, associated familiarly with Charles, who was four years his senior; but not only the rigid etiquette of that court, but also the universal custom of the country, were opposed to any *tête-à-tête*, or private meetings, between the English prince and his bride. He was, however, allowed plenty of opportunities of seeing her in company. "There are comedians," says Howell, "once a-week come to the palace, where, under a great canopy, the Queen and the Infanta sit in the middle, our prince and Don Carlos on the queen's right hand, the king and the little cardinal on the Infanta's left hand. I have seen the prince have his eyes immoveably fixed upon the Infanta half an hour together, in a thoughtful, speculative posture, which sure would needs be tedious, unless affection did sweeten it: it was no handsome comparison of Olivares that he watched her as a cat doth a mouse." But though the prince was thus demure in public, he ventured upon a freak of a very strange and indecorous kind. "Understanding," says Howell, in a letter to Captain Thomas Porter, "that the Infanta was used to go some mornings to the Casa de Campo, a summer-house the king hath on the other side the river, to gather *May-dew*, he rose betimes, and

* Id. In the following short epistle to the king will be found Buckingham's description of the infanta:—

"Dear Dad and Gossip—The chiefest advertisement of all we omitted in our other letter, which was to let you know how we like your daughter, his wife, and my lady mistress: without flattery, I think there is not a sweeter creature in the world. Baby Charles himself is so touched at the heart, that he confesses all he ever yet saw is nothing to her, and swears that, if he want her, there shall be blows. I shall lose no time in hastening their conjunction, in which I shall please him, her, you, and myself most of all, in thereby getting liberty to make the speedier haste to lay myself at your feet; for never none longed more to be in the arms of his mistress. So, craving you blessing, I end, "Your humble slave and dog,

— *Hardwicke State Papers.* "STEENIE."

† Flores, Reynasd' España, as quoted by Mr. Dunlop, Memoirs of Spain during the reigns of Philip IV. and Charles II., from 1621 to 1700.

‡ The assortment was rather curious; a ewer of massive gold; a night-gown curiously embroidered; a desk, of which each drawer contained the most precious rarities; and two large chests, secured by bands and nails of gold, and filled with fine linen and rich perfumes.

*Howell.

went thither, taking your brother (Endymion Porter) with him; they were let into the house, and into the garden, but the Infanta was in the orchard. And there being a high partition wall between, and the door doubly bolted, the prince got on the top of the wall, and sprung down a great height, and so made towards her; but she, spying him first of all the rest, gave a shriek, and ran back: the old marquis that was then her guardian came towards the prince, and fell on his knees conjuring his highness to retire, in regard he hazarded his head if he admitted any to her company; so the door was opened, and he came out under that wall over which he had got in."

One of the graces conferred on Charles was the release of all the prisoners in Madrid, and the royal promise that for a whole month, any petition presented through him should be granted; but he showed himself wonderfully sparing in receiving any such petitions, especially from any Englishman, Irishman, or Scot.* Bull-fights,† feasts, fencing-matches, religious processions, tournaments, hunts, and feasts, were exhibited in rapid succession, to while away the time. Charles began to study Spanish—the Infanta English. King James in one of his paternal letters, besought Baby Charles and Steenie not to forget their dancing, though they should whistle and sing the one to the other, like Jack and Tom, for fault of better music. "But," he adds in the same letter, "you must be as sparing as you can in your spending, for your officers are already put to the height of their speed to provide the five thousand pounds by exchange, and now your tilting stuff, which they know not how to provide, will come to three more; and God knows how my coffers are already drained. I know no remedy, except you procure the speedy payment of that hundred and fifty thousand pounds which was once promised to be advanced.....I pray you, my baby, take heed of being hurt if you run at tilt."‡ But James was not blind to the peril of acting upon Charles and Buckingham's suggestions of acknowledging the pope; and in reply to that particular part of their letter, he told them that he knew not what was meant by his acknowledging the pope's spiritual supremacy; that he was sure they would not have him renounce his religion for all the world; that all he could guess at their meaning was, that it might be an allusion to a passage in his book against Cardinal Bellarmin, where he offered, if the pope would quit his godhead and usurping over kings, to acknowledge him for the chief bishop, to whom all appeal to churchmen ought to lie, *en dernier ressort*. "And this," continued his majesty, "is the farthest that my conscience will permit me to go upon this point; for I am not a monsieur, who can shift his religion as easily as he can shift his shirt when he cometh from tennis."* Buckingham, whose mother was an avowed papist—and in all things this woman had the greatest influence over her son—would, in all probability, have voted readily for a change in religion; but the decided feelings of some of the English people about him, and his own reflections, shallow as they were, must have dispelled any such notion. That the Spanish court flattered itself with the hope of reclaiming Prince Charles, and, by his means, reconciling the English nation to the church of Rome—nay, that efforts were made to bring about this great end—is undeniable; and if Charles was, as that not very religious courtier, the Earl of Carlisle expressed it, well grounded "in piety and knowledge of the religion wherein he was bred," and if he escaped the dogmas of papal supremacy, purgatory, and transubstantiation, he certainly contracted a fondness—a passion—which afterwards proved fatal to him, for a gorgeous hierarchy and a splendid ceremonial in the Anglican church. Nor did he ever frankly close the door to the Spaniard's hope, or honestly declare, that neither his conviction nor his interest would permit him to recant. Every part of this story is interesting and important, as tending to throw light on the character of Charles. If properly attended to, the reader will understand how the English people were ever after doubtful of his word and promise. He entreated his father to advise as little with his council as was possible, but to trust to the discretion of himself and Buckingham; and he asked and obtained from the weakness of James a pledge of full power, conceived in the following words, which he and Buckingham had remitted as a copy: "We do hereby promise, by the word of a king, that whatsoever you our son shall promise in our name, we shall punctually perform."† The Catholic refugees from England gathered round the prince and Buckingham, and were for some time cheered with the prospect of a most ample toleration in their native land, if not of the re-establishment of their religion to the exclusion of all other faiths. The priests tampered with Charles's attendants and servants, a kind of proceeding which greatly irritated the sturdier protestants. One day Sir Edmund Varney found a learned priest, a doctor of the Sorbonne, by the bedside of one of the prince's pages, who was sick of a deadly fever, and he put a stop to his labours of conversion by doubling his fists instead of arguments, and hitting the priest under the ear ‡

At the same time the Spanish court represented

* Howell. Gondomar, of his own accord, helped to free some English that were in the Inquisition at Toledo and Seville

† Some of these bull-fights were very splendid, with loss of life to men and horses. "The pope," saith the facetious Howell, "hath sent divers bulls against this sport of bulling, yet it will not be left, the nation hath taken such an habitual delight in it."

‡ Sir H. Ellis.

* Hardwicke State Papers. † Ibid.

‡ Rushworth. Howell tells the same story, a day or two after it happened, thus—"Mr Washington, the prince's page, is lately dead of a calenture, and I was at his burial under a fig tree behind my Lord of Bristol's house A little before his death one Ballard, an English priest, went to tamper with him; and Sir Edmund Varney meeting him coming down the stairs out of Washington's chamber, they fell from words to blows, but they were parted. The business was like to gather very ill blood, and to come to a great height, had not Count Gondomar quashed it, which I believe he could not have done unless the times had been favourable; for such is the reverence they bear to the church here, and so holy a conceit they have of all ecclesiastics, that the greatest Don in Spain will tremble to offer the meanest of them any outrage or affront."

to the pope that Prince Charles would become a good Catholic, or, if he did not, would secure every advantage to the professors of that religion in England, Scotland, and Ireland. Gregory XV. had already written to the inquisitor-general of Spain, expressing his desire that the most should be made of the opportunity offered by Heaven itself. "We understand," says the pope, "that the Prince of Wales, the King of Great Britain's son, is lately arrived there, carried with a hope of Catholic marriage. Our desire is that he should not stay in vain in the courts of those kings to whom the defence of the pope's authority, and care of advancing religion, hath procured the renowned name of Catholic. Wherefore, by apostolic letters, we exhort his Catholic Majesty that he would gently endeavour sweetly to reduce that prince to the obedience of the Roman church, to which the ancient kings of Great Britain have (with Heaven's approbation) submitted their crowns and sceptres. Now, to the attaining of this victory, which to the conquered promiseth triumphs and principalities of heavenly felicity, we need not exhaust the king's treasure, nor levy armies of furious soldiers; but we must fetch from heaven the armour of light, whose divine splendour may allure that prince's eye, and gently expel all errors from his mind. Now, in the managing of these businesses, what power and art you have, we have well known long ago: wherefore we wish you to go like a religious counsellor to the Catholic king, and to try all ways which, by this present occasion, may benefit the kingdoms of Britain and the church of Rome. The matter is of great weight and moment, and therefore not to be amplified with words. Whosoever shall inflame the mind of this royal youth with the love of the Catholic religion, and breed a hate in him of heretical impiety, shall begin to open the kingdom of heaven to the prince of Britain, and to gain the kingdoms of Britain to the apostolic see."* Soon after Gregory addressed a gentle letter to Prince Charles himself, exhorting him to embrace the religion of his ancestors, and expressing his hope that, as he intended to match with a Catholic damsel, he would give new life to that piety for which the kings of England had been so celebrated.† (The Catholics, who generally believed—as indeed they still believe—that the religion of England had been changed wholly and solely on account of Henry VIII.'s irregular marriage with Anne Boleyn, thought it perfectly natural that it should be re-changed by another royal marriage.) The proofs on record are too numerous and glaring to permit us to challenge the position that Charles was an early proficient in hypocrisy. He wrote a letter to the pope, in reverential terms, calling him Most Holy Father, telling him how much he deplored the divisions in the Christian church, and how anxious he was to restore union.‡

* Scrin. Sacra. † Rushworth.

‡ Charles's letter, in Latin, is given in the Hardwicke State Papers, from the original draught. Clarendon said of it—and he might have said something more—"This letter to the pope is more than compliment; and may be a warning that nothing is to be done or said in that nice argument but what will bear the light."—*Clarendon State Papers.*

Gregory XV. died before this epistle reached Rome but his successor, Urban VIII., considered it as equivalent to a recantation, and, in answering it, the new pontiff said, "We lifted up our hands to heaven, and gave thanks to the Father of mercies, when, in the very entry of our reign, a British prince began to perform this kind of obeisance to the Pope of Rome."* The events at the Vatican occasioned delay. Gregory had dispatched a dispensation, which was in the hands of the legate at Madrid, who, however, had orders not to deliver it until he had made a surer bargain with the English court as to a full toleration, *at least*, of the Catholic religion; and now the Spanish court declared that it was essential to obtain a confirmation of the bull from the new pope. Olivares, moreover, remodelled the matrimonial treaty, inserting several new clauses.† It was provided that the Infanta should have an open oratory, or chapel, in the palace, that she should choose the nurses and governesses of her children, and that her children should be brought up by her till they were at least ten years of age; that her children's proving Catholics should not exclude them from the succession; and, finally, that the King of England should give security for the fulfilment of these stipulations. James ratified all these clauses, but as for security, he could give none beyond his word, and that was not very highly valued. His majesty, however, did not sign without hesitation and fear: he felt that to obtain the sanction of his parliament would be impossible; but that which "pinched and perplexed him most," was, that he had given his power to Prince Charles, according to which power his royal highness had already concluded all these articles, and promised the required security: so that now "it went upon the honour of his majesty and the prince, and perhaps upon the liberty of his highness, his power to return home, and the safety of his person." Between tender considerations of honour, security of his estate, fatherly love, and conscience, "his majesty debated some days with as much wisdom, natural affection, courage, and piety, as became a great, wise, religious king, and tender loving father"‡—at least so saith his secretary. In the end, his majesty, in his great perplexity, resolved to call some of the most eminent of his council (he had hitherto kept them in the dark as much as he could, at the earnest prayer of his son), that he might open himself to them, and receive their advice. These chosen counsellors met the king at Wanstead. "His majesty," continues Secretary Conway, "made the most serious, the most sad, fatherly, kind, kingly, wise, pious, manly, stout, speech that ever I heard, which no

* Rushworth.

† By this time Buckingham had quarrelled with the Spanish favourite. "There is some distaste," writes Howell, "taken at the Duke of Buckingham here, and I heard this king should say he would treat no more with him, but with the ambassadors, who, he saith, have a more plenary commission, and understand the business better. As there is also some darkness happened betwixt the two favourites, so matters stand not right betwixt the duke and the Earl of Bristol."—*Letters.* Howell saw at this moment that these bickerings might "*reverse* this business of so high a consequence."

‡ Letter from Secretary Conway to the Duke of Buckingham, in Ellis.

man can repeat or relate (without blemishing) but himself. But this effect it wrought—all the lords were of opinion that his highness's words and articles must be made good; that the oath by the council must be taken; and with one voice gave council (as without which nothing could be well) that the prince must marry and bring his lady away with him this year—this old year; or else, the prince presently to return without marriage or contract; leaving both those to be accomplished by the usual forms." A day or two after this meeting at Wanstead, both the king and the lords of the council swore to observe the treaty in the Chapel Royal at Westminster. Several of the lords who took this oath, which was valueless and strictly illegal without consent of parliament, did it unwillingly through fear or interest. Among them was Abbot, the half Puritan primate, who had been in great trouble and humiliation on account of an unhappy accident.* James afterwards privately swore to observe certain secret articles in the treaty. The Spanish ambassadors then desired that he would make a beginning, and publish a proclamation forbidding all persecution of Catholics; but James, fearful of so public a measure, told them that a proclamation was but a suspension of the law, which might be made void by another proclamation, and which did not bind a successor. Still, however, the two Spanish diplomatists fought hard for the proclamation. James offered in lieu to give an indemnity to the Catholics for the time to come, to give order for a pardon for all things past that stood to the advantage of the king and in his power to release; and for the time to come, to give likewise under his majesty's seal a dispensation from all penal laws, statutes, or ordinances whatsoever the Catholics were subject to for their consciences. And the ambassadors were told of the inviolable dignity of the great seal, of the roundness and integrity of his majesty's intentions, and of the impropriety of a proclamation in a constitutional point of view. But when the proposed immunity, with a prohibition to bishops, judges, and magistrates, was submitted to the Lord Keeper Williams, he refused to issue it as being a dangerous thing without a precedent. The ambassadors, who must have learned and seen that James and his son contracted for far more than they could perform, intimated to their court that a full toleration of the Catholics in England was all but hopeless. At the same time, with the usual sincerity of diplomatists, they told the King of England that his majesty had fulfilled every jot of that he was bound to, and more;† and James prepared presents and jewels—Buckingham and his son had almost emptied his purse and his diamond cases before this*—to be laid at the foot of the Infanta, and a small fleet of ships to carry her to England with her sweet husband. At London it was generally believed that this long treaty was settled at last, and even at Madrid grand festivals were given as if in honour of the approaching union. But Olivares, the pope's nuncio, and a junta of Spanish priests, to whom the business was referred, found many reasons for avoiding a final settlement; and still the new pope delayed sending a new dispensation. When it was perceived that Charles, and, still more, the double favourite Buckingham, were eager to return home, it was proposed that the marriage, when the pope was willing, should be solemnised in Spain, and that the princess and her dower should not be sent to England till the spring of the following year, by which time his English majesty would be able to carry into effect his good intentions towards his Catholic subjects. But this proposal was odious to James, who had set his heart upon having a large instalment immediately; and he again urged his son and Buckingham to return home, with the Infanta, and some money if possible,—if not, without them. It is probable, however, that the poor king might long have urged their return in vain, if it had not been for the quarrels and disgust which Buckingham had excited at Madrid, and for certain fears and jealousies he entertained of what was passing in London. Since his departure, that he might be more on a level with the grandees, James had made him a duke; but no move in the soiled and disgraced peerage-book could elevate this man's mind or improve his manners. His levity, choleric disposition, and low profligacy, disgusted the

Abbot, while hunting with the Lord Zouch, shot a gamekeeper instead of a fat buck, at which he had taken aim. In consequence of this unintentional homicide, the archbishop, according to canon law, had become incapacitated for exercising his functions. After suffering much anxiety, he was absolved by James, who claimed the same kind of power which the Catholics acknowledged in the pope. This obligation, however, did not always bind the primate to the king's will; he repeatedly resisted that will: and if his motives are not altogether above suspicion, it will be difficult to deny to Abbot the credit of more courage than can be allowed to the rest of the bishops.

† Hardwicke State Papers.

* For some time after their arrival in Spain every letter from Buckingham and the prince contained a demand for jewels,—jewels,—more jewels! The following are amusing specimens taken from different joint epistles:—

"I confess that you have sent more jewels than (at my departure) I thought to have use of; but, since my coming, seeing many jewels worn here, and that my bravery can consist of nothing else; besides that, some of them which you have appointed me to give to the Infanta, in Steenie's opinion and mine, are not fit to be given to her; therefore I have taken this boldness to entreat your majesty to send more for my own wearing, and for giving to my mistress: in which I think your majesty shall not do amiss to take Carlisle's advice."

"Though your baby himself hath sent word what need he hath of more jewels, yet will I by this bearer, who can make more speed than Carlisle, again acquaint your majesty therewith, and give my poor and saucy opinion that will be fittest more to send. Hitherto you have been so sparing, that whereas you thought to have sent him sufficiently for his own wearing, to present his mistress, who I am sure shall shortly now lose that title, and to lend me, that I, to the contrary, have been forced to lend him. You need not ask who made me able to do it. Sir, he hath neither cham or hatband; and I beseech you consider, first, how rich they are in jewels here, then in what a poor equipage he came in, how he hath no other means to appear like a king's son, how they are usefullest at such a time as this when they may do yourself, your son, and the nation honour, and lastly how it will neither cost nor hazard you anything. These reasons, I hope, since you have ventured already your chiefest jewel—your son, will serve to persuade you to let loose these more after him. first, your best hatband; the Portugal diamond; the rest of the pendant diamonds, to make up a necklace to give his mistress; and the best rope of pearl; with a rich cham or two for himself to wear, or else your dog must want a collar; which is the ready way to put him into it. There are many other jewels which are of so mean quality as deserve not that name, but will save much in your purse, and serve very well for presents. They had never so good and great an occasion to take the air out of their boxes as at this time. God knows when they shall have such another: and they had need sometimes to get nearer the sun (son) to continue them in their perfection."—*Sir H. Ellis.*

whole court; and the freedoms he took with the Prince of Wales excited the greatest astonishment, and lowered Charles, who permitted them. He called his royal highness by all kinds of ridiculous nicknames, lolled about his room with clothes half on, and kept his hat on his head while the prince was uncovered. He introduced loose and improper company into the very palace. It had been predicted to James that the two great favourites of two mighty kings would never agree; and the prediction was more than verified. It should be stated, however, in fairness, that, bad as he was, Olivares was a gentleman, and that he invariably acted with a decency and dignity of which the English upstart was altogether incapable. More than half of the grossness and insolence of Buckingham escaped him, for, when ruffled, the duke was wont to swear in his vernacular, and Olivares was unacquainted with the English language. He could see, however, that Buckingham presumed to take the greatest liberties with his prince, and with everybody else, even in the presence of the King of Spain. "All this administered wonderful occasion of discourse in the court and country, there never having been such a comet seen in that hemisphere, their submissive reverence to their princes being a vital part of their religion.* Philip himself was greatly disgusted, and said that his sister must be wretched if so violent and unprincipled a man was to enjoy the confidence and friendship of her husband. Buckingham, fool as he was, saw clearly that he was hated by the whole Spanish court, and that, if Charles married the Infanta, he would always have an enemy at the English court, —that if she acquired the natural influence of a wife over the prince, she might break the string with which he had hitherto led both son and father. And at the same time Buckingham was warned by Bishop Laud, and other friends or creatures of his faction, that the party of Lord Bristol were making head at court; that certain persons were so bold as to complain of his insolence and abuses of power; that the king listened to their complaints; and that there would be a complete revolution at court unless he returned forthwith to manage his old master. If Charles had not been apprehensive about their liberty and safety, he would have called for horses, and ridden away at once with his dear Steenie;† but, as it was, he submitted to a course of mental reservation, evasion, lying, and perjury. There may be some doubt entertained with respect to the sincerity of the Spanish court, but the conduct of the Prince of Wales has not the benefit of the shadow of a doubt. He fancied that, if he failed to give them satisfaction, or cast a slight upon their princess, the Spaniards would detain him as a state prisoner, and he was ready to promise and vow whatever they chose, in order to get safe out of their country, fully resolving to break all these engagements as soon as he conveniently might. He intimated to his Catholic Majesty that his father, who was growing old and sick, had commanded him to return, and that his presence was indispensable to quiet the alarms of the English people at his long absence, as well as to prepare them for the reception of his Catholic wife, and for that toleration of all Catholics, which had been settled by treaty. Philip and Olivares readily agreed to take charge of the dispensation when it should arrive, and to have the espousals celebrated *before* Christmas, *at the latest;* and Charles agreed to lodge a procuration, with full powers, in the hands of the Earl of Bristol, who was to deliver it to Philip ten days after the arrival of the expected paper from Rome, and to name the King, or his brother, the Infant Don Carlos, as proxy. Charles, in the presence of the Patriarch of the Indies, solemnlys wore with Philip upon the Scriptures, to observe and faithfully keep this agreement. The Infanta Donna Maria took the title of Princess of England, and a separate court was formed for her by her brother. Charles now prepared to depart, and Buckingham got all things ready with amazing alacrity.* Philip presented the Prince with some fine Spanish and Barbary horses, a diamond-hilted sword and dagger, some muskets and cross-bows richly ornamented, various pictures by the great Titian, a master-piece of Correggio's, and various other articles indicative of his taste, as well as of his liberality. The young Queen of Spain gave a great many bags of amber, with some dressed kid skins, and linen; Olivares gave a few choice Italian pictures, three sedan chairs of curious workmanship, and some costly articles of furniture; and the chief grandees all gave something, as horses, fine mules with trappings, &c., &c. In return, the Prince of Wales gave to the King an enamelled hilt for a sword and a dagger, studded with precious stones, to the Queen a pair of curious earrings, and to the Infanta a string of pearls, and a diamond anchor as the *emblem of his constancy.*† At his parting interview with the young Queen and Donna Maria, Charles played the part of a disconsolate lover, forced from the object of his passionate affections. The Infanta gave him a letter written with her own hand for the celebrated nun of Carrion, who had attained in her lifetime to the reputation of a beatified person, praying him to deliver it in per-

* Clarendon.

† "There were whisperings," says Howell, "that the prince intended to run away disguised, as he came; and the question being asked by a person of quality, there was a brave answer made—That if love brought him hither, it was not fear should drive him back."

* There were doubts entertained as to his intentions; but so much did Charles deceive his own countrymen, that wagers of thirty to one were offered among the English at Madrid, that the marriage would still take effect.—*Howell.*

† Mendozza (in the Italian translation). The Spaniards speak rather contemptuously of Charles's presents. There is a letter from Buckingham to the King, announcing the fine things they were bringing away with them, at which it is impossible not to laugh. "Four asses you I have sent, two hes and two shes. Five camels, two hes, two shes, with a young one; and one elephant, which is worth your seeing. These I have impudently begged for you. There is a Barbary horse comes with them, I think from Watt Aston. My Lord Bristol sayeth, he will send you more camels. When we come ourselves, we will bring you horses and asses enough. If I may know whether you desire mules or not, I will bring them, or deer of this country either. And I will lay wait for all the rare colour birds that can be heard of."—*Ellis.*

son, with the hope, no doubt, of his being converted by the sight of so much holiness, and the princess afterwards caused an extra mass to be said for his safe voyage. Gondomar, the Count of Monterey, and other noblemen, were ordered to accompany the Prince all the way to St. Andero, where the English fleet was lying under the command of Lord Rutland. But Philip himself, with his two brothers, would see his Highness on his road: they travelled with him to the Escurial, where they entertained him splendidly for several days, and then, as if loth to part, they went on with him as far as Campillo. "When the King and he parted, there passed wonderful great endearments and embraces in divers postures between them a long time; and in that place there was a pillar to be erected as a monument to posterity."* Passing through Segovia, Valladolid, by the cell of the nun of Carrion, travelling by easy journeys, and lodging in the castles of the provincial nobility, who, everywhere, gave him a most kind and hospitable reception, Charles at length reached the seaport. He had a narrow escape from drowning while going in a boat from the town of St. Andero to the admiral's ship. His first remark on finding himself in safety was, that he had duped the Spaniards; that the Spaniards were fools to let him depart so freely! The voyage was most prosperous, and the Prince and Buckingham landed safely at Portsmouth on the 5th of October. Charles, it was observed, had got a beard during his absence, and was cheerful; but the Duke, as some conceived, was not so.† They were received with much joy and tenderness by the common people, as if they had miraculously escaped from a den of wild beasts. On the following day they reached London, "where the people's joy, elevated above bonfire expression, might teach misguided princes that *love* is the firmest foundation of security and happiness."‡ For some days there was nothing but a ringing of bells, a making of bonfires, with drums, guns, and fire-works; and, without waiting for the word of command from king or bishop, several zealous preachers offered public thanksgivings in the churches for the safe return of the godly young prince, the only hope of the nation. In the mean while, the effects of his double dealing were manifesting themselves. A few days after his departure from Madrid, there arrived from him one Mr. Clerk, a creature of Buckingham's, who took up his lodging in the house of the Earl of Bristol, to the great surprise of those who knew it:—"Considering the darkness that happened betwixt the Duke and the Earl, we fear," writes Howell, "that this Clerk hath brought something that may puzzle the business." The fear was not unfounded. In the course of a few days it was rumoured that the Pope's rescript was arrived, and thereupon Clerk desired to speak with my Lord Bristol, for he had something to deliver him from the Prince; and "my Lord Ambassador being come to him, Mr. Clerk delivered a letter from the Prince, the contents whereof were, that, whereas he had left certain proxies in his hands to be delivered to the King of Spain after the dispensation was come, he desired and required him not to do it till he should receive further order from England."* The only reason alleged by Charles was, that he feared that the Infanta, immediately after the marriage by proxy, would shut herself up in a nunnery! Bristol, lost in amazement, would not see that this most absurd pretext was merely meant to cover over a fixed determination not to marry the Princess at all. As the rumour which hastened Clerk's disclosure was premature, he had time, as he thought, to set matters right. He went straight to court, where Philip gave him every possible assurance that his sister would be sent into England at the time, and in the manner already agreed upon, and where the Infanta made herself very merry, saying, that she must confess she never in all her life had any mind to be a nun, and hardly thought she should be one now, only to avoid the Prince of Wales.† He then dispatched a courier with life and death speed to King James, telling him of the absolute removal of the only difficulty; and he continued to dress and furnish his household in velvet and silver lace, so that they might do honour to the ceremony of the espousals. But Charles and Buckingham closeted James, and made him write to Bristol, that he might deliver his proxy at Christmas, because "that holy and joyful time was best fitting so notable and blessed an action as the marriage." To this dispatch Bristol replied in all speed, that (*as Buckingham and the Prince well knew*) the powers in the proxy expired *before* Christmas, and it would be a most grievous insult to present it when it had ceased to be of value; that the Pope had already signed the paper, and that he, Bristol, should consider himself bound by treaty, and by the oath he had taken to that treaty, to deliver the proxy whenever it should be asked for by the King of Spain, unless his master should send him positive orders to the contrary. "I must humbly crave your Majesty's pardon," says Bristol, "if I write unto you with the plainness of a true-hearted and faithful servant, who have ever co-operated honestly unto your Majesty's ends, if I knew them. I know your Majesty hath long been of opinion that the greatest assurance you could get that the King of Spain would effectually labour the entire restitution of the Prince Palatine was, that he really proceeded to the effecting of the match; and my instructions under your Majesty's hand were, to insist upon the restoring of the Prince Palatine, but not so as to annex it to the treaty of the match, as that thereby the match should be hazarded. . . . . The same course I observed in the carriage of the businesses by his Highness and my Lord Duke at their being here, who, though they insisted on the business of the Palatinate, yet they held it fit to treat of them distinctly, and that the marriage

* Howell. † Meade. ‡ Arthur Wilson.

* Howell.
† Clarendon State Papers. Hardwicke Papers.

should proceed as a good pawn for the other."* In plain truth, Charles took little heed of his unfortunate sister and brother-in-law, and in the joint letters written by him and Buckingham from Madrid, when they mentioned the Palatinate, which they rarely did at all, they spoke of it as a very secondary affair. Having given what he considered satisfactory assurances to his ambassadors at the English Court, Philip, upon the actual arrival of the document from Rome, which came in about a fortnight, fixed the day for the marriage by proxy, invited the grandees and great ladies to the ceremony, and sent orders to all the towns and seaports to discharge their great ordnance. His infant daughter, of whom the Queen had been delivered a little while before, was to be christened on the same auspicious day; a splendid platform, covered all over with tapestry, was erected from the palace to the church, and all things were prepared to honour the solemnities. But, when all Madrid was at the height of its joy and pleasant expectations, when it wanted but three days of *the day*, three English couriers, dispatched for greater certainty, arrived one upon the back of the other, with a new commission to my Lord of Bristol, countermanding the delivery of the proxy, until full and absolute satisfaction should be given for the immediate surrender of the Palatinate, or war declared by the King of Spain for the obtaining of that surrender to the King of England's son-in-law. Philip indignantly countermanded the preparations for the marriage, broke up the household of his sister, and ordered her to quit the study of the English language, and relinquish the title of Princess of Wales,—which, it is said, the Infanta could not do without shedding some tears. When the Spanish sovereign's anger cooled, he entered into explanations with Bristol, for whom he entertained a high esteem.† He said that the Palatinate was not his to give, and that it was scarcely to be expected he should enter into a war with his relative, the Emperor, and with half the Catholic powers of Europe, for its recovery; but if a friendly negotiation could secure it, he would guarantee it—nay, if, after a time, negotiations were found unavailing, he would take up arms to restore the Palatine to his hereditary dominions. The Spanish council, moreover, affirmed that his Majesty was resolved to employ his utmost endeavours to satisfy the King of England, but to have it extorted from him by way of menace, or that it should now be added to the marriage by way of condition, and that his own sister must be rejected, unless the King would make a war with the Emperor, was too humiliating, and whatsoever his Majesty's resolutions might be, he could neither with his honour, nor with the honour of his sister, whom he would in no way force or thrust upon the Prince, make any more concessions at present. But, in a day or two, Philip put his signature to a formal promise, written in the form of a letter to King James, and this, it was thought, would satisfy the English Court. But Charles had resolved not to marry the Infanta at any price, and he and Buckingham, encouraged by the popular feeling at home, had made up their minds to a war with Spain. Bristol received his recall, and Philip then prepared for a war with England. The ambassador represented to James, that having contracted a debt of 50,000 crowns, and pledged all his lady's jewels at Madrid *for Prince Charles*, he had not a quarter of the money necessary for his journey; and he humbly besought his Majesty to consider that his leaving that court ought not to be like a running away in debt, though, rather than disobey his commands, he would go home on foot. It does not appear that James remitted a sixpence. But Philip commiserated the hard case of Bristol, gave him a rich sideboard of plate, and, being fully aware of the fate that Buckingham was preparing for him in England, he made him an offer, that if he would stay in any of his dominions, he would give him money and honour equal to what the highest of his enemies possessed; but Bristol declined the splendid offer, saying, that he was so confident of the King, his master's justice, and of his own innocence, that he feared no mischief in his native country, which he must ever love and prefer to every other. Though Charles and Buckingham were very anxious to get Bristol away from Madrid, they were by no means desirous of his presence in England: he was told to travel by slow stages, and when he arrived, he was ordered to go instantly to his house in the country, and there consider himself a prisoner. But for the opposition of the Duke of Richmond and the Earl of Pembroke, the vindictive Buckingham would have had him committed to the Tower. As it was, without any trial,—without a hearing,—he was forbidden either to visit the court, or to take his seat as a peer in parliament.*

The King's joy for the return of the "dear boys" was soon overcast by a gloomy reflection upon the consequences of their rash journey. No money from Spain, fresh debts contracted, his

* Hardwicke Papers.

† The following statements and opinions are from a letter written at Madrid, by a person unknown:—"The Spaniard begins now to be sensible of the great disobligation and gross oversight he committed in suffering the Prince to go away without his Infanta: for it hath given occasion of advantage to the English (who now seem indifferent whether they match with him or no) to proceed more stoutly, *and to add to the former articles which the Prince had sworn at his being here, certain new propositions about the Palatinate, which was thought to be unfit to motion at his being here, by reason of the engagement of his person.* And there is a commission sent to the Earl of Bristol to treat of these two businesses jointly; and if the King of Spain give not a satisfactory answer therein, then he is to return home. Buckingham hath little obligation to Spain; therefore, for his own particular, he hath good reason, if he cannot prop himself this way, to find other means for his support: unkindnesses passed between him and Olivares, and a hot heart-burning between him and Bristol, who told him here before the Prince, *that, being so far his superior in honour and might, he might haply contemn him, but he could never hate him.* Ever since his departure, he hath attempted to crush Bristol to pieces, who is out of purse 2000*l.* of his own since his coming hither, and he is so crossed, that he cannot get a penny from England. If he cannot get a surrender of the Palatinate to the King's mind, he is in a poor case; for he must hence presently: he is much favoured of the King here, and Olivares, therefore, they will do much for him before Buckingham work his revenge upon him. . . . . We are all in suspense, and a kind of maze to see the event of things, and how matters will be pieced together again we know not"—*Scrin. Sac.*

* Hardwicke State Papers.—Clarendon Papers.—Cabala.—Journals of the Lords.

jewels nearly all gone, his daughter still an outcast, a war in perspective,—those thoughts harassed him to death, and made him forego his hunting and his hawking, and shut himself up in solitude. In other directions, Buckingham was eliciting the most deplorable exhibitions of human baseness. Cranfield, the Lord Treasurer, Bishop Williams, the Lord Keeper, and others of his creatures, who had joined in censuring his conduct during his absence, because they thought his influence was on the decline, were all brought to crawl like reptiles before him; and more they would have done, had more been exacted, because they saw that his power was likely to be as great as ever. The Bishop surpassed those who competed with him, begging his good Lord, the Duke, to receive his soul in gage and pawn, and telling him how he had wept at the thoughts of his displeasure.*

A.D. 1624.—Nothing remained for James but the last and painful resource of assembling a parliament. This time he issued no arbitrary proclamations, laid down no lessons to the electors; and when the houses met (on the 19th of February), he addressed them in a tone of great moderation and sweetness; but he could not conquer his nature or his inveterate habit, and, in the end, this falsetto gave way to his real voice. He told them that he remembered and regretted former misunderstandings; that he earnestly desired to do his duty, and manifest his love to his people. Forgetting previous declarations, he told them that he had been *long* engaged in treaties with Spain; that he had sent his own son with the man he most trusted, the faithfullest and best of counsellors, into Spain; that all that had passed should be disclosed to them; and that he should entreat their good and sound advice, *super totam materiem*. He hoped they would judge him charitably, as they wished to be judged; he declared that, in every treaty, whether public or private, he had always considered, above all things, the protestant religion. He had, it was true, sometimes caused the penal statutes to bear less rigorously upon the Catholics than at other times, but to dispense with the statutes, to forbid or alter the law in that matter, he had never promised or yielded any such thing. But though he appealed to God for the truth of this assertion, though he repeated it at court and in the field, in speech and in writing—for he was alarmed at the loud denunciations of the puritans—there was scarcely a person the least conversant with affairs but must have known that his majesty was lying and committing perjury. Nobody, of course, knew it so well as his own son, Buckingham, Bristol, the Archbishop of Canterbury, the lords of the council, and the two Spanish ambassadors,† who were still in England. But all except Bristol and the ambassadors were ready to add falsehood to falsehood, perjury to perjury. In the conclusion of his long speech in parliament, he told them to beware of jealousy, to remember that time was precious, and to make no impertinent and irritating inquiries.* Five days after, on the 24th of February, Buckingham, at a general conference held at Whitehall, delivered to the houses a long rambling but specious narrative, the Prince of Wales standing beside him to assist his memory, and give weight to his assertions. The Lord Keeper Williams, who had rehearsed the matter beforehand with the prince, had warned Buckingham not to produce or refer to *all* the dispatches, for fear parliament should fall to examine particular dispatches, wherein they could not but find many contradictions, "and because his highness wished to draw on a breach with Spain without ripping up of private dispatches." In fact, if the dispatches had been produced, they would have proved the king to be an astonishing liar, and they would have disproved nearly every thing that Buckingham uttered. Bold in the absence of Bristol, in the servility and connivance of the lords of the council, in the countenance of the heir to the throne, in the sympathy of the commons and the people, who were ready to credit any thing about the breach of the match, which they always abhorred, the double favourite solemnly declared, that, after many years' negociation, the king had found the Spaniards were as far from coming to an honest decision as ever; that the Earl of Bristol had never brought the treaty beyond mere professions and declarations on their part (the truth being, that that ambassador had brought the treaty to a conclusion); that the prince, doubting of their sincerity, had gone to Spain himself; that he had there found such artificial dealing as convinced him that they were false and deceitful; that the king, his master, had always regarded the restitution of the Palatinate as a preliminary; and that, in fine, the prince, after enduring much ill treatment, was obliged to return home, bereft of all hope of obtaining either the Infanta or the Palatinate. This tissue of misrepresentations was received with enthusiasm by parliament. Old Coke, in the House of Commons, called Buckingham the saviour of the nation, and out of doors the people sang his praises, lit bonfires, and insulted the Spanish ambassadors. These gentlemen protested against the duke's speech as false and injurious to their sovereign's honour; but the two houses defended the favourite, and presently proceeded to declare that their king could no longer negociate with honour or safety. The people were eager for a war; but James, in growing old, had not grown warlike; he trembled, hung back, talked of the long standing of his character as a righteous and pacific mo-

* Cabala.

† On the 20th of July, in the preceding year, James, in swearing to the Spanish treaty, in presence of the two ambassadors, and in their house, had sworn to the following clause—"Quod nulla lex particularis contra Catholicos Romanos lata, necnon leges generales sub quibus omnes ex æquo comprehenduntur, modo ejusmodi sint quæ religioni Romanæ repugnant, ullo unquam tempore, ullo omnino modo aut casu, directe vel indirecte, quoad dictos Catholicos, executioni mandabitur."—*Prynne—Hardwicke Papers.*

* Journals of the Lords. Rushworth gives the king's eloquence more at length than the journals.

narch, of his debts, of his poverty; but it was this very poverty that forwarded the views of Buckingham and his son, who represented that money he must have, that there was no such sure way of obtaining a round supply as by declaring war against his Catholic majesty; and, in the end, though with sore fears and misgivings, James resolved to assume the novel attitude of a belligerent.* The idea made the Spaniards laugh. Gondomar had told them that there were no men in England, and, if he meant public men, he was not far wrong; they despised this kingdom as weak, poor, disunited, led by a timid king and an inexperienced prince, whose anger they ridiculed, comparing it to a revolt of the mice against the cats. Such had become, in the hands of James, the thunderbolts of Elizabeth. But, with unusual alacrity, the king told the Commons that, if they would vote him money,—the sums must be large, as his debts were heavy, his treasury empty, his allies very poor, his ships out of repair,—he would apply it to a war with Spain; and, as he was well aware that the Commons had no confidence in him, he graciously told them that the money voted might be paid to a committee of parliament, to be managed and paid out by them, without his touching any part of it.

The Commons took him at his word, and a joint address from both houses, with an offer to support him in the war with their persons and fortunes, was presented to him by Abbot, the Archbishop of Canterbury—a strange choice, both because it was unseemly that a churchman should deliver a message leading to war and blood, and because the archbishop had sworn with the lords of the council to the Spanish treaty. But Abbot had taken that oath most unwillingly, and it was probably with an expression of joy or even of triumph that he congratulated the king on his having become sensible of the insincerity of the Spaniards, for James interrupted him by saying, "Hold! you insinuate what I have never spoken. Buckingham hath made you a relation on which you are to judge; but I never yet declared my mind upon it."*

It is needless to say that James had sanctioned Buckingham's statements beforehand, but he was looking for loop-holes through which he might creep, and he was very anxious that the abuse of the King of Spain should not be laid upon his shoulders, and that the war should not be attributed to him. Five days after this message, the question of supplies came on in the commons. The king asked for 700,000*l.* to begin the war, and for 150,000*l.* per annum to pay his debts. These demands made the commons falter in their warlike note, but Buckingham and the prince hinted that a smaller sum would be accepted, and, without noticing the king's debts, they voted three subsidies and three fifteenths, making about 300,000*l.*, which was all to be raised within a year, to be applied to the war, and to be put into the hands of treasurers appointed by themselves, who were to issue money on the warrant of the council of war, and on no other orders. The king then declared, by proclamation, that the treaties with Spain were at an end. In their bigotry the lower house forgot their old jealousy of proclamations, and resolved to petition the king for another proclamation against the catholics, but the lords objected to this course, and, in the end, a joint petition from both houses, with some of the sting taken out of it, was presented, praying the king to enforce the penal statutes. James again called God to witness that it was his intention so to do, his determination never to permit of any indulgence or toleration; and Prince Charles also swore that, if it should please God to bestow upon him any lady that was Popish, she should have no further liberty but for her own family, and no advantage to the recusants at home.† All missionaries were ordered, by proclamation, to leave England under the penalty of death; the judges and magistrates were instructed to act vigorously, and the Lord Mayor of London was especially admonished to arrest all such persons as went to hear mass in the houses of the foreign ambassadors. The commons drew up a list of catholics holding places under government, and unanimously petitioned for their removal; but these placemen were saved for the present by the interference of the lords. Patents, and monopolies, and the bitter recollection of the manner in which parliament had been dissolved, still rankled in the hearts of the commons, and in their committee of grievances they pronounced some of the patents illegal, and reserved others for future examination. The king, much nettled, told them that he too had his grievances to complain of: that they, the commons, had encroached on his prerogative and con-

* In the Hardwicke Papers there is a curious letter from Buckingham to his "Dear dad and gossip," urging him to war. It is quite in the popular strain:—

"I beseech you," says the duke, "to send me your plain and resolute answer, whether, if your people so resolve to give you a royal assistance, as to the number of six subsidies and fifteenths, with a promise after, in case of necessity, to assist you with their lives and fortunes; whether then you will not accept it, and their counsel, to break the match, with the other treaties; and whether or no, to bring them to this, I may not assure some of them, underhand (because it is feared that when your turns are served, you will not call them together again to reform abuses, grievances, and the making of laws for the good government of the country), that you will be so far from that that you will rather weary them with it, desiring nothing more than their loves and happiness, in which your own is included. Sir, I beseech you, think seriously of this, and resolve once constantly to run one way. For so long as you waver between the Spaniards and your subjects, to make your advantage of both, you are sure to do it with neither." He goes on to tell the king, that his majesty's going two ways, and himself only one, occasions many disputes between them; that for him to be of his majesty's opinion would be flattery, and not to speak humbly his own would be treachery; and he proposes—1. That the king should give thanks to parliament for their uniform offer of advice. 2. That he should take notice of their careful proceedings in the lower house. 3. That he should not desire to get their money until he had declared about their advice. 4. To assure them that, if he engaged in war by their advice, he would not hearken to a peace without first hearing them. 5. That he should be contented that they choose a committee to see the issuing out of the money they give for the recovery of the Palatinate. 6. That he should show them that this is the fittest time that ever presented itself to make a right understanding between him and his people. 7. That he should assure himself that their behaviour would continue to be as they had begun towards him; and that he should let them see, by proof, how far he would be in love with parliaments for making of good laws and reforming of abuses. This rare patriotic epistle is subscribed, "A Lover of You, and your Majesty's most humble Slave and Dog, Steenie."

* Journals of the Lords. † Journals.

demned patents that were very useful, and had suffered themselves to be led by the lawyers, who were the greatest grievances of all. But the commons were bent upon striking a blow in higher quarters; they had taken their measures for impeaching Cranfield, now Earl of Middlesex, the Lord Treasurer of England, and Master of the Court of Wards, for deficiency, bribery, and oppression. This lord treasurer was one of the creatures of Buckingham, who had intrigued against him during his absence in Spain, and on his return he was less successful than Bishop Williams, the lord keeper, in making his peace with the incensed favourite by vile prostrations and abjurations. Buckingham, moreover, in starting as a fiery protestant and patriot, had cultivated a good understanding with some of the leaders of the opposition or country party. Now these men wanted a victim—not that the treasurer was not guilty—and Buckingham gladly gave him up. The king would fain have protected his servant, and he lost his temper both with Buckingham and Charles for favouring the impeachment; he told the duke that he was a fool, and was making a rod for his own breech, and the prince, that he would live to have his belly-full of impeachments.* Nor did he stop here; he wrote to tell the commons that the lord treasurer had not, as they supposed, advised the dissolution of the last parliament, but, on the contrary, had begged on his knees for its continuance: he covered or palliated the treasurer's offences, to the lords; but all this was of no avail, and Middlesex, being only allowed three days to prepare his defence, was convicted by the unanimous vote of the peers, condemned to pay a fine of about 5000*l.*, to be imprisoned during pleasure, and to be for ever excluded from his seat in parliament, and from the verge of the court.† The country party had also intended to impeach the lord keeper, Williams, but the supple prelate was protected by Buckingham, to whom, during the session, he rendered a most important piece of service. The story is altogether worthy of this disgraceful and dissolute reign.

Finding that there was no possibility of obtaining a private audience of the king, Ynoiosa, one of the Spanish ambassadors, seizing his opportunity, slyly slipped into his hands a note, which James as slyly put into his pocket. In consequence of this paper, the Spanish Secretary of Legation, Don Francisco Carondolet, was that very evening conducted to the king's apartment when Charles and Buckingham were away;‡ and then James was told that he was considered as a prisoner in his own palace, and so beset by spies and informers that none of his friends or faithful subjects could approach to warn him of the ruin which Buckingham was bringing upon him. Three or four nights later the secretary was again admitted clandestinely, and this time he delivered a long invective and remonstrance in writing, which had been corrected by the ambassadors' own hands. This paper is described as somewhat general, and very rhetorical, if not tragical, in its style. The heads of it were—"1. That the king was no more a freeman, at this time, than King John of France when he was prisoner in England, or King Francis when he was at Madrid, being besieged and closed up with the servants and vassals of Buckingham. 2. That the ambassadors knew very well, and were informed four months ago, that his majesty was to be restrained, and confined to his country-house and pastimes, and the government of the state to be assumed and disposed of by others, and that this was not concealed by Buckingham's followers. 3. That the duke had reconciled himself to all the popular men of the state, and drawn them forth out of prisons, restraints, and confinements, to alter the government of the state at this parliament, as Oxford, Southampton, Say, and others, whom he met at suppers and ordinaries, to strengthen his popularity. 4. That the duke, to breed an opinion of his own greatness, and to make the king grow less, hath oftentimes bragged openly in parliament that he had made the king yield to this and that, which was pleasure unto them; and that he mentioned openly before the House his majesty's private oath, which the ambassadors have never spoken of to any creature to this hour. 5. That these kingdoms are not now governed by a monarchy, but by a *triumviri*, whereof Buckingham was the first and chiefest, the prince the second, and the king the last; and that all look towards *solem orientem*. 6. That his majesty should show himself to be, as he was reputed, the oldest and wisest king in Europe, by freeing himself from this captivity and imminent danger wherein he was, by cutting off so dangerous and ungrateful an affecter of greatness and popularity as the duke was."* His majesty was requested to conceal this free dealing, because it might breed them much peril and danger; but, if he considered it necessary for his service, he might reveal it to whomsoever he chose, notwithstanding the consequences. James was much troubled, and hardly knew what to say. He stammered out a few words about his confidence in the prince, and his own power to sever him and Buckingham when he pleased; but, then, giving way to his feelings, he told Carondolet, "that, when his highness went to Spain, he was as well affected to that nation as heart could desire, and as well disposed as any son in Europe; but now he was strangely carried away with rash and youthful councils, and followed the humour of Buckingham, who had he knew not how many devils within him since that journey."† At first he professed a doubt whether Buckingham "affected popularity to his disadvantage; because he had tried him of purpose, and commanded him to make disaffecting motions to the Houses, which he

* Clarendon.

† Journals.—Rushworth.

‡ Roger Coke says that the prince and duke were attending the debates in the Lords; but this could hardly be, as Carondolet was not smuggled into the palace till eleven o'clock at night, and it was only recently and on very rare occasions that the Houses sate so late as six in the evening.

* Cabala.

† Ibid.

had performed, whereby his majesty concluded he was not popular:" but he presently confessed that he had good cause to suspect the duke of late, and, as he had no servant of his own that would venture to accuse him, he desired Don Francisco and the Spanish ambassadors to procure him some grounds for a charge, and then he would quickly take a course with him. And, to complete this strange but characteristic scheme, he afterwards sent Padre Maestro, a Jesuit, to renew his request that these foreigners would find the materials for an accusation against his favourite! These thoughts so wrought upon the king that his countenance fell suddenly, he mused much in silence, and entertained the prince and duke with mystical and broken speeches. Charles and Buckingham were thrown into consternation, which was increased a morning or two after, when the king prepared to take coach for Windsor, ordering his son to accompany him and the duke to remain behind. As the king was stepping into the carriage, Buckingham, with tears in his eyes, implored to know how he had offended his good and gracious master, vowing, by the name of his Saviour, that if he knew what he was charged with he would clear himself, or confess it if true. James did not satisfy him, but drove off with the prince, crying or blubbering all the way to Windsor, and saying that he was the unhappiest man alive to be forsaken by those that were dearest to him. Both Charles and the duke suspected the quarter whence this storm had been blown, but they were wholly in the dark as to particulars, and knew not what course to steer. The duke, forlorn, retired to Wallingford House in a state of confusion and distraction, and threw himself upon a couch, where he lay like one dead or stupified. In this state he was found by Williams, the Lord Bishop of Lincoln and Lord Keeper, who told him that he could bring him out of that sorrow, and that he verily believed God's directing hand was in it to have stirred up his grace to advance him so that he might be able to do him service at this pinch. The fact was, Williams had got possession of the whole secret. The Spanish secretary Carondolet* kept an English mistress, and this woman had been for some time in the pay of my Lord Bishop the Keeper, who recompensed her bountifully. The meretrix, though she lived in Mark Lane, is said to have had a deal of courtly wit, so much that the poor secretary could keep no secret from her which she had a mind to know. She put into Williams's hands the rough draft of the paper which had been presented to the king, and gave him notice at the same time of an English Catholic priest living in Drury Lane, whom her lover loved above all other priests, not excepting even his own confessor. My Lord Keeper presently seized this man,—a dead man by the statutes,—and Carondolet, as was expected, hastened to intercede for his friend. He obtained the priest's liberty, but it was at the price of the entire secret, which had been more than half revealed before. And now Williams told the reviving duke to make haste to Windsor before supper time, to communicate with the prince, to whom he had given a memorial in answer to the charges contained in the paper which the Spaniards had given the king;* and he further advised the duke to "deport himself with all amiable addresses," and not stir from his majesty day nor night. The duke, who had not had wit to help himself, followed the bishop's advice, and, at a seasonable moment, the bishop's memorial was presented to the king, backed by the remarks and arguments of Charles. James read the paper deliberately, stopping many times and saying,—"Well, very well." At last he tenderly embraced both Charles and Buckingham, sorrowing much that he should have wronged them with a jealousy fomented by the Spanish traitors. "I ask no more from you," said James, "but that you tell me who is your engineer that struck the sparks out of the flint to light the candle." The prince stood mute: the duke vowed that he knew not the author of the paper. "Well," said James, "I have a good nostril, and will answer mine own question; my Keeper had the main finger in it. I dare swear he bolted the flour and made it up into paste."* All this, of course, passed among the trio, but, when the king consulted with others, or took counsel from reflection, he resolved to draw up a set of interrogatories, and to examine the members of his council upon their oaths. Charles surreptitiously obtained possession of a copy of the interrogatories, which he enclosed to Buckingham in the following memorable letter:—

"Steenie,—I send you here inclosed the interrogatories that the king thinks fit should be asked concerning the malicious accusations of the Spanish ambassador. As for the way, my father is resolved (if you do not gainsay it, and show reason to the contrary) to take the oaths himself, and to make secretary Calvert, and the chancellor of the exchequer, to take the examination in writing under their hands that are examined; thus much is by the king's command. Now, for my opinion, it is this:—that you can incur no danger in this but by opposing the king's proceedings in it, to make him suspect that you have spoken somewhat that you are unwilling he should hear of; for I cannot think that any man is so mad as to call his own head in question, by making a lie against you, when all the world knows me to be your true friend; and, if they tell but the truth, I know they can say but what the king knows that you have avowed to all the world, which is, that you think, as I do, that the continuance of these treaties with Spain might breed us much mischief; wherefore my advice to you is, that you do not oppose, or show yourself discontented at, the king's course herein, for I think

* The secretary was not a native Spaniard, but a jovial Walloon.

* Charles asked Williams how he had made this opportune discovery. "Truly," said the bishop, "another would blush to tell you what heifer he ploughed with; but all my intelligence comes out of a lady's chamber; and I have found this maxim in my studies of divinity:—*Alieno peccato uti licet.*"

† Cabala.—Velarezza, the Venetian ambassador, as quoted by Carte.—Hacket.—Wilson.—Coke.

it will be so far from doing you hurt, that it will make you trample under your feet those few poor rascals that are your enemies. Now, sweetheart, if you think I am mistaken in my judgment in this, let me know what I can do in this, or anything else, to serve thee."*

If there had not been something to conceal, Charles would not have written this letter, nor would Buckingham have been afraid of the king's design. Without seeing the epistle, the counsellors were perfectly well aware of the close union between the duke and the heir to the throne, of the resolution Charles had expressed on other occasions to consider the duke's enemies as his own, and of the declining health of James, who was prematurely old and sickly. Therefore, when the king swore them all upon the bible, in the council-chamber, to speak the truth, they one and all declared that they were ignorant of any sinister designs—that they believed the duke to be one of the most faithful of servants, &c. Buckingham, thus exonerated, complained and fell sick, or feigned sickness. The king then asked the Spanish ambassadors for the names of the Englishmen who had given them their information: Ynoiosa demanded a private audience. This greatly alarmed Charles and Buckingham, who, not without difficulty, made the king refuse to see him, and refer him to one of his ministers. Upon this the Spaniard quitted the kingdom, and returned to Madrid, where he reasserted all that had been laid down in the memorial presented by Carondolet. James maintained that he had maliciously accused his only son and his favourite minister, and had then refused to produce his proofs. But the king acted under fear and the painful conviction that he was too old and helpless to overthrow the dominion which Charles and the duke had agreed to divide between them, and the minister was no longer his favourite. Indeed, some short time before this crisis, he had entertained a notion such as few other men were capable of—to make his peace with his old minion, the Earl of Somerset, and to place that convicted murderer once more at the head of the nation. Perhaps he hoped that the man's crimes might be forgotten; and certainly many persons had long been complaining that the government of Buckingham was incomparably worse than that of his predecessor. By means of a third party† Somerset opened a communication with the king, and dwelt at length, and with some ability, on the misconduct of Buckingham. From a letter which has recently been brought to light, it should appear that Somerset acted in concert with the Spanish ambassadors, or with an English party that maintained, like those diplomatists, that James was little better than a prisoner, and that the prince was wholly guided by Buckingham, who, in all things, had shown himself a rash, heady young man, a novice in the managing of business. "The duke," says this letter, "doth so much presume upon his favour, that he contemneth all men, as knowing that those who are obedient to his highness will also subject themselves to his will."* Buckingham himself, though probably ignorant of Somerset's movements, felt that he had lost the good will of his old master; but this only made him cling the closer to his son, who would soon be king, and to his recently found popularity in parliament and in the country, as the determined enemy of the Spaniards and all papists. While James trembled, and talked of the blessedness of peace, his son and the duke, in his name and with the concurrence of parliament, attended to the raising of troops and the concluding of alliances against the house of Austria, for the humbling of Spain, and for the recovery of the Palatinate. "This spring gave birth to four brave regiments of foot (a new apparition in the English horizon), 1500 in a regiment, which were raised and transported into Holland under four gallant colonels, the Earls of Oxford, Southampton, and Essex, and the Lord Willoughby."† The Dutch were already at war with their old enemies, the Spaniards, who had invaded their territory under the command of the great Italian General Spinola; and the United Provinces, which had done their best by means of ambassadors and secret agents to break the Spanish match, and encourage Buckingham to come to a rupture with Spain, gladly concluded a treaty which promised them assistance.

A fearful tragedy, enacted on a small island in the Eastern Ocean, should have seemed likely to make this Dutch alliance unpopular with the English people. Ever since the conclusion of the long truce at the Hague the Dutch had been colonizing and trading on a most extensive scale in the seas of India and China. Among other islands they possessed Amboyna, one of the Molucca, or Spice, Islands, which they had taken from the Portuguese. They pretended not only an absolute sovereignty over this island—part of which continued to be occupied for some years by independent natives—but also an exclusive right to the spice trade in all that Archipelago. Their friends and allies, the English, soon became desirous of sharing in this profitable trade; they sent some ships to obtain cloves from the natives, and in 1612 the East India Company formed a little settlement at Cambello, in Amboyna, from which they were forced to retire two years after. In 1619 a treaty was concluded in London, by which the English thought themselves entitled to share in the trade; but the Dutch settlers and the local government were jealous in the extreme, and they had recently seized Captain Gabriel Towerson and nine Englishmen, with nine poor Japanese, and one Portuguese, charged them with a conspiracy to surprise the garrison and expel the Dutch from Amboyna, tortured them till they confessed what was an impossibility or a flitting dream of madness,‡ and then cut off their heads or strangled them.

* Hardwicke State Papers.

† The medium of [illegible] the Earl of Kelly.

* Archæologia. † Arthur Wilson

‡ "There were not twenty Englishmen, nor above thirty Japanese in the whole island, with whom they were said to machinate this conspiracy, and the castle had in it two hundred Dutch soldiers,

The news of this atrocious proceeding reached England just at the moment that Buckingham was preparing to assist the Dutch in their own country. The English court made formal remonstrances; the States apologised and promised redress; and the massacre of Amboyna, as it was called by the people, was lost sight of for a time. Though it was the high notion of Buckingham to make this a war of religion, it was found necessary to include in the league the Catholic states of France, Savoy, and Venice, who were led on by their jealousy of the House of Austria. After the Dutch, the Protestant powers that contracted were Denmark, Sweden, and some of the German states, who all required subsidies in English money. The first object to be achieved was the expulsion of the Spaniards from the Netherlands, and of the Spaniards, Austrians, and Bavarians from the Palatinate. The result of the campaign, as far as the English were engaged, may be told in a few words of shame and disgrace. The six thousand men already in Holland acted as auxiliaries to the Dutch army commanded by Prince Maurice of Orange, who soon felt himself overmatched by Spinola. The Italian took Breda before the Prince's eyes. Maurice moved upon the castle of Antwerp, which, he was informed, had been left with a weak garrison; and he was so confident of taking it, that he would have none but the Dutch with him. Here also he failed. "And so, with some few little bickerings of small parties of horse, betwixt two entrenched armies, the whole summer was shuffled away;" and, winter approaching, Prince Maurice retired to winter-quarters. The prince died at the Hague; the Earl of Southampton and other English officers returned home to England. During the summer, Count Mansfeldt, one of the former heroes of the Palatinate war, was employed in raising mercenaries on the continent, and in the autumn he embarked from Zealand to procure English money and English troops which had been promised him. The ship which bore him was wrecked; the English captain and crew were drowned; but Mansfeldt, with some of his followers, escaped in the long boat and got safe to England. There was at least one person here who wished the waves had swallowed him—and this was King James, who for some time would not admit the adventurer to an audience. But, in the end, Mansfeldt obtained the promise of 20,000*l.* per month, and of the command of twelve thousand Englishmen, who were to be levied by press. These pressed men when raised were fitter to march through Coventry than to retrieve the somewhat tarnished honour of the British arms. No time was allowed to train and discipline them; they were marched to Dover (where several of them were hanged), and then hurried on board ship. The court had negotiated for their passage through a part of France, but when they appeared off Calais they were refused a landing. Mansfeldt thence led them to the island of Zealand, where the Dutch were scarcely more willing to receive them than the French had been. The authorities affirmed, that if they landed they would cause a famine in the towns, as no previous arrangement of any kind had been made, nor notice given; and while these cool-blooded gentlemen deliberated, the troops, cooped up in small, miserable transports, began to perish of sickness. This was another barbarous proceeding on the part of a people who had owed so much to this country, and it was carefully registered with the massacre at Amboyna in the memory of the English. When, at last, Mansfeldt reached the Rhine and the border of the Palatinate, he found that more than one-half of his army was gone, and that it would be impossible for him to undertake any offensive operations.

While these events were in progress, nay, even before the warlike note was sounded, and before the Spanish match was actually broken off, a new matrimonial treaty was set on foot with France for the hand of Louis's sister, Henrietta Maria. Some time before Lord Herbert of Cherbury, the resident ambassador, was assured by the favourite De Luynes, that if there were any overture made for such a match, it should be received with all honour and affection. An overture *was* made; and it was thought fit, for the concluding of the match, that the Earl of Carlisle and Lord Kensington—created on the occasion Earl of Holland—should be sent as ambassadors extraordinary to France.* It was in this embassy that Hay displayed all his pomp and extravagance; but though a sensualist and a solemn fop, the Scottish Earl of Carlisle was destitute neither of abilities nor spirit. But he had to measure himself against one of the most wonderful of men—the incomparably crafty and resolute Cardinal Richelieu, who had now established a sort of dictatorship over both the court and the nation, and who was at once a ruthless tyrant and a benefactor to France. Richelieu, who was most eager to defeat Charles's Spanish match, was all obsequiousness till it was absolutely broken off, and then he "stood upon his tip-toes," resolving not to abate a jot of the articles of religion, and of liberty to the Catholics in England, which had been agreed upon with Spain, and to have the fullest assurances that these articles should be faithfully observed. This was excessively inconvenient to King James and Prince Charles, who only six months before had both *solemnly vowed* that they would never tolerate the Papists. In fact, when the proposal was made, they were permitting a fresh persecution of the recusants. James, however, signed a private paper, promising favour to the Catholics, without which the pope would not grant the dispensation.†

and eight ships riding before it well manned, whereof two were above 1200 tons apiece; besides, the Dutch had two other castles in the same island; and what probability could there be (if the plot were as plain as their malicious tongues could make it) that so weak a force should attempt upon so many, having men enough in the ships and castles to have devoured the attempters?"—*Wilson.*

* Life of Lord Herbert.

† Lord Nithsdale, a Catholic, was sent to Rome to make promises and compliments to the pope, in the name of King James and his son. There is a letter from Buckingham to his lordship, urging him

Carlisle presented this document, and endeavoured to convince Richelieu and his colleagues that it was security enough. "But," say they, "we did sing a song to the deaf, for they would not endure to hear of it." "In the next place," continue these diplomatists, "we offered the same to be signed by his highness (Prince Charles) and a secretary of state, wherein we pretended to come home to their own asking; but this would not serve the turn neither." Carlisle made a good stand, and would have bartered a toleration in England for French troops to be sent into the Palatinate. He repeated words which they had used at the first opening of the negotiation—"Give us priests," said the cardinal, "and we will give you colonels." "Give us pomp and ceremony to content the pope," said another, "and we will throw ourselves wholly in your interests." "Yes," said the chancellor, "we will espouse all your interests as if they were our own." They confessed to these expressions, but pretended that they had already done enough in joining the league. Carlisle made several good struggles, but he was badly supported, and seems never to have known the real and full intentions of his court, or how far he might go in procuring advantages for the king's daughter, when the demand of them might impede or defeat the obtaining of a wife for the king's son. Secretary Conway, whose instructions and dispatches seem to have been dictated entirely by Charles and Buckingham, became very obscure or ambiguous, so that "sometimes he so cautiously and prudently involved his meaning in a close and covered style that forced their lordships (Carlisle and Holland) to assemble their wits together to pick it out."* After some negotiation, Richelieu consented to the *écrit secret*, as it was styled in French diplomacy, and Carlisle dropped the question of the French army for the Palatinate. The secret promise imported that James, upon the faith and word of a king, in contemplation of the marriage of his dearest son, and of Madame, sister of his most Christian majesty, would permit all his Roman Catholic subjects to enjoy greater franchise and freedom of religion than they would have enjoyed in virtue of any articles of the Spanish treaty of marriage, without molestation in their persons, or properties, or conscience, provided that they rendered the obedience due by true and faithful subjects to their king, who would never exact from them any oath contrary to their religion. This paper was duly signed in November, by James, by Charles, and by a secretary of state, and a copy of the engagement was signed by Carlisle and Holland. The marriage treaty was signed and ratified by the solemn oaths of King James and King Louis. But even after this the French ministers raised a fresh objection. They represented that the secret promise was conceived in general or vague terms, and they demanded that James should specify the favours he intended. Carlisle was indignant, and recommended a resistance to this demand, telling Buckingham that he was convinced it would be given up without any injury to the match, if firmness were displayed on the part of the English court. But he demanded firmness from the weak—dignity from the debased. James and his son feared to try the temper of Richelieu and the queen-mother, and they submitted to the specification of the three following articles:—1. That all Catholics in prison for their religion since the rising of parliament should be set free. 2. That all fines levied on them since that period should be repaid. 3. That, for the future, they might freely exercise their own worship in private. There was another incident of a very different kind, which occurred during the latter part of these negotiations, to the great alarm of James. The Huguenots, or "those of the religion," as they were called in France, had received harsh treatment from Louis: Soubise, who was now at their head, and who at one time had maintained very friendly relations with some members of the English government, seized upon the island of Rhé, near Rochelle, fortified it, fitted out some ships, and proclaimed that he would not lay down his arms till he obtained a better security for the observation of the public faith and the edicts granting toleration to French Protestants. Carlisle declared this proceeding to be unadvised, unseasonable, shameful; the French court agreed to believe that the English Protestants had nothing to do with the movement, which ought in no way to alter the resolutions Louis had taken for the public good, nor the particular promises he had made to the king of England; and the lively Henrietta Maria prepared for her removal to England. Her portion was fixed at eight hundred thousand crowns; a small sum compared with the dower which had been promised with the Infanta.

But James did not live to see the arrival either of the money or of the long-sought daughter-in-law. His health had long been breaking under the united influences of anxiety, fear, full-feeding, and continual use of sweet wines; and he returned to Theobalds from his last hunting party with a disease which the doctors called a tertian ague. But it should appear that he had also the worst kind of gout upon him. He had always entertained a great aversion to medicine and physicians, but at this extremity all the court doctors were called in. While they were in attendance, Buckingham's mother presented herself with an infallible

to use dispatch. The duke tells him that his majesty has prorogued parliament, so that the exorbitant or ungentle motions might be staved, and his majesty enabled to proceed in those passages of favour, grace, and goodness, which he had promised for the ease of the Roman Catholics, not merely in contemplation of that incomparable lady (Henrietta Maria), but as a desire worth the cherishing, to make a beginning of a straighter correspondence between "him that you went to" (*i. e.* the Pope) than could be hoped for these many years past. "Besides," continues Buckingham, "you may be pleased to lay before him I forbear to name (wanting a cypher) the obligation which must fall upon the prince in a thing which, though it be to them but a circumstance of time, yet is to him an essential favour, being passionately in love; and amongst princes and generous spirits, things themselves take not so much as the manner they are done with: therefore, I conjure you as a work of more consequence than can at the first view be conceived, to use all possible diligences, that where you are there be used no delays nor interruptions to hinder the speedy dispatching of the dispensation, which work I hope will not be hard."—*Sir Henry Ellis.*

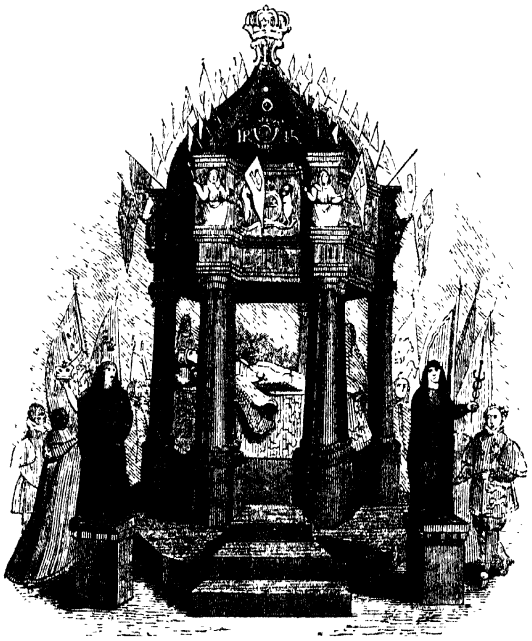
* Hardwicke State Papers.

remedy, in the shape of a plaster and a posset, which she had procured from one Remington, a quack, living in Essex, where, it was said, he had cured many agues. It should appear that the plaster was applied and the drink given contrary to the advice of the physicians. They may have produced irritation and done mischief; but we cannot believe that they were the cause of the death of James, or even intended to hasten his end. On the fourteenth day of his illness, being Sunday, the 27th of March,* he sent before day-break for the prince, who rose out of his bed and went to him in his night-gown. The king seemed to have some earnest thing to say to him, and so endeavoured to raise himself upon his pillow; but his spirits were so spent that he had not strength to make his words audible. He lingered for a few hours, and then "went to his last rest, upon the day of rest, presently after sermon was done."* James was in his fifty-ninth year, and he had been twenty-two years king of England. As soon as the breath was out of his body the privy-council, or all the members of it that were at Theobalds, assembled, and in less than a quarter of an hour King Charles was proclaimed at Theobalds court-gate by Sir Edward Zouch, knight-marshal.†

* That is, the 8th of April, N. S.

* Howell.

† That excellent letter writer, James Howell, who was at Theobalds, tells us that the knight-marshal proclaimed Prince Charles, the rightful and *dubitable* heir, to be king of England, Scotland, France, and Ireland; but he was set right by Mr. Secretary Conway, and then said, *indubitable* heir.



James I. Lying in State in Westminster Abbey. The hearse and decorations designed by Inigo Jones.

Charles I.

A.D. 1625.—On the afternoon of Monday, the 28th of March, Charles took coach at Theobalds with the Duke of Buckingham, and came to Whitehall. On the same day he was proclaimed at Whitehall-gate and in Cheapside, in the midst of a sad shower of rain; and the weather was thought suitable to the condition in which he found the kingdom. A few days after, the plague broke out in Whitechapel, whence it extended its ravages to every part of London. It was said to be even a worse plague than that which raged at the time of his father's coronation. Charles re-appointed the council and the officers of government, making scarcely any change. Buckingham stood forward more powerful and vain-glorious than ever. There was, however, some change for the better at court; the fools, and buffoons, and other familiars of James were dismissed, the courtiers were required to be attentive to religion, and modest and quiet in their demeanour, and they generally became, if

GREAT SEAL OF CHARLES I.

not more moral, far more decorous. In a few days after the accession, it was reported of the new sovereign that he was zealous for God's truth, a diligent frequenter of the church, and an attentive listener to prayers and sermons; that he intended to pay all his father's, mother's, and brother's debts, and that by disparking most of his remote parks and chases; to reform the court of unnecessary charges, and to drive from it all recusant Papists. On the 30th of March, three days after his father's death, Charles ratified, as king, the treaty with France; and on the 1st of May the marriage ceremony was performed at Paris—the Duke of Chevreu, a member of the House of Guise, acting as Charles's proxy. Buckingham was appointed to bring the bride to England, and he proceeded with an immense retinue to Paris, where he dazzled all eyes with his splendour. This man's gallantry was not checked by the national shyness of Englishmen; for he had scarcely set foot in the French court, when he declared love to the young Queen Anne of Austria. The Cardinal Richelieu made all the haste he decently could to get him back to England, and, after eight days, Buckingham left Paris, with Henrietta Maria. They travelled very slowly, or stopped very frequently; for though they began their journey on the 23rd of May, they did not reach Dover till the 27th of June in the evening. That night the young queen slept in Dover Castle. On the morrow morning Charles, who had slept at Canterbury, rode to Dover to receive his wife. They met in the castle: the bride knelt down at his feet, and would have kissed his hand, but the king took her up in his arms and kissed her with many kisses.* The royal couple proceeded together to Canterbury, on the following day to Rochester, the day after to Gravesend, and, on the 16th, there being a very great shower, the king and queen, in the royal barge, passed through London bridge to Whitehall. Notwithstanding the rain and the plague, the Londoners crowded the river and its banks to get a sight of the bride, whose appearance and cheerful manners gave them much satisfaction. Stories were soon circulated of her wit, and freedom from bigotry. It was said (and the thing was considered very important) that she had eaten pheasant and venison on a fast-day, notwithstanding the remonstrance of her confessor, and that, upon being asked if she could abide a Huguenot, she replied, "Why not?—was not my father one?" In short, before she had been four and twenty hours at Whitehall, it was joyfully announced that she had already given some good signs of hope that she might ere long become a very good Protestant. But in a few days these bright hopes seemed to fade; and people began to count the great number of priests she had brought over in her train, and to murmur at the idolatry of the mass being again set up in the palaces of their king. She had twenty-nine priests, fourteen of them Theatines*, and fifteen seculars, besides a bishop, a young man under thirty years of age. On Sundays and saints' days mass was celebrated in the queen's closet at Whitehall, Charles giving strict orders that no English man or woman should come near the place during the celebration. The priests were very importunate to have a large chapel finished at St. James's, but the king was very

* Our old friend Mr. Meade gives the following account of the meeting, and of the person of the lively daughter of the debonnair Henry IV.: "The king took her up in his arms, kissed her, and, talking with her, cast down his eyes toward her feet (she seeming higher than report was, reaching to his shoulders), which she soon perceiving discovered, and showed him her shoes, saying to this effect: 'Sir, I stand upon mine own feet. I have no helps by art. Thus high I am, and am neither higher nor lower.' She is nimble and quick, black-eyed, brown haired, and, in a word, a brave lady."

* An order founded at Rome in 1524, by John Peter Caraffa, afterwards Pope Paul IV., then Archbishop of Chieti, or Theate, in the province of Abruzzi, in the kingdom of Naples.

slow in gratifying them in this particular. Charles also began to take umbrage at the friars so constantly being in the queen's private chamber, and he told these Frenchmen, who appear to have been over zealous and injudicious, that he had granted them more than sufficient liberty in public. If the French princess had been the most excellent and amiable of women, these circumstances would have rendered her odious in the eyes of the nation; but Henrietta Maria, though lively and pleasant, when pleased, was *not* the most amiable of women: she was self-willed, obstinate, haughty, and overbearing, and began to show her temper, even in public, before she had been a fortnight in England.* Meanwhile the plague grew worse and worse. In the eyes of the Puritans the inference was obvious: the land was scourged for relapsing into idolatry.

Charles had issued writs for a parliament to meet on the 17th of May; but in consequence of two prorogations, it did not assemble till the 10th of June, the very day after his arrival at Whitehall with his queen. Though not yet crowned, he wore the crown on his head. Before proceeding to business, he ordered that one of the bishops should say prayers, and that the doors should be shut. This was done so suddenly, that the Popish lords were obliged to be present at the service. "Some whereof kneeled down, some stood upright, and one did nothing but cross himself." The young king (he was in his twenty-fifth year) was no orator, and he had the defect of stammering; but the words of his first address were plain and sensible. Instead of trying the patience of the Houses with long, rambling, pedantic speeches, he went at once to the point. He wanted money, and he told them so. In fact, the debts which his father had left amounted to 700,000*l.*; he had

* Meade, in one of his epistles, gives the following passage from a letter written by his court frequenting friend, Mr. Mordant:—

"The queen, howsoever very little of stature, is yet of a pleasing countenance (*if she be pleased*), but full of spirit and vigour, and seems of more than ordinary resolution. With one frown, divers of us being at Whitehall to see her (being at dinner, and the room somewhat over heated with the fire and company), she drove us all out of the chamber. I suppose none but a queen could have cast such a scowl."

Charles I.

Painted by Vandyke as a model for the Bust sculptured by Bernini.

already contracted considerable debts of his own; and the money voted for the war was long since swallowed up. He did not hint at a peace;* he said, on the contrary, that the war must be pushed with vigour, and he reminded them that they themselves had voted a recourse to arms, and, therefore, the war being their own work, the dishonour would lie upon them, if it were not followed up with spirit from a want of the necessary supplies. But though still inclined to hostilities with Spain and the Catholics, the Commons knew by this time that the war had been most miserably conducted; that the money formerly voted had been absolutely thrown away without doing the least good to the Palatine or the Protestant cause. They now hated and suspected Buckingham, whose popularity bloomed and died almost as fast as a flower; and they required from the new king, who had already declared against concession, some pledges of an extensive reform. In this temper they limited their votes to two subsidies (about 140,000*l.*), and the duties of tonnage and poundage, not *for life*, as had been practised for two centuries, but for one year. They were also distressed by the anomalous position of the king,—the head of the Protestant league, the chief of a war of religion, or, what they at least meant should be such,—and yet suffering mass to be celebrated in his own house, and his court to swarm with Papists and priests. Every day they had learned more and more of the compliances made in matters of religion at Madrid, at Paris, and at Rome itself, and they verily believed that their faith was in danger. They presented a "pious petition" to his majesty, conjuring him, as he valued the established and true religion of the land, to put into immediate execution all the penal statutes against Catholics and missionaries. Charles had promised, had signed, and sealed, and solemnly sworn, in his matrimonial treaty with France, to do no such thing; but he durst not avow this engagement, and he returned a gracious answer to the petition of the Commons. In another matter, however, he was less timid and complying. One of his chaplains, Dr. Montague, the editor of his father's works, was a decided champion of those Arminian tenets for and by which Laud afterwards set the kingdom in a blaze. He taught and wrote that there was a monstrous difference between the doctrines of Calvin and the Puritans and those entertained by the Anglican church, and that in many points the established church agreed more closely with that of Rome than with that of Geneva. *If* all the ministers of the establishment had believed according to some acts of parliament and the late king's determined will, Montague would have been correct in this latter statement; but this was far from being the case—a large portion of the clergy were strongly Calvinistic, and the great majority of the laity who cared anything at all about religion were passionate Calvinists. Two Puritan ministers drew up an information against what they considered the doctor's heresy, to be laid before parliament. Montague thereupon published a tract which was called 'An Appeal to Cæsar,' and dedicated to King Charles. Many who read the tract pronounced the author to be a Papist in disguise, and one that, under the encouragement of the court, was attempting gradually to reintroduce the old religion. The Commons drew up articles against the doctor, declaring him to have "maintained and confirmed some doctrine contrary to the articles agreed by the archbishops and bishops, and the whole clergy, in the year 1562; and by his so doing, to have broke the laws and statutes of this realm." They took him into custody, and commanded him to appear at the bar of their House to answer for his writings. The king represented that it was for him, and not for them, to take cognizance of the conduct of his chaplains; but the Commons replied that they were competent to visit such offences in a chaplain or in any other servant of the court; and they would not let the doctor go till he had given bail in 2000*l.* for his re-appearance.* Charles had expressed indignation at the vote of supplies, and the Lords threw out the tonnage and poundage part of the bill, because the grant of these duties was not for life. Lord Conway, the chief secretary, was pressing the Commons for more money, when the plague became so alarming that many members absented themselves, and the king adjourned the parliament to the 1st of August, appointing it to meet, not at Westminster, but at Oxford.†

Previously to the calling a parliament, Charles, of his own authority, had issued warrants for levying troops for the Palatinate; and, having no money, had exacted that the charges of "coat and conduct" should be borne by the people, who were, in return, to receive a promise of repayment from his exchequer. This gave rise to great discontents, but the king continued the practice during the recess; and other circumstances meanwhile occurred still further to bring his government into disrepute. Soubise and the Huguenots still kept possession of Rochelle and the island of Rhé, and their fleet was so powerful at sea that the French Catholics could not meet it. In virtue of the recent alliance, Cardinal Richelieu applied to the English for assistance against the French Protestants. Charles and Buckingham complied; but, to deceive the people, it was given out that the armament was intended, not against Rochelle, but against the city of Genoa, which was in alliance with the House of Austria, and which, so went the story, was to be assaulted by a united force of French and English. Ever since Buckingham had been Lord Admiral, the navy had been wofully neglected, in consequence of which the seas

* Although troops had been sent to Holland and the Rhine, no war had been declared against any one either at Charles's accession or at the dissolution of the late parliament. If Charles had not been more eager for war than his people he might easily have negotiated.

* Montague was rewarded for his sufferings by an increase of the royal favour; and the man that the Commons had denounced soon received a bishopric!

† Rushworth.—Parl. Hist.

were infested by pirates, and the trade of the country frequently molested. The only man-of-war in a state fit to put to sea was the Vanguard; but the French ministry was urgent, and so seven merchant vessels of the largest size were pressed into the king's service. Buckingham provided the little fleet with stores and ammunition as he best could; and in the month of May he caused a warrant under the great seal to be issued to call the ships' companies aboard, with orders to repair to such a part as the French ambassador might direct. The fleet stood across the Channel; but, when off Dieppe, they learned from the Duke of Montmorency, the lord admiral of France, that they were expected to take on board French sailors and soldiers, and then to proceed to fight against the Protestants of Rochelle. Captains and men instantly refused, drew up a protest or petition, and forced Pennington, the commander of the little fleet, to sail back to the Downs. Pennington himself then begged to be excused going on such a service; and presently the Duke of Rohan, Soubise, and the other Huguenot chiefs who had got a hint of what was intended, dispatched an envoy to London, to implore the king not to employ his forces against his Protestant brethren. The envoy had good words and hopes from Charles, but Buckingham told him that the king, his master, had pledged his word, and that the ships must and should go. The captains and owners of the merchant vessels, however, represented that they had been hired and impressed for the king of England's service, and that they could not be passed into the hands of the French without higher orders and a new agreement. Hereupon Buckingham posted down to Rochester with the French ambassador, who undertook to charter the merchants' ships for King Louis. But, in spite of the high and absolute tone of the favourite, merchants, captains, and men were alike averse to the service. In the beginning of July, Secretary Conway wrote a letter in King Charles's name to Vice-Admiral Pennington, telling him that his master had left the command of the ships to the French king, and that he, Pennington, should take on board at Dieppe as many men as the French pleased, and that this letter was to be his warrant. A trick was put upon the sailors—they were told again that they were to go to Genoa—and they once more sailed to Dieppe, Pennington having another letter, written by Charles himself, which charged and commanded him, without delay, to put his majesty's ship the Vanguard into the hands of the French, and to require the commanders of the seven merchant ships, in his majesty's name, to do the same, nay, in case of backwardness, to use forcible means, even to sinking, to compel them. As soon as he reached Dieppe, Pennington delivered up the Vanguard, and acquainted the rest of the captains with the king's commands. Again, they all refused to obey. When they prepared to heave anchor, Pennington fired into them from the man-of-war, and compelled them to stay, all but the brave Sir Ferdinand Gorge, in the Neptune—"more brave in running away from this abominable action than charging in the midst of an enemy." The Frenchmen were embarked, and Pennington led them to Rochelle; but to make the Englishmen fight under such circumstances was beyond his power. They deserted, and joined the Huguenots or returned home, giving an exasperating account of all that had passed. The siege of Rochelle was abandoned, and Charles drew upon himself an almost crushing weight of odium without being of any use to Louis.*

On the 1st of August the parliament met in the good city of Oxford, but certainly not in a good humour. Charles summoned both Houses to attend him in the hall of Christ Church, and there asked for more money to carry on the war.† A day or two after, it was seen that, notwitstanding this demand, and the earnest representations of ministers, the Commons would not vote any more subsidies, or change their previous decision about tonnage and poundage. They, in fact, applied themselves to the redress of grievances, foremost among which they placed the non-enforcement of the penal statutes against Papists. Old Coke, more bold and impressive from his great age, denounced new invented offices and useless officers, which cost much money, and ought to be abolished; the multiplicity of great offices in one man—meaning, of course, Buckingham; the prodigality of the court and household; and the paying of certain pensions; which ought to be stopped until the king was out of debt. Other members denounced with as much vehemence, if not eloquence, the now common practice of selling the offices of government. By this time the Earl of Bristol had explained to many his own conduct and the conduct of Buckingham at Madrid; and an inquiry was proposed into the maladministration of the favourite as lord admiral, and his having brought the country into a war merely from personal spite against the Spanish favourite Olivares. The tone of the House was bold and resolute; they compelled one of their members who censured the freedom of their speech to make submission upon his knees at the bar. The learned Sir Robert Cotton, after applauding the "constant wisdom" of the House, as shown in their censure of that ill-advised member for trenching upon their ancient liberties, told them that, notwithstanding those walls could not conceal from the ears of captious, guilty, and revengeful men without, the council and debates within, he would express his honest thoughts, and show the crimes which parliament had impeached other minions for in elder times. And then he compared the administration of Buckingham with that of the preceding favourite, Somerset, showing how much worse it was to the country, and gave a sketch of the rise and fall of the Spencers, the Gavestons, the De la Poles, and other minions of

* Rymer.—Cabala.—Rushworth.—Clarendon Papers.—Les Larmes de l'Angleterre.

† The Commons said, with some reason, that they hardly knew whom they were at war with. There had been no declaration!

royalty. Buckingham, at the desire of the king, who had removed to Woodstock, presented an account of the navy, and a denial of having acted through personal feelings in the quarrel with Spain. His tone was mild and gentle—almost pathetic in speaking of his loss of the Commons' favour—but when he alluded to the Earl of Bristol, he could not conceal his deadly hatred. "I am minded," said he, "to leave that business asleep, but, if it should awake, it will prove a lion to devour him who co-operated with Olivares." When they had sat nine days, the Commons were told from the king that his business required a speedy dispatch; that the plague might touch them, and that he desired a present answer about his supplies; that if they would not give such answer without loss of time, he would take more care of their health than they themselves seemed disposed to take, and shift for himself as he could. They were debating upon the subject of a supply, but were not inclined to be very liberal without some tender of redress, when this threat of dissolution reached their ears. A most animated debate ensued, and they appointed a committee to prepare their answer. This proved to be a spirited but respectful declaration, putting forward abuses, but not refusing fresh supplies. They told his majesty that they were abundantly comforted by his majesty's late gracious answer touching their religion, and his message for the care of their health, and they solemnly vowed and protested before God and the world, with one heart and voice, that they would ever continue most loyal and obedient servants. But, they added, "We will, in a convenient time, and in a parliamentary way, freely and dutifully do our utmost endeavours to discover and reform the abuses and grievances of this realm and state, and in like sort to afford all necessary supply to his most excellent majesty upon his present occasions and designs: most humbly beseeching our said dear and dread sovereign, in his princely wisdom and goodness, to rest assured of the true and hearty affections of his poor Commons; and to esteem the same to be (as we conceive it is indeed) the greatest worldly reputation and security that a just king can have; and to account all such as slanderers of the people's affections, and enemies to the commonwealth, that shall dare say the contrary." This declaration was passed as the sense of the House, but they had not had time to present it when they were suddenly summoned to the Lords to hear the king's commission for dissolving the parliament. Thus inauspiciously ended, on the 12th of August, the first parliament under Charles.

During this Oxford session of twelve days he of course obtained not a farthing; but he fancied that he could take money from the pockets of his subjects in right of his prerogative without consent of parliament; and the hair-brained Buckingham, who had been the instigator of the hasty dissolution, cheered him with prospects of great wealth to be obtained by the plunder of Spain. Writs under the privy seal were issued to the nobility, gentry, and clergy, calling upon them to lend money to his majesty; and wherever any reluctance was encountered, threats of vengeance were employed; the duties of tonnage and poundage were levied though the bill had not passed; the salaries of the servants of government were left in arrears; the amusements and even the daily table* at court were trenched upon in order to save money for the fitting out of an expedition, which, according to the calculation of the favourite, would pay cent. per cent. By these means an army of ten thousand men was collected on the western coast, ships of war were fitted out, and merchant vessels engaged as transports, and armed. Not a word was said about the destination of these forces; —Buckingham's blow was to fall by surprise.† The States of Holland contributed a squadron of sixteen sail; the English fleet counted eighty sail; the greatest joint naval power that had ever spread sail upon salt water—which made the world abroad to stand astonished how so huge a fleet could be so suddenly made ready.‡ The command of both fleet and army was given to Sir Edward Cecil, now created Lord Wimbledon, a general who had served with very bad success in the Palatinate and the Low Countries. This appointment of a mere landsman surprised and vexed the seamen, who looked upon Wimbledon with contempt. It belonged properly to Sir Robert Mansel, Vice-Admiral of England, and an experienced sailor, in case the high admiral himself went not; but Buckingham for selfish motives made the odd choice, and then persisted in it. The fleet set sail in the month of October, shaping its course for the coast of Spain. In the Bay of Biscay the ships were damaged and in part scattered by a storm. One vessel (the Long Robin) foundered with one hundred and seventy men on board. This was but the beginning of misfortune. The confusion of orders was such, that the officers and soldiers scarcely knew whom to command, or whom to obey. When he got in sight of the Spanish shores, Wimbledon called a council of war, the usual and dangerous resource of incompetent commanders. His instructions, like those given to the great Drake in former times, were, to intercept the Plate ships from America, to scour the Spanish coast, and destroy the shipping in the ports. But where should he begin? In the council of war some recommended one point, some another: in the end, it was determined to make for Cadiz Bay. But while they were consulting, the Spaniards got notice of their approach, and prepared to receive them. Moreover, Wimbledon allowed seven

* Charles found himself obliged to borrow 3000*l.*, to procure provisions for his table, from the corporations of Salisbury and Southampton.

† Howell, however, says that the secret was badly kept, "as all state secrets were in those days. He attributes, in part, the failure to the "blazing abroad of this expedition ere the fleet went out of the Downs; for *Mercurius Gallo Belgicus* had it in print, that it was for the Straits-mouth: now, it is a rule, that great designs of state should be mysteries till they come to the very act of performance, and then they should turn to exploits."—*Letters.*

‡ Howell.

large and rich Spanish ships to escape him, and sail into the bay, where they afterward (when he had effected his landing) did him great mischief with their ordnance.* A sudden attack on the shipping at Cadiz and Port Santa Maria could hardly have failed even now, but the land admiral preferred taking ships by land—perhaps he meant to take and plunder Cadiz, as Essex had done—and disembarking his troops, he took the paltry fort of Puntal. Then he moved towards the bridge which connects the Isla de Leon with the continent, to cut of the communication. No enemy was seen on this short march; but, in the wine-cellars of the country, which were broken open and plundered, a foe was found which has ever been more dangerous to undisciplined English troops than bullets and pikes. The men got drunk, and became unmanageable; and if the Spaniards had known their condition, they might, at one moment, have cut them to pieces. Lord Wimbledon, as the best thing he could do, led them back to the ships, leaving some hundreds of stragglers to fall under the knives of the enraged peasantry. There still remained the hope of intercepting the Plate fleet, but an infectious disease broke out in my Lord Delaware's ship, and in consequence of an insane order given by Wimbledon, that the sick should be distributed into the healthy ships, the malady was spread exceedingly. After beating about for eighteen days with a dreadful mortality on board, and without a glimpse of the fleet from the New World, Wimbledon resolved to carry his dirtied, dishonoured flag home again, "which was done in a confused manner, and without any observance of sea orders." The Plate fleet, which had been hugging the Barbary coast, appeared off the coast of Spain two or three days after his departure, and got safely into Cadiz. And while he was master of those seas a fleet of fifty sail of Brazil men got safe into Lisbon, with four of the richest caracks that ever came from the Indies. With the troops and crews dreadfully reduced, with sickness in every ship, and without a single prize of the least value, Wimbledon arrived at Plymouth, to be hissed and hooted by the indignant people. This sorry and unsuccessful return of an expedition which had cost him so much was a grievous blow to Charles, who, however, betrayed no vindictive temper, being even averse to call the leaders of it to a court-martial; but, as the popular outcry was tremendous, he set on foot an examination in the privy council. Then the Earl of Essex and other officers attributed the failure to the incapacity of the commander-in-chief; and he attributed it to their jealousy and insubordination. But Wimbledon told Buckingham that the command had been forced upon him, against his judgment, by himself and the king, and that he had foretold to his majesty all that would happen; "and," added he, "had it not been for my obedience to his majesty and my good affection to your excellency, I would rather have been torn in pieces than to have gone with so many ignorant and malicious people." He complained grievously of his exclusion from his majesty's presence, and of the course pursued in the privy council. After a time, the examinations were stopped, and then renewed, to the great vexation of Wimbledon, who repeated his accusations against his colonels and officers. "I have been your excellency's officer," said he, "in as difficult and miserable an action as ever any one hath undertaken, and with as little assistance as ever any one had. For many of those that should have assisted me were more careful in betraying me than in forwarding his majesty's service." He then implored the favourite to carry him through, and obtain for him the honour of kissing the hand of his sovereign lord the king, concluding with these words: "All power is in your lordship's hands, whether you will uphold me in my cause or no, or let me be ruinated for want of it; so that I can say no more, but that, if I suffer, I shall be your excellency's martyr."* Buckingham *did* uphold him, and, in the end, neither commander-in-chief nor Essex with the subordinates was punished, it being agreed to attribute the failure of the expedition to Providence.†

As Buckingham's plan for enriching his master with the produce of the Spaniards' mines of Mexico and Peru had thus failed, the favourite undertook to go over to the Dutch, and raise money by pawning the crown jewels and plate; and to the Hague he went, taking with him those articles and the Earl of Holland, who is said to have governed him as much as he governed the king. He raised some 300,000*l.* among the money-lenders; drew closer the treaty of alliance with the States; and negotiated with other Protestant powers, which sent their agents to treat with him. From the Hague he would have proceeded to Paris, but his amorous impudence had given much disgust there, and Richelieu informed him that his return to that capital could not be suffered. This message, added to some preceding circumstance almost entirely personal to Buckingham, had the effect of giving an entirely new direction to the policy of England. In his wrath, Buckingham would at once have undone what he had done only a few months before. His friend Holland and Sir Dudley Carleton, who went to Paris in his stead, were instructed to demand the immediate restitution of the English ships which had been lent to Louis, and to tell that king that he ought to make peace with his Protestant subjects, with whom they the ambassadors were to open a secret correspondence, giving them assurance that the king of England would assist them,

* "'Tis thought," says Howell, who had many friends with the expedition, "that they (the seven ships) being rich, would have defrayed well near the charge of our fleet."

* Letters to the Duke of Buckingham, in Cabala.

† Wimbledon's charge against the Earl of Essex was grave and direct: "He may give your excellency many thanks," said he to Buckingham, "that his lordship is not called into question for letting pass some of the king of Spain's ships that offered him fight, which would have been the chief service, having instructions not to let any fly or break out without fighting with them."

QUEEN HENRIETTA MARIA. From a Painting by Vandyke.

and asking them what force they could raise in case of Charles's declaring war against Louis. For the present, Richelieu was enabled to conjure the storm, but he was obliged to submit to several indignities and breaches of treaty on the part of the English court.

Apart from any consideration of religion, Charles had conceived a violent dislike of the Frenchmen and priests that had come over with his young wife; and, if the truth is told of them, they must have been a most intriguing and troublesome crew. Henrietta Maria, naturally enough, took the part of her countrymen and ghostly comforters, and this led to frequent quarrels with her husband. Charles reported all his conjugal troubles to Buckingham, and Buckingham did all he could to provoke fresh ones. The favourite was not only jealous of the influence of the young queen, but also disgusted with her whole nation; and he was still further incensed against her by some accidental, or probably intentional, slights which she put upon his intriguing and insolent mother. One day the unmanly minion entered her apartment in a great passion, and, after some rude expostulation, told her she should repent it. Her majesty answering with some quickness, he told her insolently that there had been queens in England who had lost their heads. "And," continues Clarendon, "it was universally known that, during Buckingham's life, the queen never had any credit with the king with reference to any public affairs, and so could not divert the resolution of making a war with France." On the 20th of November Charles wrote from Hampton Court to inform Steenie that he had fully made up his mind to cashier all the Mousers (Messieurs), and send them back to France. In his not very royal letter he talks of their making plots with his own subjects, and attempts to steal away his wife; of their maliciousness in making and fomenting discontents in his wife; and he desires the favourite to let him know, with all the speed he can, whether he likes this course or not, as he would put nothing of this in execution until he heard from him. "But I am resolute," continued the king; "it must be done, and that shortly." On the same day, however, when his passion cooled, he wrote another letter to the favourite, telling him that the thing must be done with management and delicacy. "You must, therefore," says Charles, "advertise my mother-in-law that I must remove all those instruments that are the causes of unkindness between her daughter and me, few or none of the servants being free of this fault in one kind or other; therefore I would be glad that she might find a means to make themselves suitors to be gone: if this be not, I hope there can be no exceptions taken at me to follow the example of Spain and Savoy in this particular."* The favourite was then on the continent, and had not as yet received the interdict of the cardinal. He was thinking of a gay visit to Paris, and therefore, as it appears, he begged his master to be patient under his domestic grievances. Some time after Charles writes to him that his "wife begins to mend her manners." "I know not," adds his majesty, "how long it will continue, for they say

* Hardwicke State Papers.

it is by advice; but the best of all is, they say the Monsieurs desire to return home; I will not say this is certain, for you know nothing that they say can be so."* His doubt was not unfounded; the Frenchmen would not ask to go. When Buckingham returned, full of rage, from the continent, violent quarrels began anew on this score. It was thought that the queen's servants would refuse to take the oath of allegiance, and it was tendered to them as a means of getting rid of them, but they all took it except the priests.

Notwithstanding his open declaration to the council that he abhorred the name of parliament, Charles saw that he must inevitably meet that body again, and that soon. Whatever sums had been borrowed abroad by Buckingham, or extorted at home under the privy seal, were absorbed by arrears, and all things were at a stand-still for want of money. In his own complaints against the French attendants we do not find any great stress laid upon their religion, but he knew very well that their faith and open practice of it were their real crimes in the eyes of his people, and that nothing was so likely to put the House of Commons into better humour as a rude expulsion of the entire court of his queen, men and women, priests and laymen; but, partly perhaps out of tenderness to his wife, partly out of a desire to avoid going to extremities with the French government while he was so poor, he hesitated long ere he would resort to that measure. Leaving the French for the present, he sought to gratify the intolerance of the Commons and the people by persecuting and annoying the English-born Catholics, in doing which he broke the treaty of matrimony, to which he had so solemnly sworn. No doubt he was the more ready to revive the old statutes against recusants, because they offered a source of revenue, in the shape of fines and forfeits, which had been very productive during the two preceding reigns. He issued orders to his Protestant magistrates to hunt up the game, and he appointed a commission to levy fines on the Catholics: he commanded, by proclamations, the immediate return of all English children and youths that were studying in Catholic seminaries on the continent, and the instant departure out of England of all priests and missionaries. He also resolved, by the advice of his council, to disarm all the popish lords: In the execution of this order, which implied an odious searching of men's houses, great care was taken to give no offence to the family and connexions of the favourite, who, mother and all, were known or suspected Catholics. "In the disarming of the lords recusants," writes Carlisle, himself suspected of being a papist, "there was as much respect had of some who have relation to your lordship as you yourself would desire."† But upon other noble families who had no such relationship with the favourite, the blow fell with unmitigated severity. The magistrates, their spies, and the fanatics searched castles and manor-houses as if there had been a new gunpowder-plot; and many an irritating scene occurred, not without a mixture of the ridiculous and farcical. The deputy-lieutenant of Northamptonshire, with two other worthy knights, and a Mr. Knightly, a very zealous actor in this line, went to the house of Mrs. Vaux, a Catholic lady, and mother of Lord Vaux, to search for martial munition. They found his lordship in the mansion, and, according to the official accounts, civilly acquainted him and his mother with the object of their visit. His lordship and the old lady respectfully consented to the search, which was duly performed, and no arms found. But, in conclusion, a younger brother of Lord Vaux got heated at this invasion of the domestic sanctuary, which possibly was not conducted so civilly as was represented, and he said that they gave to the recusants the worst usage they could, except they should cut their throats; and he swore, with divers oaths, that he wished it were come to that. The zealous Mr. Knightly told the irritated young man that there were divers statutes against the recusants which they were not troubled withal. This, young Vaux denied. Knightly then quoted the statute which imposed a fine of 20*l.* per month for non-attendance at church, and further informed him that there was a late statute against swearing, which put a penalty of twelve pence upon every oath, and intimated that he must exact that from him; to which Mr. Vaux gave an answer with ill and scornful words. Then Knightly asked Mrs. Vaux and the Lord Vaux to pay for Mr. Vaux's oaths; and, upon their refusal, he charged the constable to distrain so much of Mr. Vaux's goods as would satisfy three shillings, and give that to the poor, according to the statute. Here Lord Vaux lost patience, and, taking Knightly aside, he told him that if he found him in another place he would call him to account for this behaviour. Knightly boldly replied that his lordship knew where he lived Lord Vaux then went into the hall, followed by one of the knights, but Knightly, also, would follow; upon which his lordship thrust him out by the shoulder, telling him that now he had done his office he might be gone. Knightly turned again to the hall, saying that he had not done, and that he might search more if he chose. Then Lord Vaux gave him a good blow on the face, and they scuffled together till they were parted. But Lord Vaux hit Mr. Knightly's man (probably the constable) with a cudgel, broke his head, and knocked him down. Whereupon the deputy lieutenants, with the rest, fearing further inconveniency, withdrew, and lodged their complaint, which was heard before the king and council. Lord Vaux was presently committed prisoner to the Warden of the Fleet, and his cause remitted to the despotic Star Chamber.*

The French court remonstrated upon this fresh persecution, and reminded Charles of his treaty

* Hardwicke State Papers.
† Letter to Buckingham, in Hardwicke Papers.

* Letter from Secretary Conway to Buckingham, in Hardwicke State Papers.

and his oath; but this only piqued him, without effecting any change in favour of the recusants.

Having thus done something for popularity, the king devised how he might clear the House of Commons of some of its most obnoxious members, and he hit upon an artifice which was singularly transparent and bungling. Persons acting as sheriffs could not sit in parliament, and, therefore, when the judges presented the list of sheriffs for the ensuing year, he struck out seven names, and wrote in their places those of Sir Edward Coke, Sir Thomas Wentworth, Sir Francis Seymour, Sir Robert Philips, Sir Grey Palmer, Sir William Fleetwood, and Mr. Edward Alford, seven members who had given him the most trouble in the late parliament, and who were all resolute in their intention of impeaching the favourite.*

A. D. 1626.—The opening of the session was fixed for the 6th of February. The king was to have been crowned at Christmas, but for several reasons—we believe the want of money may have been the principal—that ceremony was not performed till the 2nd of February. There were several things too striking to be omitted, which occurred in the ceremonial of this great Thursday. The queen, as a Catholic, was neither crowned nor present in the Abbey. They offered to have a place fitted up for her, but she preferred occupying a window of a room at the palace gate, whence she might see them go and return without witnessing the religious ceremonies, which she had been taught to consider as heretical and damnable. It is mentioned by a careful relater of small things, that while her majesty stood at the window looking on the procession, her French ladies were frisking and dancing in the room. An important part was played in the Abbey by Laud, now Bishop of St. David's, Prebendary of Westminster, and on the high road to greater promotions, being much distinguished and favoured both by Buckingham and Charles. Buckingham was lord constable for the day: in ascending the steps to the throne he took the right hand of the king, and offered his left to his majesty, who, putting it by with his right hand, helped up the duke, saying to him, with a smiling countenance, "I have as much need to help you, as you to assist me." When the archbishop presented Charles, bare-headed, to the people, proclaiming, in an audible voice, "My masters and friends, I am here come to present unto you your king, King Charles, to whom the crown of his ancestors and predecessors is now devolved by lineal right, and he himself come hither to be settled in that throne which God and his birth have appointed for him; and therefore I desire you, by your general acclamation, to testify your consent and willingness thereunto," the people preserved a dead silence, and not one word followed the primate's adjuration, till my Lord Arundel, the Earl Marshal, told them they should cry out "God save King Charles!" upon which there followed a little shouting. The unction,—the anointing of the king's naked shoulders, arms, hands, and head,—things most abominable in the eyes of the Puritans, and ridiculous in the eyes of many other men, was all done behind a traverse or screen, and was performed by Archbishop Abbot, who, notwithstanding the absolution he had obtained from King James, was still suspected as being uncanonical and irregular, from his unfortunate killing of a man while hunting. Laud made several alterations in the usual service, and composed an entirely new prayer, which went to establish a closer union than ever between king and bishops, and to give great offence to the Puritans. "It was," says a courtly knight, "one of the most punctual coronations since the Conquest." It may have been this, but it was assuredly one of the dullest or the least honoured by the spontaneous joy of the nation. The fact is, Charles's sayings had gone abroad; and he was suspected in politics, in religion, and in everything else.

Four days after his coronation he opened the session of parliament,* with a very short speech, telling them he was no orator, but desired to be known by his actions, not by his words, and referring them to the Lord Keeper, who would explain the business for which he had called them together. Bishop Williams, the man that was a diocese in himself,—the ready-witted Williams, who had saved Buckingham at his crisis, who had rendered many secret services,—was no longer Lord Keeper. He had quarrelled with the favourite at or immediately after the Oxford session; he had ventured to tell him "that he was engaged with the Earl of Pembroke to labour in the redress of the people's grievances, and was resolved to stand upon his own legs,"—and of course the bishop had fallen. The present Lord Keeper was Sir Thomas Coventry, the son of a judge of the Court of Common Pleas, and a thorough-bred lawyer, who had gone through the grades of recorder of London, solicitor-general, and king's attorney. But if he knew law better than Bishop Williams, he was equally ready to stretch the royal prerogative as far as ever that base time-server had done. In his opening speech, to which the king had especially referred them, Coventry told the parliament, "If we consider aright, and think of that incomparable distance between the supreme height and majesty of a mighty monarch and the submissive awe and lowliness of loyal subjects, we cannot but receive exceeding comfort and contentment in the frame and constitution of this highest court, wherein not only the prelates, nobles, and grandees, but the commons of all degrees, have their part; and wherein that high majesty doth descend to admit, or rather to invite, the humblest of his subjects to conference and counsel with him." But the Commons had

* The great lawyer, after vexing the government with other legal points, maintained that, though a sheriff could not be returned for his shire, he might yet sit for some other shire or borough; and Coke actually got himself elected for the county of Norfolk. He did not, however, take his seat, though he was permitted to enjoy the other privileges of a member of parliament.

It is said that, at the opening of the session, one-half of the members of the Commons had not arrived from the country.

never been less disposed to listen to such language or submit to such pretensions. They had again met with a resolute will to canvass grievances and to punish the favourite of majesty; and dividing themselves into sections, and appointing standing committees, they proceeded to work fearlessly. Guided by the force without, by the zealous feelings of the people, and following in many particular instances their own inward conviction, they began again with the question of religion, and insisted on sharpening still more the legal sword against Papists. These champions of civil liberty would allow no freedom of conscience; and they invited their countrymen to aid them in a detestable system of denunciation and espionage. Dr. Montague, who had given bail in 2000*l.* for his book, was supported at court by Bishop Laud, who endeavoured to make the king and the favourite stand by him in parliament; but they had agreed to leave the chaplain to his fate, which probably would have been a hard one if the Commons had not left Montague to fall upon Buckingham himself, and by so doing induced the king to close their labours. In the very first week of the session a speech was made "somewhat eagerly, aiming at, but not naming the duke; but it was not applauded nor seemingly liked by the House."* But this discouragement was merely given to some over-hasty orator: they were preparing a regular attack, and wished not for petty skirmishes. Their committee of grievances drew up an account of sixteen capital abuses, all fatal to the liberties of the people. Among these were the old curse of purveyance, and the new practice of levying the duties of tonnage and poundage without consent of parliament; monopolies; great prodigality and malversation on the part of the ministry. They traced all these evils, all the disgraces sustained by the English flag by land and sea, and all other wrongs and misfortunes, to the "great delinquent." The king, anticipating their resolves, sent a message to the Commons, in which he chose to overlook the precedents of Bacon and Middlesex, and the notorious fact that he himself, as Prince of Wales, had joined Buckingham in procuring Middlesex's impeachment. "I must let you know," said he, "that I will not allow any of my servants to be questioned amongst you, much less such as are of eminent place and near unto me. The old question was, what shall be done to the man whom the king shall honour; but now it hath been the labour of some to seek what may be done against him whom the king thinks fit to honour. I see you especially aim at the Duke of Buckingham. I wonder what hath so altered your affection towards him. I do well remember his favour with you in the last parliament of my father's time. . . . What he hath done since to alter and change your minds I wot not, but can assure you he hath not meddled or done anything concerning the public or commonwealth but by special directions and appointment, and as my servant. . . . . I wish you would hasten my supply, or else it will be worse for yourselves; for, if any ill happen, I shall be the last shall feel it."

But the Commons maintained that it was "the ancient, constant, and undoubted right and usage of parliaments to question and complain of all persons, of what degree soever, found dangerous to the commonwealth in abusing the power and trust committed to them by the sovereign:" they stopped the question of supplies,—they proceeded more vigorously than before against the favourite,—and, not having as yet got ready their direct testimony, they voted, almost by acclamation, that common fame was a good ground of proceeding, either by inquiry, or presenting the complaint to the king or lords. Instead of taking warning, Charles sent down the lord keeper to rate them for their presumption, and to require the punishment of two members who had given him offence by insolent discourses in the House,—to tell them that it was his majesty's express and final commandment that they should yield obedience and cease this unparliamentary inquisition, and that if they complied not they might expect to be dissolved. There were some few court members who entertained the constitutional heresy that parliaments existed only by sufferance, and that they were things that might be made or unmade at the will of the sovereign. Sir Dudley Carleton, who, as a diplomatist, had travelled a great deal in the despotic states of the continent, drew a frightful but scarcely exaggerated picture of the misery of the people there. He could scarcely have found a better argument in favour of the determined struggle the Commons were making to check that despotism which was established elsewhere, and was the cause of the people's misery and abjectness; but, with an obliquity of vision scarcely conceivable in a well-educated gentleman, he saw in it an argument for the court. "He cautioned them not to make the king out of love with parliaments, by encroaching on his prerogative; for in his messages he had told them that he must then use new councils. In all Christian kingdoms there were parliaments anciently, till the monarchs, seeing their turbulent spirits, stood upon their prerogatives, and overthrew them all except with us. In foreign countries the people look not like ours, with store of flesh on their backs, but like ghosts, being nothing but skin and bones, with some thin cover to their nakedness, and wearing wooden shoes on their feet—a misery beyond expression, and that we are yet free from; and let us not lose the repute of a free-born nation by our turbulency in parliament."* And that there might be no possibility of a mistake as to the king's real sentiment, or his absolute way of expressing it, Charles himself again addressed them, bidding them remember that parliaments were altogether in his power for their calling, sitting, or dissolution, and that therefore as he should find the fruits of them good or evil, they were to be or not to be. The Commons,

* Meade.

* Rushworth.

thereupon, retired to deliberate, and they locked the door of the House, and placed the key in the hands of the Speaker, Sir Heneage Finch. This unusual measure created a panic in the court, and Charles himself proposed and obtained a conference between the two Houses. In that meeting the favourite attempted to explain away the passages in the royal speeches and messages which had given so much offence to the Commons, and to justify his own conduct. He told them, moreover, that the king was willing to submit to the consideration of a *secret* committee of both Houses those defects of his estate which were not fit for the eyes of a multitude. But the Commons would not be moved from their original purpose; and, after the Easter recess, they impeached the favourite at the bar of the House of Lords. Buckingham, however, was attacked in that assembly by the peers themselves before the Commons brought up their impeachment. As if seized by a vertigo, Charles, not content with exasperating one branch of the legislature, engaged in a mad quarrel with the other. The Earl of Arundel, the marshal, had given some offence to Buckingham, and his son, Lord Maltravers, had privately married a daughter of the Duke of Lennox without obtaining the royal consent. Leaving the young lord, Charles fell upon the father, and, by royal warrant, Arundel was shut up in the Tower. This seemed to the contrivers of it a masterly stroke; for Arundel, besides his own vote in the House of Lords, held five or six proxies, which would all have been turned against the favourite. But the Lords presently took up the business, and, after a formal examination of precedents, they resolved, "that no lord of parliament, the parliament sitting, or within the usual times of privilege of parliament, is to be imprisoned or restrained without sentence or order of the House, unless it be for treason or felony, or for refusing to give surety for the peace." They then sent an address to the king, respectfully calling for the immediate liberation of the Earl of Arundel. Charles returned an evasive answer;—the Lords sent him another address. The king deputed the attorney-general to explain the royal prerogative; but the Lords would not yield, and they came to a resolution to suspend all other business. At last the king yielded in a very ungracious manner: Arundel was set at liberty, and he took his seat, amidst the triumphant shouts and cheers of the House. After another struggle, still more disgraceful, the court sustained another humiliating defeat in the same high quarter, and another and a more deadly enemy of the favourite took his seat in the Lords. The Earl of Bristol, since his return from Spain, had never ceased petitioning that he might be heard in his defence and allowed to come to London. Now that he saw a strong opposition party organised in the House of Lords, which had so long been so very submissive and slavish, he sent up to claim from his peers his indisputable right. Buckingham would have preferred meeting the devil, but, upon deliberation, it was deemed expedient to comply in outward appearance. A writ of summons was issued to call the earl up to parliament, but this was accompanied by a letter privately written, and charging him, as he feared the king's displeasure, to keep away. Bristol sent the letter to the House of Lords, inclosed in one of his own, soliciting their advice and demanding permission to accuse, in his place, the favourite. Upon this the king and Buckingham sent down the attorney-general, who the very next day charged Bristol at their lordship's bar with high treason. But the Lords could not help understanding this manœuvre, and they voted that the one charge should be heard after the other,—that Bristol should make his accusation, and that the counter accusation should neither prevent nor prejudice his evidence.

Bristol drove to the House of Lords in a kind of triumph, with eight horses to his coach, brave and rich with cloth of gold or tissue; but my Lord Duke of Buckingham went much more modestly than was his wont, in an old coach, with only some three footmen and no retinue. When he entered upon his accusation, Bristol charged the favourite with plotting with Gondomar to get the Prince of Wales into Spain for the purpose of converting him to popery previously to his marriage there; with having conformed to popish rites himself, and led an immoral and depraved life while in that country as the companion of the prince and the guest of the Spanish monarch; with having broken off the treaty of marriage out of private resentment and spite at the Spanish government, which had expressed its desire to have no more negotiating with so dissolute and dangerous a man; and with his abusing and deceiving King James and both Houses of Parliament on his return from Spain with a feigned and false narration.† On the other hand, Heath, the attorney-general, charged Bristol with having persuaded the prince to change his religion in order to marry the Infanta,—with having endeavoured to force that marriage upon his highness by delivering the procuration, and with having presented to the House of Lords a petition full of scandal and highly insulting to his majesty. The Lords agreed that these charges against the earl should be heard first. Bristol asked the attorney-general, who was the prosecuting witness? Heath replied, that the prosecution was commanded by the king, and that some of the charges had been dictated by his majesty. Upon this avowal Bristol said, "that he would not contend with his sovereign, but that, it might be of dangerous consequence if the king should be accuser, judge, witness, and have the confiscation."‡ The king ought in decency to have been quiet; but he could not trust the Lords. He

* Journals.

† Bristol also brought articles against Secretary Conway, now Lord Conway, whom he fatly represented as the creature of Buckingham. Conway maintained, that if he had done wrong it was in obedience to orders,—that he had never done anything without the king's express command.

‡ Whitelock.

was fearful that, if left to themselves, they might weigh and judge too impartially, and he sent the Lord Keeper Coventry, a principal agent and the legal adviser in this dilemma, to tell them that he himself, of his own knowledge, could exculpate the Duke of Buckingham; that Bristol, in impeaching the narrative of the Spanish match which the duke had made to parliament, touched him, who, as Prince of Wales, had vouched for the truth of that narrative; and that he trusted confidently that they would not equal the duke and the earl by a proceeding *pari passu*. The peers had the wisdom and spirit to disregard this message, upon which the king attempted to remove, by his arbitrary will, the case of Bristol from the House of Lords to the Court of King's Bench; but here again he was foiled by the peers, who firmly maintained their privileges. The lords consulted the judges upon the two following points:—Whether the king could be a witness in a case of treason? Whether, in Bristol's case, he could be a witness, admitting the treason done with his privity? The timid judges required a short time to deliberate: the king sent them a message and command to give no answer to the questions, seeing that he knew not what consequences might ensue to the prejudice of the rights of his crown, which he would not suffer to be diminished in his time. Bristol answered every particular of the charges brought against him with great spirit and perspicuity: his answer, which appears to have given general satisfaction to the Lords, was entered on the Journals.*

It was deemed expedient, or perhaps absolutely necessary, that Buckingham should stand the fire of the Commons before he met the charges of Bristol. The Lower House, by the beginning of the month of May, had appointed eight managers, with sixteen assistants, to confer with the Lords on the impeachment, and had voted, by a large majority, that the Lords should be moved to commit the Duke of Buckingham to the Tower. On the 8th of May the impeachment was carried up to the peers. It was divided into thirteen separate charges, the chief of which were, that Buckingham had bought for money the posts of High Admiral and Warden of the Cinque Ports; had invested himself with several of the highest offices of the state which had not before been held by one individual; had culpably neglected the guarding of the seas, and suffered the trade of the country to fall to ruin; had illegally detained, for his private profit, a French ship, and so provoked the French king to make reprisals on English merchants; had extorted 10,000*l.* from the East India Company; had put a squadron of English ships into the hands of the French king to be employed against the Protestants of Rochelle; had sold places of judicature; had procured honours and wealth for his poor kindred; had committed malversation in the Treasury; and had presumed to apply a plaster and give a drink to the late king on his death-bed against the orders of the physicians. The eight managers for the Commons were, Sir Dudley Digges, Sir John Eliot, Serjeant Glanville, Selden, Whitelock, Pym, Herbert, and Wandesford. Digges spoke the prologue. After comparing the parliament to the universe, the lords to the fixed stars, the commons to the lower world, the king to the glorious sun, he called Buckingham a comet—a prodigious comet—against whom, and his irregular ways, there were legal articles of charge to be delivered to their lordships. He then entered upon the articles of the impeachment; and, when he had done, Glanville, Selden, and Pym spoke in detail upon the several charges. Sir John Eliot delivered the epilogue to the impeachment. He compared the inward character of the duke's mind to the beast called by the ancients *stellionatus*;* a beast so blurred, so spotted, so full of foul lines, that they knew not what to make of it. "You have seen his power," continued the orator, "and some I fear have felt it. You have known his practice, and heard the effects. . . . I can hardly find him a parallel; none so like him as Sejanus, thus described by Tacitus, *audax, sui obtegens, in alios criminator, juxta adulator et superbus*. . . . . For his pride and flattery it is noted of Sejanus that he did *clientes suos provinciis adornare*: doth not this man the like? Ask England, Scotland, and Ireland, and they will tell you. Sejanus's pride was so excessive, as Tacitus saith, he neglected all counsel, mixed his business and service with the prince, and was often styled *imperatoris laborum socius*. My lords, I have done; you see the man: by him came all the evils; in him we find the cause; in him we expect the remedies; and to this we met your lordships in conference." During these vehement speeches Buckingham jeered and fleered, showing that he had more confidence in the power of the king to protect than in that of the parliament to punish him. Sir Dudley Digges, or Serjeant Glanville, was so provoked by his insolence, that, turning to the duke, he exclaimed, "My lord, do you jeer me?—are these things to be jeered at? My lord, I can show you when a man of a greater blood than your lordship, as high in place and power, and as deep in the favour of the king as you, hath been hanged for as small a crime as the least of these articles contain."† Sir John Eliot's quotations from Tacitus stung to the quick. For Buckingham to be a Sejanus the king must be a Tiberius—the inference was inevitable; and Charles, besides, knew that, in the charge about the plaster and the posset, it was meant that the late king had met with foul play,—a horrible, and, as we believe, an unfounded suspicion, which obtained among the people both before and long after this impeachment. He resolved to take vengeance on Eliot and Sir Dudley Digges: two days after they were

* Rushworth.—Whitelock.

* The name of the animal alluded to is *stellio*; from which seems to have been formed the legal term *stellionatus*, meaning any nondescript or undefined crime.

† Meade.

called out of the House, as if the king had sent for them, and were carried to the Tower by water, it being given out that their arrest was for high treason. As soon as the news was carried into the House, there was a cry of "Rise! rise! rise!" which Mr. Pym not well understanding, stood up, and began to insinuate an exhortation to patience and wisdom. Whereunto one Walters replied that he seemed to mistake the voice of the House, which, as he understood, had no other meaning but that it was time to rise and go to dinner. The House, however, was greatly incensed. Pym, no doubt, had seen already that there would be a rising in arms. Charles, in the meanwhile, hurried to the House of Lords in a fury, not merely to complain of the insult offered to himself, but also to interpose his ægis between Buckingham and his accusers.* "I have thought fit," said he, "to punish some insolent speeches lately spoken. I have been too remiss, hitherto, in punishing such speeches as concern myself; not that I was greedy of their monies, but that Buckingham, through his importunity, would not suffer me to take notice of them, lest he might be thought to have set me on, that he might come the forwarder to his trial. And to approve his innocency as touching the matters against him, I myself can be a witness to clear him in every one of them." While the king delivered this speech to the Lords, Buckingham, who ought to have been in the Tower, or at the least in custody of the Black Rod, stood confidently by his side. But, again, they were both foiled by the high spirit of the Commons, who debated with closed doors on the violation of their privileges, and came to the resolution to stay all business till satisfaction were given. In a few days Charles was fain to release Sir Dudley Digges and Sir John Eliot, who returned to their seats in the House, which voted that they had not exceeded the commission intrusted to them.†

Just at this moment the chancellorship of the University of Cambridge fell vacant, and Charles resolved that the high honour—as it was esteemed—should be conferred on the favourite, who was lying under two impeachments and branded by the people. The Earl of Suffolk died at two o'clock on the morning of Sunday; on Monday, about noon, as soon as the news of his death had reached Cambridge, Dr. Wilson, chaplain to my Lord Bishop of London (Montaigne) arrived there without any letter, but with a message from his lordship that they should choose the duke, such being his majesty's desire and pleasure. In the emulation which had being going on for preeminence in the arts of flattery, subserviency, and baseness, the leaders of the two universities seem to have won the prize, or to have shared it with the bishops and court divines. The heads of the colleges met immediately after sermon, when "this motion was urged by Dr. Wren, Dr. Maw, and two others, with great vehemency, and as it were confidence of authority, so that the rest were either awed or persuaded; and those that would not have the duke durst not venture to make further opposition, though they inclined to more advised council." "It was in vain," continues Meade, (himself a fellow, and one that regarded the proceeding as a rare curiosity,) "it was in vain to say that Dr. Wilson's bare word from his lord was not sufficient testimony of his majesty's pleasure, nor such as might be a ground of an act of such consequence that we should by this act prejudge the parliament; that instead of patronage we sought for, we might bring a lasting scandal, and draw a general contempt and hatred upon the university, as men of most prostitute flattery; that it would not be safe for us to engage ourselves in public differences; that at least, to avoid the imputation of folly and temerity in the doing, it would be wisdom to wait our full time of fourteen days, and not to precipitate the election. To this was answered, 'The sooner the better, and more acceptable.' If we stayed to expect the event in parliament, it would not be worth 'God-ha-mercy!'" Upon the news of this consultation and resolution of the heads, the fellows and younger members began to murmur, and to run to one another to complain, and to say that the heads had no more to do with the election than any of them. They determined to set up a nobleman of themselves, and in their hurry selected Thomas Howard, Viscount Andover, recently created Earl of Berkshire, who had no knowledge of the honour intended him. On Tuesday morning every head sent for his fellows, to persuade or force them to vote for the duke; but, notwithstanding these endeavours, some of the fellows went publicly to canvass for the earl, and some more privily inquired how their friends and others were affected. "But on the same day, about dinner time, the Bishop of London in person, with Mr. Mason, my lord duke's secretary, and Mr. Cozens, arrived with letters expressly signifying, in his majesty's name, that his majesty would be well pleased if they chose the duke." The scene which followed among the colleges is full of meaning,—a key to the understanding of other manœuvres. "My lord bishop labours, Mr. Mason visits for his lord, Mr. Cozens for the most true patron of the clergy and of scholars. Masters belabour their fellows. Dr. Maw sends for his, one by one, to persuade them, some twice over. On Thursday morning (the day appointed for the election) he makes a large speech in the college chapel, that they would come off unanimously: when the school-bell rung he caused the college-bell also to ring as to an act, and all the fel-

* That industrious collector and transmitter of news, Meade, who evidently drew his information from near sources, writes, on the 13th of May,—"His majesty's affection no whit abates towards him, but seems rather to increase. Lord help us;—what will come of these things? The distraction is great, and of great consequence; and, unless God shows the way out, we are but in ill case. *Domine, Miserere!* The duke being in the bed-chamber, private with the king, his majesty was overheard (as they talk) to use these words 'What can I do more? I have engaged mine honour to mine uncle of Denmark and other princes. I have, in manner, lost the love of my subjects. And what would'st thou have me do?' Whence some think the duke moved the king to dissolve the parliament."

† Journals.—Rushworth.—Parl. Hist.

lows to come into the hall and to attend him to the schools for the duke, that so they might win the honour to have accounted it their college act. Divers in town got hacknies, and fled to avoid importunity. Very many, some whole colleges, were gotten by their fearful masters, the bishops and others, to suspend, who otherwise were resolved against the duke, and kept away with much indignation: and yet, for all this stir, the duke carried it but by three votes from my Lord Andover, whom we voluntarily set up against him, without any motion on his behalf, yea, without his knowledge. You will not believe how they triumphed (I mean the masters above-named) when they had got it. Dr. Pash made his college exceed that night," &c. There was only one doctor that durst vote against the duke. Some of the fellows thought of questioning the legality of the election; but they preferred their own ease, not knowing what mischief they might bring upon themselves. "What will the parliament say to us?" exclaims the narrator. The House of Commons did not leave him long in doubt; though it may be doubted whether, notwithstanding the grossness of the provocation, they had any legal right to interfere. They made an order that their disapprobation should be conveyed to the university, and letters sent to fetch up the doctors to answer for it; but the king stopped them, and commanded them not to stir in this business, which belonged not to them, but to himself.* Buckingham gave Mr. Reading, who went to announce his election, a fine gold chain, a letter of thanks to the university from himself, another from the king, and two from the bishops who had been engaged in the business. The king's letter, it was imagined, was "purposely framed to stop all gaps if parliament should fall upon the heads." It thanked the university for having followed his pleasure, as intimated to them by the Bishop of London; and told them that he could not, in his princely nature, forbear to let them know how much they had made themselves partakers of his royal approbation; "and," continued Charles, "we shall ever conceive that an honour done to a person we favour is out of a loyal respect had unto ourself; and as we shall ever testify Buckingham worthy of this your election, so shall you find the fruit of it; for we have found him a faithful servant to our dear father of blessed memory, and ourself," &c. In order that this letter might be generally known, it was publicly read in the Regents' House.†

The favourite had now been allowed some time to prepare his defence to the Commons' impeachment, in doing which he had the assistance of Sir Nicholas Hyde. On the 8th of June, a week after his Cambridge election, he rose in the Lords with great grace and modesty, and began his reply. He affirmed that some of the accusations against him were grossly exaggerated; that others were altogether groundless: but his great argument was, that he was only the servant of royalty—that all that he had done had been done in obedience either to the late or to the present king. He confessed that he had purchased the post of Warden of the Cinque Ports; but that he thought a very excusable offence, or no offence at all. When he spoke to the charge relating to the delivery of the Vanguard and the merchant-ships to the French government, he hesitated, and then said that, though he could justify his own conduct in that particular, it would be dangerous and improper for him to divulge secret reasons of state. He pleaded an anticipatory pardon, which had been granted him by Charles on the 10th of February, or four days after the opening of the present parliament. He said, however, that it was his earnest wish to go through a regular trial. But, on the very next day, the king addressed the following message to the Speaker of the Commons:—"We hold it necessary, by these our letters, to give them this our last and final admonition, and to let them know that we shall account all further delays and excuses to be express denials; and therefore we will and require you to signify unto them that we do expect that they do forthwith bring in their bill of subsidy to be passed without delay or *condition*, so as it may fully pass the House by the end of next week at furthest; which, if they do not, it will force us to take other resolutions." The Commons, who had been all along resolute that a reform of abuses and the dismissal of Buckingham should precede their bill of subsidy, drew up a declaration which they meant to present to the king in a body; but, while the business was still under discussion, they were suddenly summoned to attend his majesty in the House of Lords. Knowing what this signified, they took their declaration, which had been hastily drawn up, with them. Instead of the king, they found his commissioners for the dissolution of parliament. The Speaker held up his paper and proclaimed its contents, the most important of which was a humble petition to his majesty for the removal of the favourite from access to his royal presence. The Lords, foreseeing much mischief, implored Charles for a short delay: his answer was, "No, not for a minute."* Thus ended, on the 15th of June, 1626, his second parliament. Before they retired to their homes, to await in patience to see what the assumed divine right would do for the king without their vote of supplies, the Commons took care to disperse their declaration or remonstrance. The paper was calculated to make a deep impression on the popular mind. The king replied, by a

* Meade's Letter, in Sir Henry Ellis.—Journals.—The Commons, however, would not cede the point without a struggle. They replied to the king's order, which was delivered to the House by the Chancellor of the Exchequer, by a humble address: Charles repeated the prohibition, and, after some postponements, the subject was lost sight of, and then the hasty dissolution prevented further discussion.

† Meade.—Buckingham's letter was also read in the same place. The favourite told them that there was nothing in the world he held more dear than the good opinion of learned and honest men, such as they were; that he could not attribute the honour they had done him to any desert of his own, but to the respect they bore the sacred memory of his dead master, the king of scholars, and to his gracious master now living; that he would maintain their charters, privileges, and immunities, &c.

* Rushworth.—Parl. Hist.

counter declaration, an excusable measure, though his paper contained many equivocations and some falsehoods: but, not resting here, he, by a proclamation, commanded all persons having a copy or notes of the Commons' paper to burn the same, under pain of his indignation. Immediately after the dissolution the Earl of Arundel was confined in his own house, and the Earl of Bristol was sent to the Tower. Having taken this petty vengeance, Charles and his favourite devoted their whole attention to the raising of money by illegal means. A warrant was issued under the great seal for levying duties on all imports and exports; the trade in fines for religion was revived with more vigour than ever; a commission was appointed to inquire into the arrears due by the Catholics, to compound with them for immediate payments, and to secure regular returns of this odious kind of revenue; another commission was appointed to manage the extensive crown lands, and to improve in various ways the rents derived from them; fresh privy seals for loans were issued to the nobility, gentry, and merchants; and a demand for 120,000*l.* was made upon the city of London. Moreover, London and the seaport towns were commanded to furnish ships for the defence of the coast and the protection of commerce in the narrow seas; and the lords-lieutenants of counties were ordered to muster troops to be ready to meet insurrection at home or invasion from abroad. But all these minor resources of despotism were insufficient to supply the vacuum in the royal treasury, and Charles presently proceeded to the extreme measure of a forced loan on a grand scale. The members of the Protestant alliance had reaped nothing but disgrace and loss from their connexion with him and his unfortunate brother-in-law the Palatine. His uncle, the King of Denmark, was completely routed on the 27th of August, and driven behind the Elbe by the Imperialists under Count Tilly; and not only the cause of the Palatine, but also the cause of Protestantism in Germany, seemed desperate. The council impudently pretended that parliament was not called together at this crisis only because the urgency of the case would not allow time for their assembling and deliberating; and, therefore, a general loan was exacted, and each individual was called upon to contribute according to his rating in the last subsidy. Commissioners were let loose upon the land with books and registers, and most tyrannical instructions of the king's and the council's making. They were to examine upon oath all those that refused their money, as to the motives of their conduct, and the persons who advised them to it; and the individuals so examined were to be charged upon their allegiance never to divulge what might pass between them and the commissioners. The money, it was said, would all be paid back by the king to his loving subjects out of the next subsidies voted by parliament; but people knew not when the king and parliament would agree, and they had already ample grounds for doubting the veracity and good faith of Charles and Buckingham, who still seemed one and indivisible. Many who had refused to contribute to the loan were visited by all the vengeance of absolutism: the rich were imprisoned—the poorer sorts sent to serve in the army or navy; nor would Charles in any one instance step between the severity of his agents and their victims. In the list of the sufferers are the illustrious names of Sir John Eliot and Mr. John Hampden.* Sir Thomas Wentworth, afterwards Earl of Strafford, who began his political career as a reformer and patriot, was also imprisoned. The poor—the victims too obscure to be named—suffered most; but their wrongs equally with those of the greater patriots helped to swell the detestation of despotism, and to purchase the liberties which we enjoy. In several towns the tradespeople made a bold resistance. In Chelmsford "six poor tradesmen stood out stiffly, notwithstanding the many threats and promises made them."† In London even the rabble understood the great constitutional principle, and they shouted in the avenues of the court, "A parliament! a parliament! No parliament, no money!" Any opposition or lukewarmness on the part of a crown officer or any servant of government ensured his disgrace and dismissal. Sir Randolph Crew, the Chief Justice of the King's Bench, was removed for "showing no zeal, and his place was given to Sir Nicholas Hyde, who had assisted Buckingham in his defence."‡ We believe that there were not many sufferers of this class. The lawyers and judges, however, subservient as they were, were patriots compared to the bishops and the high church party. Laud, whom Charles had translated on the 20th of June, 1626, from the see of St. David's to that of Bath and Wells, drew up a set of instructions, in the king's name, to the clergy, who were enjoined to preach the merits of lending or giving money without authority of parliament, and to make those merits appear as essential to salvation. To remove any doubt as to his approbation of a confederacy or league of church and state against parliament and the people, Laud expressly avowed it in the preamble to these instructions.§ Forthwith the pulpits resounded with this exchequer preaching, and the established clergy tried to outstrip one another in a race whose goal was marked by a mitre. Dr. Roger Mainwaring, one of the king's chaplains, delivered two sermons highly against the power of parliament before the king and court at Whitehall, proclaiming and attempting to prove by texts of scripture, that the sovereign was not bound to keep and observe the laws of the realm; that parliament was an inferior sort of council; that the royal will was enough for the imposing of taxes; and that any disobedience or refusal to pay money for his use would assuredly be punished in the

* Rushworth.—Whitelock.

† Strafford Papers.

‡ Rushworth.—Whitelock says the chief justice, not favouring the loan, was put out of his place.

§ Heylin's Life of Laud.

next world. Robert Sibthorp, vicar of Brackley, who was tired of the obscure life of a country parson and longing after promotion, went, if possible, beyond Dr. Mainwaring. In an assize sermon, preached at Northampton, upon the text —"Render, therefore, to all their dues"*—he told the people that, even if the prince, the anointed of the lord, should command a thing contrary to the laws of God or of nature, still the subjects were bound to submit to the punishment, only praying secretly that Heaven might turn the prince from the error of his ways, but offering no resistance, no railing, no reviling—nothing but a passive obedience. His great proof for all this was a verse in the Book of Ecclesiastes:—"Where the word of a king is, there is power; and who may say unto him, what doest thou?"† Not satisfied with merely preaching this sermon, Sibthorp determined to print it under the title of 'Apostolic Obedience.' Here a licence was necessary, and an application was made for one to the primate. Abbot, notwithstanding the king's orders, absolutely refused to grant the licence or declare that the precious stuff was orthodox. Hereupon Abbot was suspended, and confined to a country-house in Kent; his functions were entrusted to a commission; and Laud, who was one of the commissioners, licensed the sermon. This rising churchman, who, if we may believe Abbot and others, was "the only inward counsellor" with Buckingham, received the new promotion of dean of the Chapel Royal. Dr. Roger Mainwaring, like Montague, got a bishopric; Sibthorp was not quite so fortunate—for he could obtain only a chaplainship in ordinary to his majesty, a stall in Peterborough, and the rectory of Burton Latimer, in Northamptonshire.‡ For twenty years the high church party had been labouring hard for despotism, but their system only drove people the faster into the ranks of their opponents, the Puritans; and these last proceedings tended wonderfully to convince men's minds that the bishops, and priests, deacons, and other ministers, were the creatures of the court, the instinctive enemies of all who cherished the ancient liberties of the land, and who contemplated the extension of those liberties and their establishment upon a broader and sounder foundation. Thus many men of mark who had no love for the more fanatic notions of the Puritans, and no decided aversion to the creed and ceremonies of the church by law established, arrayed themselves against the whole hierarchy, and prepared to make the Puritan fanaticism a sharp sword against civil tyranny.

In the mean time, while clouds were gathering abroad, Charles had nothing but storms in his own house. These latter he attributed entirely, not to his wife's natural temper, but to the influence of the French people about her. At last, seeing that they would not be gone unless they were forced away, and being less delicate than formerly about the French court, he came to an unalterable decision. One fine summer afternoon he passed, apparently without being announced, into the queen's side of the house, "and, finding some Frenchmen, her servants, unreverently dancing and curvetting in her presence, took her by the hand, and led her into his lodgings, locking the door after him, and shutting out all save only the queen. Presently upon this, my Lord Conway called forth the French bishop and others of that clergy into St. James's Park, where he told them the king's pleasure was, all her majesty's servants of that nation, men and women, young and old, should depart the kingdom; together with the reasons that enforced his majesty so to do. The bishop stood much upon it, that, being in the nature of an ambassador, he could not go unless the king his master should command him; but he was told again, that the king his master had nothing to do here in England, and that if he were unwilling to go, England would find force enough to convey him hence."* Having brought the bishop to reason, my Lord Conway, accompanied by Mr. Treasurer and Mr. Comptroller, went into the queen's apartments, and told all the French that were there that it was his majesty's pleasure they should all depart thence to Somerset House, there to remain away from the queen till further orders. "The women howled and lamented as if they had been going to execution, but all in vain, for the yeomen of the guard, by that lord's appointment, thrust them and all their country-folks out of the queen's lodgings, and locked the doors after them. It is said also the queen, when she understood the design, grew very impatient, and broke the glass windows with her fist; but since, I hear, her rage is appeased, and the king and she, since they went together to Nonsuch, have been very jocund together. The same day, the French being all at Somerset House, the king (as I have heard some to affirm) went thither and made a speech to them to this purpose;—that he hoped the good king, his brother, of France, would not take amiss what he had done; for the French, he said, (particular persons he would not tax,) had occasioned many jars and discontents between the queen and him; such, indeed, as longer were insufferable. He prayed them, therefore, to pardon him, if he sought his own ease and safety; and said, moreover, that he had given order to his treasurer to reward every one of them for their year's service. So the next morning, being Tuesday, there was distributed among them eleven thousand pounds in money, and about twenty thousand pounds worth of jewels."† Two of the queen's women-servants—her nurse, and one that had used to dress her—and some dozen others of

* Romans, ch. 13, v. 7.

† Eccles. 8. iv.

‡ Rushworth.—Heylin.—That honest Puritan, old Andrew Marvell, says of Mainwaring and Sibthorp, "They were exceedingly pragmatical, intolerably ambitious, and so desperately proud, that scarcely any gentleman might come near the tail of their mules."—*Wood, Athenæ Oxonienses.*

* Letter from John Pory to Meade, in Ellis.

* Id. The amount actually given was not so great by 8328*l.* The list of the individuals and of the sums severally received by them is preserved in one of the Harleian MSS., and is given by Sir H. Ellis.

the inferior sort, as cooks, bakers, &c., were allowed to remain: all the rest were shipped at Dover a week after. It appears that Buckingham executed the high commission, which was not unattended with difficulty, of getting them out of London; for on the 7th of August the king, who was at Oaking, wrote entirely with his own royal hand the following letter: "Steenie, I have received your letter by Dick Græme; this is my answer. I command you to send all the French away to-morrow out of the town. If you can, by fair means (but stick not long in disputing), otherways force them away, driving them away like so many wild beasts until ye have shipped them; and so the devil go with them. Let me hear no answer, but of the performance of my command. So I rest, &c."* Some time before the scene at Whitehall, four new ladies of the queen's bedchamber, all English, had been sworn. The first of these was the Duchess of Buckingham, who is supposed to have contributed to the crisis. Charles immediately dispatched Sir Dudley Carleton to Paris, to explain away and justify his breach of the marriage treaty. Louis, his mother Maria de' Medici, his minister Richelieu, all gave Carleton a very cold reception. There was even a talk of avenging the wrongs of Henrietta Maria by a recourse to arms: but Richelieu had already wars enough on his hands; and in the month of September they sent the gallant, witty, splendid, and profligate Marshal de Bassompierre to England, as special ambassador, to set it all right. The marshal was very courteously received by Buckingham, the Earl of Dorset, and other courtiers; but Charles sent his master of the ceremonies, Sir Lewis Lewkenor, to tell him that he must immediately send back to France Father Sancy of the Oratory, whom he had brought with him. Bassompierre absolutely refused, saying that the priest was his own confessor, and that the king had nothing to do with *his* family. Two days after this, Buckingham waited upon the marshal, telling him that the king desired to know beforehand what he purposed saying to him; that his majesty insisted that he should not speak to him about any business, for otherwise he would not give him an audience. The marshal, an experienced diplomatist, told the favourite that the king his master should know what he had to say from his own mouth, and that it was not the custom to limit an ambassador in what he had to represent to the sovereign to whom he was sent, and that if Charles did not wish to see him, he was quite ready to go back. Buckingham, who understood enough of this kind of business to know that he had delivered an absurd message, swore to the marshal that the only reason which induced the king to take this course was, that he could not help putting himself into a fury in treating the matters in dispute—which would not be decent in the chair of state, in the presence of the chief personages of the kingdom; and, moreover, his majesty feared that the queen his wife, incensed at the dismissal of her servants, might commit some extravagance, and cry in sight of every body.* At last it was agreed between the duke and the marshal, that the latter might keep what he had to say till the time of a private audience, which soon followed the public one. At the private audience Charles, as had been previously announced, put himself into a violent passion, and he treated the ambassador with great rudeness. The sum of his complaints against the expelled French household of his wife was, that they were intriguing and factious; that they had maliciously endeavoured to estrange the queen's affections from him, and insolently disposed her against the English language and nation. The king, at last, got so warm that he exclaimed, "Why do you not execute your commission at once, and declare war against me?" "I am not a herald to declare war, but a marshal of France, to make it when declared"—was the appropriate and dignified reply of the ready-witted ambassador. "I witnessed there," says Bassompierre, "an instance of great boldness, not to say impudence, of the Duke of Buckingham, which was, that when he saw us the most heated, he ran up suddenly and threw himself between the king and me, saying, I am come to keep the peace between you two." The favourite's real object was, no doubt, to hear with his own ears everything that was said, but the marshal took off his hat, and considered that it was no longer an audience, but a private conversation; and he would neither put on his hat to represent his sovereign, nor return to his business, till Buckingham was gone. The reproof was two-edged—for the arrogant minion, as usual, had kept his own hat on in the presence of royalty. Buckingham afterwards had several long interviews in private with Bassompierre, a principal object of them being to induce the marshal to attempt to remove the obstacles which barred his journey to Paris, and his casting himself again at the young queen's feet. The ambassador had several audiences of her English majesty; but one day when he was with her, Charles entered, upon which she picked a quarrel. The king took him away to his own chamber, where he made many complaints of his wife, who was furious against Buckingham. All this was not very dignified; but there was more that was less so. Bassompierre was requested to reconcile her majesty to the favourite; and he conducted Buckingham to her, when peace was made between them, which the ambassador had brought about with infinite trouble. And then the king went in and was reconciled with her, and caressed her very much, thanking Bassompierre for reconciling the duke and his wife. The favourite's head still running on his mad amour, he was ready to betray his trust, to do anything to get back to the French court, through the means of the gallant marshal, who was familiar with all kinds of royal intrigues, and who, very probably, to serve his purpose pro-

* Sir H. Ellis, Collect. of Letters.

* Ambassades de Bassompierre.

mised him what he wished. He secretly told Bassompierre that the answer which Charles and his council proposed to give him was good for nothing, but that he should not be uneasy thereat, but reply stoutly; and afterwards he (Buckingham) would make it all up to his satisfaction. The marshal, acting according to this prompting, complained of the answer, and spake with great vehemence to the council for a full hour.*

The French court had complained, through its ambassador, as well of the general infraction of the promises made by Charles and his father of a full toleration, as of the treatment of the queen and her domestics; and it had also requested his majesty the king of Great Britain to ordain a better and more moderate usage of his subjects professing the Catholic Apostolical Roman religion. The English council, at the very moment when the Catholics were being disarmed, fined, imprisoned, and made to compound with the sacrifice of their property for the privilege, not to profess their religion openly, but to *live* in England, insisted that there was no persecution, no infraction of the treaty upon that point. They boasted that his present majesty had made no new laws against the Catholics, and that he had not allowed one drop of blood to be spilt, either of jesuit, priest, or other Roman Catholic since his accession. They could not deny that Charles and his father had allowed the French court to interfere in the religion and government of the nation; they admitted all the articles of the marriage-treaty, which had been confirmed by Charles since his accession, but they pretended that all the religious part of that treaty was simply a matter of form to satisfy the Roman Catholic party of France, and the pope, who might otherwise have withheld the necessary dispensation. When statesmen could make treaties and speak of them a few months after in this manner, national agreements were no better than so much dirty paper. The English council then turned the tables upon the French, who had not been more honest, but who had taken good care not to commit themselves, as the English court had done, by signing treaties and specific clauses. It was alleged that King Louis had solemnly promised, as a sequel to the marriage of his sister, to convert his alliance with England into an alliance offensive and defensive,—to cooperate with arms and money for the recovery of the palatinate,—to allow Count Mansfeldt to land at Calais, with free permission on all occasions to march, take up quarters in France or re-embark,—and to assist Mansfeldt, the King of Denmark, and the Protestant princes of Germany; and the council maintained that none of these promises had been kept, and that hence numerous disasters had befallen the friends, relations, and allies of King Charles. They also accused Louis of not conforming to the articles he had entered into with the Huguenots, and particularly those of Rochelle, who had consented to accept them by the friendly interposition of King Charles, and they asserted that his majesty considered himself bound, not only by the prayers of the party interested and the confidence they reposed in him, but also by the feelings and opinions of the world at large, to importune his brother-in-law to observe this compact with his Protestant subjects. On the other great point the council admitted that it was expressly promised in the treaty of marriage that Madame Henrietta Maria and all her household should enjoy the free exercise of their religion, and that all her servants and officers should be French Roman Catholics, selected by his most Christian majesty; but they insisted that neither the letter nor the spirit of the agreement had been violated, for, though the French had been sent back, it was not as Catholics, but as offenders who had disturbed the affairs of the kingdom and the domestic government of his majesty's house. They then asserted, as proofs, several flagrant cases, of which the following are the most important:—1. That the bishop and his priests had created factions and dissensions,—excited fear and mistrust in the Protestants,—encouraged the Catholics, and even instigated the disaffected in parliament. 2. That some of the French had lent their names to others for the purpose of taking houses in the fields, where, under their protection, priests had their retreat and performed their masses, &c. 3. That they had converted the queen's own lodgings into a place of rendezvous for jesuits and fugitives, and a place of security for the persons, property, and papers of such as had violated the laws. 4. That they had laboured to create in the gentle mind of the queen a repugnance to all that his majesty desired or ordered, even to what he did for the honour of his dignity, and for the comfort and establishment of his household, and had avowedly fomented discords between their majesties as a thing essential to the welfare of their church. 5. That they had subjected the person of the queen to the rules of, as it were, monastic obedience, in order to oblige her to do many base and servile acts, which were not only unworthy of the majesty of a queen, but also very dangerous to her health. 6. That they had abused the influence which they had acquired over the tenderness and religious mind of her majesty, so far as to lead her a long way on foot, through a park, the gates of which had been expressly ordered by the Count de Tilliers to be kept open, to go in devotion to a place (Tyburn) where it had been the custom to execute the most infamous malefactors and criminals of all sorts, exposed on the entrance of a high road; an act not only of shame and mockery towards the queen, but of reproach and calumny of the king's predecessors of glorious memory, as accusing them of tyranny in having put to death innocent persons, whom these people look upon as martyrs; although, on the contrary, not one of them had been executed on account of religion, but for high treason.* 7. That

* In the evening the duke sent to tell him that the king had told him that his design was, after all, to send him back well satisfied.—*Ambassades de Bassompierre.*

* "The rest of that clergy were the most superstitious, turbulent, and jesuited priests that could be found in all France, very fit to

King Charles having borne with them long, and admonished them in the vain hope of amendment, and being most anxious to preserve a good understanding and friendship with his dear brother, he had commissioned the Duke of Buckingham to go from Holland into France, to give full information in these matters, conceiving the duke, who had contributed so much to the accomplishment of the marriage, to be the most proper agent; but that this journey had been prevented by the intimation which was given to the duke that the King of France was averse to it. Bassompierre defended as best he could, and without any scrupulous adherence to truth, the political conduct of his own court; and he then spoke for the expelled French attendants, palliating or denying altogether the charges brought against them. With respect to the procession to Tyburn and the prayers offered there, he told the council he knew very well that they themselves did not believe that story which they wished to make other people believe. It was true, he said, that the Queen of Great Britain, by permission of the king her husband, kept her jubilee in the chapel of the Fathers of the Oratory at St. James's; and after her devotions, which terminated with vespers, she went in the cool of the evening to promenade in St. James's Park, and thence to Hyde Park, as she had often done before, but that she did not go in procession, nor say any prayers, nor kneel, nor approach the gibbet within fifty paces. But, not satisfied with this denial, he offered to justify the fact, or rather that part of it which related to praying for those who had suffered at Tyburn, if it had taken place. "Whatever criminal," said Bassompierre, "may have been executed there was condemned to death, but not to damnation, and it has never been forbidden to pray to God for such persons. You tell me that it is a blaming of the memory of the kings who made them die; on the contrary, I applaud the justice of those Kings, and implore the mercy of the King of kings that he may be satisfied with the bodily death, and pardon, through our prayers and intercessions, the immortal soul, over which the justice and mercy of the kings of this world have neither power nor effect. In conclusion, I formally deny that this action has been committed, and offer to prove that they would have done well if they had committed it." In the end of all, Charles conceded that his wife should have one French bishop and twelve French priests (none of them to be jesuits), two French ladies of the bed-chamber, and three French *femmes de chambre*, a laundress, a clear-starcher, two physicians, one apothecary, a surgeon, a lord chamberlain, an equerry, a secretary, a gentleman usher, three valets, cooks at discretion, two chapels, ten musicians, a burying-ground, and the particular glory of giving freedom to a certain number of English priests detained in prison. Bassompierre left London with sixteen English priests included in his numerous retinue. Buckingham followed him on his road to talk about his own expedition to Paris, but the marshal now persuaded him to break off or delay that journey. As soon as Bassompierre arrived at Paris, he found (what he knew very well before) that the coming of the Duke of Buckingham was not agreeable; and the queen herself desired him to write and let him know that he should desist from it.*

It has been generally admitted by historians—and we see slight ground for questioning the received opinion—that from this moment Buckingham, who had been heard to swear that he would go into France again in spite of King Louis—as an enemy if they would not admit him as a friend—determined at all hazards to force a war with France upon his master, who had not the means of honourably supporting the war in which he was already engaged with Spain. It is true that there had been many previous causes of difference between the two courts,—that there had been seizures of ships and merchandise on both sides,—and that Soubise and other Huguenot agents had been received at St. James's, to the great vexation and rage of the French court, while Montague and other English agents had been dispatched to Rochelle and the places occupied by the French Protestants. But it was not till this critical juncture that Charles gave Soubise a royal commission to levy men and ships under pretext of their being employed against Spain.†

The relief of the Rochellers—the support of the Protestant cause in France,—had ever been an object near to the hearts of the English people; and it is pretty safe to conjecture that, among the motives that drove Charles and the favourite into this rash war was a glimmering of hope that they might thereby recover the short popularity they had enjoyed during the last parliament of King James. By the month of May (1627) they had collected a fleet of a hundred sail, giving out that it was intended to chastise the Spaniards and retrieve the honour lost on the Isla de Leon. Buckingham, who, it appears, attributed that failure to the circumstance of his not having personally commanded, resolved to go with the present expedition as high admiral and generalissimo. This self-confident, vain-glorious man had no knowledge or experience of the art of war: he had never seen a gun fired except on parade or in a salute, and his high presumption made him despise the advice

make firebrands of sedition in a foreign state, so that his majesty, so long as he gave them entertainment, did but nourish so many vipers in his bosom. Nay, their insolencies towards the queen were not to be endured, for besides that those . . . . . knaves would, by way of confession, interrogate her majesty . . . . . : and, no longer ago than upon St. James's Day last, those hypocritical dogs made the poor queen to walk a-foot (some add barefoot) from her house at St. James's to the gallows at Tyburn, thereby to honour the saint of the day in visiting that holy place, where so many martyrs (forsooth) had shed their blood in defence of the Catholic cause. Had they not also made her to dabble in the dirt in a foul morning from Somerset House to St. James's, her Luciferian confessor riding along by her in his coach! Yea, they have made her to go barefoot, to spin, to eat her meat out of tryne (wooden) dishes, to wait at the table and serve her servants, with many other ridiculous and absurd penances." In this account, contained in Pory's letter (of 5th July, 1626) to Meade, there is no doubt considerable exaggeration.

* Ambassades de Bassompierre.

† Rymer.

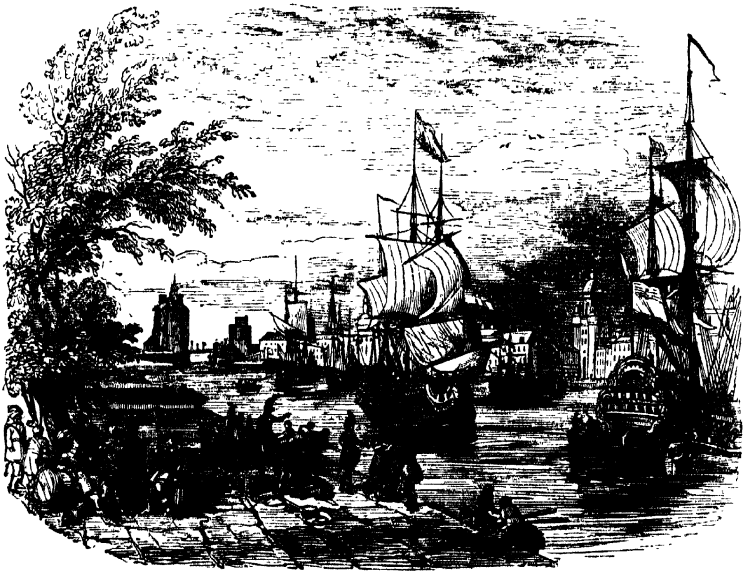
and guidance of others. But as if this were not enough to ensure fresh defeat and disgrace, he went to sea without any concert or understanding with those with whom he was to act. Leaving Portsmouth on the 27th of June, with his hundred ships and seven thousand land troops, who knew not whither they were going, he came to anchor off Rochelle on the 11th of July. There he expected to be received with open arms, but the Rochellers refused to admit him into their town, and advised him to go and make himself master of the Isle of Rhé, in the neighbourhood, which the Huguenots had possessed some time and then surrendered to their king. On the following day he landed a part of his army under the fire of his ships, and defeated a small French force commanded by Thoiras, the governor of the island, who was taken completely by surprise. Buckingham then wasted four or five days in landing the rest of his troops, or in doing nothing. Thoiras employed this precious time in conveying all the wine and provisions from the town of St. Martin into the strong fortress, and in improving the defences of the castle. When Buckingham moved, instead of taking the Fort of La Prée, which then might easily have been done, he turned it and left it in his rear. He poured his troops into the bare and empty town of St. Martin; but the citadel, strongly placed on a rock, filled the minds of those who knew something about war with serious apprehensions. Sir John Burrough, a general officer who had earned experience in the wars and sieges of the Low Countries, maintained that the place was almost impregnable. Buckingham, who had expected to take it by a *coup de main*, now resolved upon a regular siege, the preparations for which were much criticised by Burrough. A few days later a random shot removed this unheeded and unwelcome remonstrant. On the 13th of August Charles wrote to felicitate (rather prematurely) the favourite upon his taking of Rhé,—to promise him more men—more provisions—more money—and to tell him to prosecute the war, and "by no means to be the first motioner of a treaty . . .; but if the French court should offer, then to hearken, but not to believe too hastily."* In the same letter the king spoke of a manifesto, which Buckingham had prepared, to rouse all the French Protestants to arms. "I would wish you," he says, "to alter one point in it, that, whereas ye seem to make the cause of religion the only reason that made me take arms, I would only leave you declare it the chief cause, you having no need to name any other; so that you may leave those of the religion to think what they will; but I think it much inconvenient by a manifesto to be tied only to that cause of this war; for cases may happen to force me to go against my declaration (being penned so), which I should be loth should fall out."† The manifesto, when it went forth to the Huguenots, seconded by Soubise, his brother the Duke of Rohan, and their stirring agents, produced a much greater effect than Buckingham's great guns were doing. In the south of France the Protestants rose almost to a man, and the Rochellers, for the last time, openly raised the standard of revolt. Towards the end of August—for days and weeks went on without any impression being made upon the citadel—an attempt was made, or was said to have been made, upon the life of Buckingham by a French papist or jesuit, with a thick three-edged knife.* Notwithstanding Charles's praise, that the duke was "a proficient in the trade of war which he had so happily begun," every part of the service was conducted wildly and at random. Even the fleet, which remained to prevent the landing of any French reinforcements upon the island, did its duty so badly that, on the 28th of September, a French flotilla broke through and revictualled the garrison of St. Martin, which must otherwise have surrendered for want of provisions. It is exceedingly probable that the English fleet was serving without pay or the hope of getting their arrears; for, before the sailing of the expedition, the sailors, clamouring for their wages, had taken his horses by the head and stopped the duke's carriage in the streets of London. The army was quite ready to lay the whole blame upon the navy, and to be gone; and the colonels of regiments signed a paper, which recommended the abandonment of the siege. Buckingham knew not whether he should go or stay, changing his mind several times a-day. On the 1st of August the king wrote to apologise for his slowness, the cause whereof was the hardness of getting mariners and the slow proceedings of the commissioners of the navy; but he assured the duke that his friend, the Earl of Holland, should soon be with him; and he thanked him for his stout heart in not leaving the siege and coming home.† Holland landed on the Island of Rhé on the 27th of October, with fifteen hundred men; and the Rochellers sent a reinforcement of six or seven hundred. On the 6th of November the duke, who had not made a single breach, led his men to storm the hard rocks and walls of the citadel, where they were repulsed with loss at all points. He then turned to retreat to his ships; but this was no longer an easy operation; Marshal Schomberg, with a considerable French army, had thrown himself between the Duke and the fleet, and had put a strong corps and artillery into the fort of La Prée, which Buckingham had left in his rear.

* Hardwicke State Papers.

† Id. At the end of this letter is the following important paragraph,—important as showing how free the king considered himself of parliament. "I have set three main projects a-foot (besides many small) mint, increasing of the customs by imposing on the book of rates, and raising of a bank: the two first I shall certainly go speedily through withal; the last is most difficult, but I have good hopes of it."

* Id. The very most was made of this incident, as if to endear the favourite to all good Protestants. As soon as he came home covered with disgrace, a narrative was published in a quarto pamphlet; and to make the thing more striking to vulgar minds, there was given in it a wood-cut representing the identical thick three-edged knife.

† Hardwicke Papers.—Charles tells Buckingham that he fears lest "some rascal may cast doubts in the army, as if I neglected you, which I imagine is likely enough to fall out, since some villains here stick not to divulge it." These hard terms, rascal, villain, &c., are constantly flowing from the royal pen.



PORT OF ROCHELLE, 1650. From a French Print.

There was also to cross a narrow causeway, flanked on both sides with marshes and salt-pits, and now swept by Schomberg with a cross fire. Not a single precaution had been taken, and nothing but the native courage of the men and their leader (for Buckingham himself was personally brave) prevented a surrender at discretion, or an absolute destruction. The English rushed like bull-dogs upon the causeway; and when they got beyond it, notwithstanding their frightful loss, they turned their faces towards the French, formed in good order, and offered them battle. But Schomberg, too glad to see them gone, declined the contest, and permitted them to re-embark without offering them further molestation. The precious fruits of this expedition were the loss of half the English troops that had been engaged in it, and the speedy ruin of the Rochellers and French Protestants. Charles, however, wrote to assure Buckingham that he, as a general, had "done past expectation, and (if a man might say it) beyond possibility;" and that he, the king, was much comforted to see how nobly he had carried himself.* The duke, still loth to leave the French shore, and seeing no hope of doing anything near Rochelle, where an immense army was concentrating under the command of Louis's brother, Gaston Duke of Orleans, conceived some very notable project upon that old jewel of the English crown, the city of Calais; and his master had written to tell him that he much approved of that design, and would see him provided in all things necessary for the execution of it with all diligence; "and for secrecy," added Charles, "I shall speak of it to no living soul but to Jack Epslie, whom I have sent for."* But when the favourite counted his losses, he thought it better to give up this enterprise and return straight to England, where, as his master told him, he could not come sooner than welcome. And, in effect, when he arrived at the end of November, with a disgraced flag and a murmuring fleet, Charles received him with an increase rather than diminution of affection and confidence, at which people lifted up their hands; and some said that assuredly nothing but death would part the king and this minister. The nation was now sorely hurt in its pride and thus made the more sensible to the illegal attacks on its purse. "The refusers," as those were called who resisted the loan, had been brought up to London and imprisoned by scores. When they claimed their liberty by *habeas corpus*, they were told that they were detained by the king's especial commandment; and the court lawyers maintained that, in this as in all other matters, the king's power was unquestionable. Selden and the other constitutional lawyers referred to Magna Charta and its thirty times repeated confirmation by different sovereigns, and their discourses sent the people to study the ancient charters and rights of the nation.

A.D. 1628.—Such was the state of affairs at home when Charles was persuaded, much against his own feelings, to summon a parliament, in order to obtain the means of renewing, with better success, the war abroad. The writs were issued on

* Hardwicke Papers.

* Hardwicke Papers.—This Jack Epslie was a confidential messenger much employed by Buckingham.

the 29th of January for a parliament to meet on the 17th of March; but they had scarcely gone forth when the king appointed commissioners to collect war-money from the different counties, and inform the people that if they paid dutifully the sums required of them he would meet the parliament, if not, he would think of some more speedy way. Upon this mad proceeding there arose a universal cry of disappointment and anger: the commissioners stood aghast, and Charles made haste to revoke the commission by a proclamation, wherein he promised to rely on the love of his people as expressed by parliament. But this revocation could not undo the mischief which had been so rashly done; and, pinched by his necessities, Charles in a few days proceeded to impose some new duties on merchandize of his own authority. Both ministers and judges seem to have feared impeachment: the judges had the honesty to declare that the duties were illegal; and here again the king retracted his steps and called in his orders.* At this time Charles had an unusual number of troops at his command, and a project was entertained, and even settled in all its details, for the bringing over some thousands of foreign mercenaries. When the people learned this, they concluded that the foreign force was to be employed in establishing a despotism. Hence arose a greater excitement than ever, and a resolution to return the most patriotic or democratic members to the House of Commons. The people of Westminster elected Bradshaw, a brewer, and Maurice, a grocer; other places followed their example in rejecting the men that had betrayed either timidity or subservience to the court. When the Commons met, on the 17th of March, their house was crowded, and their aggregate wealth was said to be three times greater than that of the House of Lords;—such had been the fruits of commerce and industry,—such the rise of the third estate, which had now the power as well as the right of asserting its due influence. It was also observed that many of the popular members were followed up to London by a train of well-doing, hardy freeholders, far more numerous than the train of any of the peers. Shortly before their assembling, Charles (as boons and great graces) liberated seventy-eight gentlemen, who were in prison for refusing to contribute to his forced loan, opened the gates of the Tower to the Earl of Bristol, and restored Archbishop Abbot to the exercise of his authority. The people, though not without a suspicion of ungenerous motives, were gratified by these proceedings; but such was the temper of Charles, he could not make an opening speech to go in tune with the times. "I have called you together," said he, "judging a parliament to be the ancient, the speediest, and the best way to give such supply as to secure ourselves and save our friends from imminent ruin. Every man must now do according to his conscience; wherefore if you, which God forbid, should not do your duties in contributing what this state at this time needs, I must, in discharge of my conscience, use those other means which God has put into my hands to save that which the follies of other men may otherwise hazard to lose. Take not this as a threatening (I scorn to threaten any but my equals), but as an admonition from him that, both out of nature and duty, hath most care of your preservation and prosperities."*

The Commons had not met to threaten; they were cool and collected, and did not even lose temper at this irritating speech, or the more biting harangue of the lord keeper, who told them that the king had chosen a parliamentary way to obtain supplies, not as the only way, but as the fittest; not because he was destitute of other means, but because this was most agreeable to the goodness of his own most gracious disposition. "If this be deferred," cried this precious politician, "necessity and the sword may make way for others. Remember his majesty's admonition; I say remember it!" Here was threatening enough; but the House maintained its composure, and, without invective or much delay, resolved to grant five subsidies, and agreed that the whole should be paid within the year; but they also resolved that the king should not have this money until he formally recognised some of the most sacred rights of the people, and gave a solemn pledge for the redress of grievances. "It will in us be wrong done to ourselves, to our posterity, to our consciences, if we forego this just claim and pretension," said Sir Francis Seymour. "We must vindicate—what?" said Sir Thomas Wentworth—"New things? No; our ancient, legal, and vital liberties, by reinforcing the laws enacted by our ancestors,—by setting such a stamp upon them that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a parliament? No, our desires are modest and just. I speak both for the interests of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt a favourable reception." Coke, more vigorous than ever, because more patriotic, invoked the ancient laws, and made several effective speeches against forced loans and irregular imprisonments. Other members spoke well and at large upon the recent abuses of billeting soldiers, raising money by loans, by benevolences, and privy seals; "and, what was too fresh in memory, the imprisonment of certain gentlemen who refused to lend, and, afterwards bringing their *habeas corpus*, were, nevertheless, remanded to prison."† In vain one court member bade them take heed of distrusting the king, who was young and vigorous, and did these and the like things out of necessity; in vain another spoke of the king's goodness being *next only to that of God;* the Commons would not be moved a hair's breadth from their purpose. "Let us work while we have time," cried Coke; "I am absolutely for giving supply to his majesty, but

* Rushworth.—Somers's Tracts.—Rymer.

* Journals.—Parl. Hist.—Rushworth. † Parl. Hist.

yet with some caution. Let us not flatter ourselves. Who will give subsidies if the king may impose what he will? I know he is a religious king, free from personal vices; but he deals with other men's hands, and sees with other men's eyes." Even Secretary Coke was obliged to admit that the granting of supplies and the redress of grievances ought to go hand-in-hand. On the 8th day of May the Commons passed the following resolutions, without a dissentient voice:—"1. That no freeman ought to be committed, or detained in prison, or otherways restrained, by command of the king, or the privy council, or any other; unless some cause of the commitment, detainer, or restraint, be expressed, for which, by law, he ought to be committed, detained, or restrained. 2. That the writ of *habeas corpus* cannot be denied, but ought to be granted to every man that is committed or detained in prison, or otherwise restrained, by the command of the king, the privy council, or any other; he praying the same. 3. That if a freeman be committed or detained in prison, or otherwise restrained, by command of the king, privy council, or any other, no cause of such commitment, &c., being expressed; and, the same be returned upon an *habeas corpus* granted for the said party, that then he ought to be delivered or bailed. 4. That the ancient and undoubted right of every freeman is, that he hath a full and absolute property in his goods and estate; and that no tax, tallage, loan, benevolence, or other like charges, ought to be commanded, or levied by the king or his ministers, without common assent of parliament."* The Lords were not altogether prepared to second the Commons; the king was determined to cling to the prerogatives or abuses of his predecessors; and, above all, to that particular practice by which, at his own will, he sent the subject to a prison without assigning cause, or bringing him to a fair trial; and, though eager for the five subsidies, which he must have well known he could not get without gratifying the Commons, Charles let his intentions appear broadly through a very thin and transparent veil of compliment and cajolery. Buckingham also did infinite mischief to his cause, by an impertinent interference, which was denounced in the Commons by Sir John Eliot. "I know not," said Eliot, "by what fatality or importunity it has crept in, but I observe, in the close of Mr. Secretary's relation, mention made of *another* in addition to his majesty; and that which hath been formerly a matter of complaint I find here still—a mixture with his majesty, not only in business, but in name. Let me beseech you, Sir, let no man hereafter within these walls take this boldness to introduce it." Meanwhile the mighty stream rolled onward in its resistless course. After some conferences with the Lords, who were as anxious as themselves to put an end at least to arbitrary imprisonment, the Commons, on the 28th of May, prayed the king's assent to the celebrated "PETITION OF RIGHT." They humbly showed to his majesty that, by the statute made in the reign of King Edward I., commonly called *Statutum de Tallagio non concedendo*, no tallage or aid could be levied by the king without consent of parliament; that, by authority of parliament, holden in the 25th year of King Edward III., it was declared and enacted, that from thenceforth no person should be compelled to make any loans to the king—such loans being against reason and the franchises of the land. "And," continued the petition, "by other laws of this realm, it is provided, that none should be charged, by any charge or imposition called a benevolence, nor by such like charge; by which the statutes before mentioned, and the other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament: yet, nevertheless, of late, divers commissions, directed to sundry commissioners, in several counties, with instructions, have issued, by pretext whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and many of them, upon their refusal so to do, have had an unlawful oath administered unto them, not warrantable by the laws and statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy council, and in other places; and others of them have therefore been imprisoned, confined, and sundry other ways molested and disquieted: and divers other charges have been laid and levied upon your people in several counties, by lords lieutenants, deputy lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty or your privy council, against the laws and free customs of this realm." Then, invoking Magna Charta, the Commons declared, that, by that great charter of the liberties of England, it was enacted, that no freeman should suffer in person or property, be imprisoned, outlawed, or exiled, or in any manner destroyed, but by the lawful judgment of his peers or by the law of the land. "Nevertheless," they continued, "against the tenor of the said statutes, and other the good laws and statutes of your realm, to that end provided, divers of your subjects have of late been imprisoned, without any cause showed; and when, for their deliverance, they were brought before your justices, by your majesty's writs of *habeas corpus*, there to undergo and receive, as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy council; and yet were returned back to several prisons, without being charged with anything, to which they might make answer by due process of law." They next recited how of late great companies of soldiers and mariners had been

* Rushworth.

dispersed through the counties and billeted in the private houses of the inhabitants, to their great grievance and vexation, and against the laws and customs of this realm. And they then proceeded to make their complaint against martial law, which had been introduced, ostensibly at least, to check the excesses of the troops destined for the continental wars. They told the king, that, by the said great charter and other laws and statutes of this his realm, no man ought to be condemned to death except by the laws established. "Nevertheless," they added, "of late, divers commissions under your majesty's great seal have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed, within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanor whatsoever; and, by such summary course or order as is agreeable to martial law, and is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death, according to the law martial; by pretext whereof, some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if by the laws and statutes of the land they had deserved death, by the same laws and statutes also they might, and by no other ought to, have been adjudged and executed; and, also, sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishment due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused, or forborne to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid; which commissions, and all others of like nature are wholly and directly contrary to the said laws and statutes of this your realm." In the end, they prayed that all these proceedings and practices should cease, as being contrary to the rights and liberties of the subject, and the laws of the land. Charles, who would fain have avoided committing himself by any direct answer,—who was averse to the surrender of the smallest portion of what he considered his prerogative, but who was gasping for the subsidies,—returned this answer to the Petition of Right: "The king willeth, that right be done according to the laws and customs of the realm; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrongs or oppressions, contrary to their just rights and liberties, to the preservation whereof he holds himself, in conscience, as well obliged, as of his own prerogative."*

To have remained satisfied with a stinted and indirect assurance like this would have been the act of imbeciles or cowards. The Commons, who felt the righteousness of the cause they had taken in hand, and the consciousness of their own great power, not only were not contented, but were indignant. And Charles added fuel to the flames by sending a message to acquaint them with his intention of proroguing parliament on the 11th of June. This message was delivered on the 5th of June, and on the following day the king repeated it, accompanied with a harsh command not to censure, or enter upon any new business which might lead to the censuring or aspersion of, any of the officers of his government. The anger of the Commons was expressed in eloquent language, mingled with, but scarcely softened by, the religious feeling. Several members said that the sinful state of the nation went to defeat the glorious hopes they had entertained. "I perceive," exclaimed Sir Robert Philips, "that towards God and towards man, there is little hope, after our humble and careful endeavours, seeing our sins are many and so great. I consider my own infirmities, and if ever my passions were wrought upon, it is now. This message stirs me up; especially when I remember with what moderation we have proceeded." Sir John Eliot continued in the same religious strain:—"Our sins," said he, "are so exceeding great, that unless we speedily turn to God, God will remove himself farther from us. Ye know with what affection and integrity we have proceeded hitherto to have gained his majesty's heart; and, out of the necessity of our duty, were brought to that course we were in: I doubt, a misrepresentation to his majesty hath drawn this mark of his displeasure upon us. I observe in the message, amongst other sad particulars, it is conceived that we were about to lay some aspersions on the government. Give me leave to protest, that so clear were our intentions, that we desire only to vindicate those dishonours to our king and country. It is said also as if we cast some aspersions on his majesty's ministers: I am confident no minister, how dear soever, can——" Here Finch, the courtly Speaker of the House, started up from his chair, and, apprehending that Sir John intended to fall upon the duke, said, with tears in his eyes, "There is a command laid upon me to interrupt any that should go about to lay an aspersion on the ministers of state." Upon this, Sir John sat down, and there was silence for a while. Then Sir D. Digges said, "Unless we may speak of these things in parliament, let us arise and begone, or sit still and do nothing." And hereupon there was another deep silence for a while, which was at last broken by Sir N. Rich, who said, "We must now speak, or for ever hold our peace; for us to be silent, when king and kingdom are in this calamity, is not fit. The question is, whether we shall secure ourselves by silence, yea or no. . . . Let us go to the Lords, and show our dangers, that we may then go to the king together, with our representation thereof." After some more members had spoken

* Journals.—Parl. Hist.

to the same effect, the House resolved itself into a committee, to consider what was fit to be done for the safety of the kingdom, and declared that no man should leave his seat under pain of being sent to the Tower. But before the Speaker left the chair he desired leave to go forth for half an hour. The permission was granted, and Finch hurried to the king. The heat increased on his departure. Mr. Kirton, taking care to preface his remarks with the assertion that the king was as good a prince as ever reigned, said, "That it was time to find out the enemies of the commonwealth who had so prevailed with him, and then he doubted not but God would send them hearts, hands, and swords, to cut all their throats." And he added, that for the Speaker to desire to leave the House as he had done was a thing never heard of before, and which he feared was *ominous*. Soon after this outbreak old Coke rose and said, "We have dealt with that duty and moderation that never was the like, after such a violation of the liberties of the subject. Let us take this to heart. In the time of Edward III. had parliament any doubt as to naming men that misled the king? They accused John of Gaunt, the king's son, Lord Latimer, and Lord Nevil, for misadvising the king, and they went to the Tower for it. And now, when there is such a downfall of the state, shall we hold our tongues? . . . . And why may we not name those who are the cause of all our evils? . . . . Let us palliate no longer: if we do, God will not prosper us. I think the Duke of Buckingham is the cause, and till the king be informed thereof, we shall never go out with honour, nor sit with honour here.* That man is the grievance of grievances; let us set down the causes of all our disasters, and they will all reflect upon him. As for going to the Lords, that is not *via regia*: our liberties are now impeached; we are deeply concerned: it is not *via regia*, for the Lords are not participant with our liberties. It is not the king but the duke [a great cry of 'Tis he, 'tis he!'] that saith, we require you not to meddle with state government, or the ministers thereof. Did not his majesty, when prince, attend the Upper House, in our prosecution of Lord Chancellor Bacon, and the Lord Treasurer Middlesex?" This last argument was overwhelming, and Charles had felt the whole force of it before now. Other members accused the duke of treachery and incapacity as high-admiral and general-in-chief;—as an encourager and employer of Papists,—as an enemy, not only to his country, *but to all Christendom;* and Sir Robert Philips complained that his majesty, to their great misfortunes, had been led to answer their petition by dark oracles. Selden rose up and proposed a declaration under four heads:—"1. To express the House's dutiful carriage towards his majesty. 2. To tender our liberties that are violated. 3. To present what the purpose of the House was to have dealt in. 4. That that great person (the duke), fearing himself to be questioned, doth interpose and cause this distraction." "All this time," continued the learned orator, "all this time we have cast a mantle over what was done last parliament; but now, being driven again to look to that man, let us proceed with that which was then well begun; and let us renew the charge that was made last parliament against him, to which, in sooth, he made an answer, but so insufficient, that we might demand judgment upon that very answer only." At this critical moment, Finch, the Speaker, coming in breathless haste from the king, told them that his majesty's commands were, that they should adjourn till the next morning, and that all committees should cease in the mean time. The House quietly adjourned. When they met on the morrow, the Speaker endeavoured to excuse his conduct in going to the king, whereby he hoped he had done nothing, nor made any representation to his majesty, but what was for the honour and service of the House. "May my tongue," said he, "cleave to the roof of my mouth ere I speak to the disadvantage of any member of this House." After this adjuration he delivered a second message from the king, declaring that his majesty had no intention or meaning of barring them from what had been their right, but only wished to avoid all scandals on his council and actions past, and that his ministers might not be taxed; and that no such particulars should be entered upon as would require a longer time for consideration than what he had prefixed, and still resolved to hold, for the sitting of this parliament. His majesty, moreover, said that he hoped that all Christendom might have to take notice of a "sweet parting" between him and his people, and then he would not be long in having another meeting with them, when they might talk of their grievances at their leisure and convenience. The Commons denied any intention of taxing the king, but they re-asserted their right of examining his ministers.* On the next day they went into committee, and examined Burlemachi, a foreign speculator, who had obtained a warrant under the privy seal, and, as he confessed before the committee, 30,000*l.* for the hiring and bringing over troops of German horse.† One thousand of these mercenaries were already levied and armed, and waiting for transports on the coast of Holland. "The intent of bringing over these German horse," exclaimed one of the members, "is to cut our throats, or else to keep us at their obedience." Mr. Windham said that twelve of the German commanders had already arrived, and had been seen in St. Paul's. Burlemachi, however, asserted that the order for the embarkation of these troops

* Notice being taken of Mr. Kirton's speech, "That he hoped they had all hearts, hands, and swords to cut the throats of the enemies to the king and state," that expression being this day called in question, it was resolved, "That therein he had said nothing beyond the bounds of duty and allegiance; and that they all concurred with him therein."—*Journals.*

† In this force one Dalbier was to be employed. Sir John Maysard said that "Dalbier was the only cause of the overthrow of our army at the Isle of Rhé, he being an engineer; and boasted that it was his doing that got the French so cheap a victory over the English, and that they might thank him for it: therefore this fellow, being a stranger and a juggler, is deemed an unfit man to be a commander in our kingdom."—*Parl. Hist.*

had been countermanded. At the same time the House fell upon a new project of excise, copied apparently after the Dutch excise, and intended to be levied, as heretofore, without consent of parliament. It was confessed by Williamson, clerk of the crown, that this business was actually in the lord keeper's hands, and under the broad seal; whereupon it was agreed, "That if any member of the House knew anything touching the excise that should be set upon native commodities in this realm, and did hold his peace, he should be voted an enemy to the state, and no true Englishman."

The Lords joined the Commons in petitioning the king to give a more explicit answer to the Petition of Right. On the same day, at four o'clock, Charles, having come down to the House of Lords, commanded the attendance of the Commons, and told them that he had thought that the answer already given was full and satisfactory; but that to avoid all ambiguous interpretations, and to show them that there was no doubleness in his meaning, he was willing to pleasure them as well in words as in substance. "Read your petition," said he, "and you shall have such an answer as I am sure will please you." The petition was then read, and the clerk of parliament gave the royal assent in the usual old Norman form,—"*Soit droit fait comme il est desiré:*"* Then Charles further said, "This, I am sure, is full; yet no more than I meant in my first answer..... You neither mean nor *can* hurt my prerogative. I assure you that my maxim is, that the people's liberties strengthen the king's prerogative, and that the king's prerogative is to defend the people's liberties. You see, now, how ready I have showed myself to satisfy your demands, so that I have done my part; wherefore, if this parliament hath not a happy conclusion, the sin is yours—I am free of it." Thus, the Petition of Right, which confirmed some of the most sacred clauses of Magna Charta, became one of the statutes of the realm,—one of the great victories obtained over the arbitrary principle, not by blood, but by money, or the timely withholding of it. Three days after—on the 10th of June—the king, still further to ingratiate himself, and to hurry the supplies, assured the Commons, by Sir Humphrey May, that he was pleased that their Petition of Right, with his answer, should be not only recorded in both Houses of Parliament, but also in all the Courts of Westminster: and, further, that his pleasure was, that it should be printed for his honour and the content and satisfaction of his people; and that the Commons should proceed cheerfully to settle business for the good and reformation of the Commonwealth. On the 12th of June the Commons passed the bill for granting the five subsidies; but, at the same time, they desired to have a copy of the new commission of excise, and demanded that it should be cancelled, as being contrary to the letter and spirit of the Petition of Right. Charles made haste to cancel it, taking care, however, to state that this was done because the granting of the subsidies had rendered unnecessary that mode of raising money.

After obtaining judgment from the Lords upon Dr. Mainwaring, and animadverting on the conduct of Laud in licensing the printing and publishing of unconstitutional sermons, and entertaining designs contrary to the independence and conscience of the people,* the Commons fell again upon Buckingham, and voted a long and formidable remonstrance against him, which was presented to the king by the speaker. On that same day the duke complained to the Lords of a member of the Lower House who had attributed to him a disrespectful speech† which he had never made; and he moved that the said member should be called upon to justify himself, and his Grace heard against him. The Lords, considering this complaint, ordered "That the duke should be left to himself to do therein as he thought proper." He protested, upon his honour, that he had never had the words imputed to him so much as in his thoughts, and the Lords ordered this protestation to be entered on their Journals.‡ The Commons took up the tonnage and poundage bill, with the intention of passing it for one year, preceded, however, by a remonstrance against the levying of the duties, as Charles had done, without their consent. Before the bill was passed, and while the clerk was reading this remonstrance, they were summoned by the king to attend him in the House of Lords at an early hour. His majesty had come down unexpectedly to the Upper House, and neither he nor the Lords had had time to robe themselves when the Commons appeared with their speaker at their head. However, Charles, unrobed as he was, but seated on the throne, addressed the following speech to the two Houses, clinging, as it will be seen, with the most tenacious grasp to his old notions of prerogative:—"It may seem strange," said he, "that I come so suddenly to end this session. Before I give my assent to the bills, I will tell you the cause, though I must avow that I owe the account of my actions to God alone. It is known to every one that, a while ago, the House of Commons gave me a remonstrance, how acceptable every man may judge, and, for the merit of it, I will not call that in question, for I am sure no wise man can justify it. Now, since I am truly informed that a second remonstrance is preparing for me, to take away the profit of my tonnage and poundage, one of the chief maintenances of my crown, by alleging I have given away my right thereto by my answer to your peti-

* "Let right be done as desired."

* Neile, Bishop of Winchester, was coupled with Laud, and accused of Arminianism, as a damnable and slave-making heresy.

† Buckingham's speech, delivered at his own table, was, or was said to be, "Tush! it makes no matter what the commons or parliament doth; for, without my leave and authority, they shall not be bale to touch the hair of a dog."

‡ According to Whitelock, Buckingham also "charged one Melvil, a Scotchman, for saying that he, the duke, intended to put the king upon a war against the commonalty, with the assistance of Scotland and the like, and that Sir Thomas Overbury had poisoned Prince Henry by his instigation."—*Memorials.*

tion, this is so prejudicial to me, that I am forced to end this session some few hours before I meant, being not willing to receive any more remonstrances to which I must give a harsh answer. And since I see that even the House of Commons begins already to make false constructions of what I granted in your petition, lest it be worse interpreted in the country, I will now make a declaration concerning the true intent thereof. The profession of both Houses, in the time of harmonizing this petition, was no way to trench upon my prerogative, saying they had neither intention nor power to hurt it. Therefore it must needs be conceived that I have granted no new, but only confirmed the ancient, liberties of my subjects. Yet, to show the clearness of my intentions, that I neither repent nor mean to recede from anything I have promised you, I do here declare myself, that those things which have been done, whereby many have had some cause to expect the liberties of the subjects to be trenched upon, which, indeed, was the first and true ground of the petition, shall not hereafter be drawn into example for your prejudice; and, from time to time, on the word of a king, ye shall not have the like cause to complain. But as for tonnage and poundage, it is a thing I cannot want, and was never intended by you to ask, nor meant by me, I am sure, to grant. To conclude, I command you all that are here to take notice of what I have spoken at this time to be the true intent and meaning of what I granted you in your petition; but especially you, my lords the judges, for to you only, under me, belongs the interpretation of laws; for none of the houses of parliament, either joint or separate (what new doctrine soever may be raised), have any power either to make or declare a law without my consent." It is undeniable that, by this abrupt prorogation while so great a matter as tonnage and poundage was still unsettled, the king returned upon his late footsteps, and dissipated what little hopes might have arisen from his tardy assent to the Petition of Right.* And it should be borne in mind how frequently Charles pursued the same retrograde course,—how constantly he grudged the smallest concession,—how eager he was to avail himself of any subterfuge by which he might escape the bonds of his pledged word. It was thus that the nation, which began by doubting his sincerity, ended in disbelieving his most solemn assurances. Charles, moreover, had another dangerous practice, which was, to hasten to honour the men marked with the reprobation of the House of Commons. Thus, one of his first acts after this prorogation was to translate the obnoxious Laud from the see of Bath and Wells to that of London. Laud testified his gratitude to the court by drawing up a reply to the remonstrance of the Commons.

Before Buckingham began his inglorious retreat from Rhé, the city of Rochelle was invested by a royalist army, under the command of the Duke of Angoulême and Buckingham's quondam friend Marshal Bassompierre. Although he had incited them to take up arms, Buckingham sailed away without throwing into the place the corn and provisions which he had promised, and which the Rochellers greatly needed.* Cardinal Richelieu, who had set his whole soul upon reducing this last stronghold of the French Protestants, made immense preparations for pressing the siege, and induced Louis XIII. to go thither in person to excite the zeal of his numerous troops. The king soon grew tired of the tedious operations, and returned to Paris: but Richelieu, a better soldier than priest, remained upon the spot, and superintended the construction of the celebrated dyke, which was compared to the works raised by Alexander the Great for the reduction of old Tyre.

The Rochellers clamoured for succour where succour was due; the English people were much animated by religious sympathy; Charles was disposed to assist them, and Buckingham was burning to retrieve his honours and humble the French court. During the sitting of parliament preparations were made for another expedition, and the vote of the five subsidies might have enabled the king to do more than was really done. But the nation was vexed with rumours of some new intrigues set on foot between the French queen and the English favourite, and they might well doubt the result of any warlike enterprise that was to be conducted by so incapable a commander as Buckingham. The people of London had continued to express their detestation of this man, and their fury had broken out in one dark act, unusual to an English rabble even in the worst times of excitement. On the day on which the House of Commons had pronounced the duke to be the curse of the nation, they barbarously murdered, in the streets of London, Dr. Lambe, his physician, who was supposed to have a principal part in his evil counsels.† They then made a doggrel distich, which ran from mouth to mouth like some of the bloody rhymes of a more recent, but *not* English, revolution:—

> Let Charles and George do what they can,
> The duke shall die like Dr. Lamb.‡

A few days after the murder of Lambe a label was stuck upon a post in Coleman-street, which ran thus:—"Who rules the kingdom?—The king. Who rules the king?—The duke. Who rules the duke? The devil."§ On the Wednesday of the following week "his majesty went with the duke (taking him into his own coach, and so riding through the city, as it were to grace him)

* Hallam, Const. Hist.

* Les Larmes de L'Angleterre.

† "Dr. Lambe was set upon in the streets by the rabble, and called witch, devil, and the duke's conjuror, and beaten that he died. The council wrote to the lord mayor to find out and punish the chief actors therein; *but none were found.*"—*Whitelock, Memorials.*

‡ Rushworth.

§ Meade to Sir Martin Stuteville.—"And it is said," adds the news-collector, "that the libellers there profess, Let the duke look to it; for they intend shortly to use him worse than they did his doctor, and, if things be not shortly reformed, they will work reformation themselves. At the sight whereof they say his majesty was much displeased, and commanded that a double guard should be upon the watch every night."—*Sir Henry Ellis.*

to Deptford, to see the ships; where, having seen ten fair ships ready rigged for Rochelle, they say he uttered these words to the duke:—"George, there are some that wish that both thee and thou mightest both perish. But care not for them. We will both perish together, if thou doest."* After these unequivocal indications it scarcely required a spirit from the other world to intimate that the life of the favourite was in danger.† But the gay and confident Buckingham proceeded to Portsmouth, where he was to embark for Rochelle. Upon Saturday, the 23rd of August, "being St. Bartholomew's eve," writes Howell, "the duke did rise up in a well-disposed humour out of his bed, and cut a caper or two; and being ready, and having been under the barber's hand (where the murderer had thought to have done the deed, for he was leaning upon the window all the while), he went to breakfast attended by a great company of commanders, where Monsieur Soubise came to him, and whispered him in the ear that Rochelle was relieved: the duke seemed to slight the news, which made some think that Soubise went away discontented." This admirable letter-writer is generally well informed as to passing events, but it should appear that it was Buckingham who attempted to persuade Soubise that Rochelle was relieved. Soubise knew very well that the place was *not* relieved, but he had other grounds for discontentment; and as no state secrets were kept, as scarcely a servant of the king or of Buckingham had the honesty to conceal what he could make money by disclosing, he probably knew that Secretary Carleton, who had at that moment arrived at Portsmouth with dispatches, brought the duke orders to open a correspondence with Richelieu as soon as he should reach Rochelle, and abandon the French Protestants for the sake of an advantageous peace with Louis. Besides Soubise, there were many refugees about Buckingham; and they were seen to gesticulate very violently in conversing with the duke. This was only the habit of their country when excited, but to the English it seemed as if they threatened his grace with actual violence. The duke left his chamber to proceed to his carriage, which was in waiting, still followed by the vociferating and gesticulating Frenchmen. In the hall he was stopped by one of his officers, and at that moment he received a knife in his left breast. He drew forth the weapon, staggered, and fell; and died with the word "Villain!" upon his lips. In the throng and confusion no one saw the hand that struck the mortal blow. Suspicion fell upon the Frenchmen, who were with difficulty saved from the fury of the duke's attendants. Then some ran to keep guard at the gates, some to the ramparts of the town. During this time there was a man who went into the kitchen of the very house where the deed was done, and stood there unnoticed of all. But when a multitude of captains and gentlemen rushed into the house, exclaiming "Where is the villain?—where is the butcher?"—that man calmly came forth amongst them, saying, boldly, "I am the man!—here I am!" They drew their swords, and would have dispatched him on the spot but for the timely interference of Secretary Carleton, Sir Thomas Morton, and some others, who took charge of him till a guard of musqueteers arrived and conveyed him to the governor's house. The assassin, who might most easily have escaped, had he been so minded, had written a paper to declare his motive, imagining that he must perish on the spot, and leave no one to speak for him. This paper was sewed in the crown of his hat, half within the lining, and was to this effect:—"That man is cowardly base, and deserveth not the name of a gentleman or soldier, that is not willing to sacrifice his life for the honour of his God, his king, and his country. Let no man commend me for the doing of it, but rather discommend themselves as the cause of it; for if God had not taken our hearts for our sins, he had not gone so long unpunished.—John Felton."*

Mr. John Felton, a gentleman by birth and education, was no stranger to many of the men and officers then collected at Portsmouth, amongst whom he had served on former occasions. He had been a lieutenant in a regiment employed the preceding year in the wretched expedition to the Isle of Rhé, but had thrown up his commission in disgust because he saw another man promoted irregularly over his head, and because he was refused payment of his arrears. According to his own account, he was a zealous Protestant: his zeal amounted to fanaticism. He was now thrust into a dungeon, and horribly laden with irons, and a royal chaplain was sent to commune with him. Felton understood that this clergyman came not merely to offer ghostly comfort, but to search him as to his motives and accomplices, and he said to him,—"Sir, I shall be brief:—I killed him for the cause of God and my country." The chaplain replied that the surgeons gave hopes of the duke's life. "It is impossible," exclaimed Felton, "I had the power of forty men, assisted by Him that guided my hand." The chaplain failed in his mission, and the enthusiastic assassin was conveyed from Portsmouth to the Tower of London, there to be examined by bishops and lords of the council. On his road he was greeted with prayers and blessings by the common people, who regarded him as a deliverer.†

"The court," says Clarendon, "was too near Portsmouth, and too many courtiers upon the place,

* Sir Henry Ellis.

† Lord Clarendon, who was certainly not in advance of his age in philosophy, tells a long story about the ghost of Sir George Villiers, the father of the duke, appearing three several times to an officer in the king's wardrobe, in Windsor Castle, to tell him to go to his son and warn him that, unless he did something to ingratiate himself with the people, or at least to abate the extreme malice they bore him, he would be suffered to live but a short time.—*Hist. Reb.*

* The original letter is in existence, and was, a few years since, in the possession of Mr. Upcott, of the London Institution.

† "As Felton the last week passed through Kingston-upon-Thames, an old woman bestowed this salutation upon him:—'Now God bless thee, Little David!' quoth she,—meaning he had killed Goliah. . . Some confidently report he shall be reserved till the parliament; but others pray God he be not racked and put to death before."—*Meade.*

HOUSE AT PORTSMOUTH in which the Duke of Buckingham was Assassinated.

to leave this murder (so barbarous in the nature and circumstances, the like whereof had not been known in England many ages) long concealed from the king. His majesty was at the public prayers of the church, when Sir John Hippesly came into the room with a troubled countenance, and, without any pause in respect of the exercise they were performing, went directly to the king and whispered in his ear what had fallen out. His majesty continued unmoved, and without the least change in his countenance, till prayers were ended, when he suddenly departed to his chamber and threw himself upon his bed, lamenting with much passion, and with abundance of tears, the loss he had of an excellent servant, and the horrid manner in which he had been deprived of him; and he continued in this melancholic discomposure of mind many days. Yet his manner of receiving the news in public, when it was first brought him in the presence of so many (who knew or saw nothing of the passion he expressed upon his retreat) made many men believe that the accident was not very ungrateful, at least, that it was very indifferent to him, as being rid of a servant very ungracious to the people, and the prejudice of whose person exceedingly obstructed all overtures made in parliament for his service. And, upon this observation, persons of all conditions took great licence in speaking of the person of the duke, and dissecting all his infirmities, believing they should not thereby incur any displeasure of the king; in which they took very ill measures, for from that time almost to the time of his own death, the king admitted very few into any degree of trust who had ever discovered themselves to be enemies to the duke, or against whom he had manifested a notable prejudice."*

For the present Charles took the duke's widow and children under his special protection, paid his debts, which were considerable, styled Buckingham his martyr, and ordered his body to be buried among the illustrious dead in Westminster Abbey. He could not, however, venture upon a grand public funeral. At ten o'clock at night, on the 18th of September, a coffin was borne on men's shoulders, and in a poor and confused manner, from Wallingford House over against Whitehall to Westminster Abbey, there being not much above a hundred mourners, who attended upon an *empty* coffin, for the duke's corpse itself had been secretly interred the day before, as if it had been doubted the people in their madness might have surprised it. As the empty coffin was carried along by night, to prevent disorder, the train bands kept guard on both sides of the way, beating their drums to drown the voices of the people, and carrying their pikes and muskets upon their shoulders as in a march, not trailing them as was usual at a mourning.† Felton, meanwhile, persisted in his assertion that he had no accomplices, and no motive but that of doing good to his country and the cause of the true religion.‡ The Earl of Dorset, who, according to some accounts, was accompanied by Bishop Laud, went to the Tower

* Hist. † Meade.

‡ Meade says that it was reported he affirmed in the Tower, "that his only confederate and setter on was the remonstrance of the parliament, which he then verily thought in his soul and conscience to be a sufficient warrant for what he did upon the duke's

and threatened the prisoner with the rack. "I am ready," said Felton: "yet I must tell you that I will then accuse you, my Lord of Dorset, and no one but yourself." The king was desirous of employing the rack; but the House of Commons had of late given many salutary lessons and warnings, and the judges unanimously declared that the use of torture had been at all times unwarrantable by the laws of England; and upon this declaration Charles declined to use his prerogative. For some time Felton gloried in his deed; but at length, "through the continual inculcation of his majesty's chaplains and others of the long robe," he was induced to consider himself in the light of a foul murderer. It may be doubted, however, whether he ever really regretted that Buckingham was removed. When put upon his trial, he confessed the fact with which he was charged, but added, that he did it not maliciously, but out of an interest for the good of his country. The attorney-general made a speech in aggravation of the offence, showing the high quality of the person killed, who was so dear and near a subject of the king's, so faithful a servant to his majesty, so great a counsellor of state, a general, high-admiral, &c., &c; and, producing the knife in open court, he compared Felton to Ravaillac, who had murdered Henry IV. of France. Judge Jones asked Felton what he could say why judgment should not be given against him, without impanneling a jury or examining witnesses. Felton answered that he was sorry *if* he had taken away so faithful a servant to his majesty as Mr. Attorney had described the duke to be, and, lifting up his arm, he said, "This is the instrument which did the fact; I desire it may be first cut off." The judge told him that, by the law, if a man strike in the king's palace, he is to lose his hand, &c.; but it was not his majesty's pleasure that they should proceed against him in any other way than that which the law had ordinarily determined in such cases. "You shall therefore," said he, "have the law and no more;" and so gave sentence he should be hanged until he were dead. Felton bowed and thanked his lordship. He was hanged at Tyburn, and his body, by the king's orders, was sent down to Portsmouth and fixed on a gibbet.*

In lieu of Buckingham as commander of the expedition to Rochelle, Charles appointed the Earl of Lindsey, who sailed on the 8th of September with a formidable fleet and army, which did no more than might have been done had they still been commanded by the favourite. At the same time private negociations were carried on with the French court by means of Mr. Walter Montague,† who was then a Catholic in heart, and, as such, averse to the Protestant Rochellers. Lindsey returned with dishonour, and soon after Rochelle, the last bulwark of the Huguenots, was taken by Richelieu. When the siege began there were fifteen thousand souls within those walls; when it ended there remained but four thousand, and they half dead from famine.

A.D. 1629.—Parliament, which had been further prorogued from the 20th of October to the 20th of January, met when the spirit of Protestantism was embittered by these events, and when the English people were irritated by fresh excesses of the Star Chamber and High Commission, and the levying of duties upon merchandise, and the collecting of tonnage and poundage. The first things the Commons did was to revive all committees of religion and grievances, and to take into consideration what things the liberty of the subject had been invaded in against their Petition of Right since the end of the last session. Mr. Selden soon after reported to the House that the unpalatable speech which his majesty made in the Lords the last day of the last session had been entered on the Journals along with the Petition of Right, and the proper answer, by his majesty's command. But in fact, to the country Charles had suppressed the proper document, and circulated in its stead a copy of the Petition with his first answer to it, which parliament had rejected. The king's printer being sent for to know by what authority he had suppressed the original impression and printed another with unwarrantable additions, answered that he had a warrant for it; and upon sending some of the members to his house, it was found that the clerk of the Lords had sent the proper papers; that, during the sitting of parliament, fifteen hundred copies of them had been printed, but very few divulged; and that the day after the session was ended the attorney-general had sent for the printer and told him, as from the king, that he must not publish these papers,—that the Lord Privy Seal, the Earl of Worcester, had told him as much; and that soon after the printer was sent for to court, and told that he must make a new impression, and print the Petition of Right with the king's first answer to it, and his majesty's last speech in the Lords. The House was indignant at this double dealing. "For this Petition of Right," said Selden, "we know how it has been invaded since our last meeting. Our liberties of life, person, and freehold have been invaded,—men have been committed contrary to that petition. . . No man ought to lose life or limb but by the law, and hath not one lately lost his ears by order of the Star Chamber? Next, they will take away our arms, and then our legs, and so our lives. Let all see we are sensible of this. Evil customs creep in on us: let us make a just representation thereof to his majesty." But the attention of the House was presently drawn away to the case of Mr. Rolles, a merchant and a member of the House, who complained that his goods were seized

person." And Sir Dudley Carleton, who wrote a long account of the assassination to the queen, avers that Felton had said, at Portsmouth, on his first arrest, "that, reading the remonstrance of the House of Parliament, it came into his mind that, in committing the act of killing the duke, he should do his country great good service."

* Rushworth.—State Trials.—Letters of Carleton and Meade, in Ellis.

† Montague was second son of the Earl of Manchester. He afterwards publicly recanted, settled in France, was made Commendatory Abbot of Pontoise, and a member of the council to the Queen Regent, Anne of Austria.

by the officers of the customs, for refusing to pay the rates by them demanded, although he told them what was adjudged to be due by law he would pay them. This case, which was only one of many, transported the Commons. "Cast your eyes which way you please," exclaimed Sir Robert Philips, "you see violations of the liberty of the subject. Look on the privileges of this House. . . They knew the party was a parliament man; nay, they said if all the parliament was with him, or concerned in the goods, they would seize them just the same." "We have had good admonitions," cried Littleton, "and we have followed them. We have had moderation preached to us in parliament, and we follow it. I would others did the like out of parliament. Let the parties be sent for that violated the liberties of parliament, that they may have their doom." The king sent a message by Secretary Coke, commanding them to stay any further debate or proceedings in that case until the morrow at two o'clock in the afternoon, when his majesty was resolved to speak with both Houses in the Banqueting House at Whitehall. On the morrow—the 24th of January—the two Houses attended at the time and place appointed, and Charles thus addressed them, paying a compliment to the Lords at the expense of the Commons: "The care I have," he said, "to remove all obstacles that may hinder the good correspondency, or cause a misunderstanding, betwixt me and this parliament, made me call you hither at this time, the particular occasion being a complaint lately moved in the Lower House. For you, my lords, I am glad to take this and all other occasions whereby you may clearly understand both my words and actions: for, as you are nearest in degree, so you are the fittest witnesses for kings. The complaint I speak of is for staying men's goods that deny tonnage and poundage. This may have an easy and short conclusion, if my words and actions be rightly understood; for, by passing the bill as my ancestors have had it, my by-past actions will be concluded and my future proceedings authorised, which certainly would not have been struck upon if men had not imagined that I had taken these duties as pertaining unto my hereditary prerogative, in which they are much deceived: for it ever was, and still is, my meaning, by the gift of my people to enjoy it; and my intention in my speech at the end of the last session was not to challenge tonnage and poundage as of right, but *de bene esse*, showing you the necessity, not the right, by which I was to take it until you had granted it unto me, assuring myself, according to your general professions, that you wanted time, and not good-will, to give to me." He proceeded to tell the Commons he expected that they, without loss of time, would vote the tonnage and poundage, and so put an end to all questions arising out of this subject. "To conclude," he proceeded, "let us not be jealous one of the other's actions; for, if I had been easily moved at every occasion, the order made in the Lower House on Wednesday night last might have made me startle, there being some show to suspect that you had given yourselves the liberty to be the inquisitors after complaints, the words of your order being somewhat too largely penned; but, looking into your actions, I find you only hear complaints, not seek complaints, for I am certain you neither pretend nor desire to be inquisitors of men's actions before particular complaint be made."

The truth was, the Commons were jealous of the king's intentions, and more doubtful than ever of his sincerity and love of his people, for though the grievance of grievances was gone, the death of Buckingham had made no visible change in the spirit of Charles's government. They were also resolute to be inquisitors of many men's actions men like Laud and other bishops, counsellors, and ministers, who attacked their consciences and their property. The Commons knew well that the voting of tonnage and poundage for life was a comparatively modern practice, and they were determined not only not to vote these duties for life, but not even for a term of years,—no, not for a single year,—unless they should see a change in the conduct of the king. They proceeded in the first place to the subject of religion, declaring that the business of the kings of this earth should give place to the business of the King of Heaven. For doctrine and discipline, and all matters connected with the church, Charles had given the reins to Bishop Laud, who was not only resolved to introduce great and manifold changes, which certainly went to assimilate more and more the Anglican establishment to the Roman church, but also to tolerate no delay or dissent,—to enforce conformity by imprisonment, the pillory, the hangman's whip and knife. Laud's creed was Arminianism in the widest sense. The Commons coupled the two things together, and complained of the rapid increase of Arminianism and Papistry, much resenting the fact, that of late not one papist had been hanged for receiving orders in the Church of Rome. Mr. Pym proposed that the House should take a covenant for the maintenance of their religion and rights, which were both in danger; and he and other members inveighed loudly touching the late introducing of idolatrous ceremonies in the church by Cosens and others. As the sins of the land were deemed to be greater than its troubles, they ordered that a conference should be desired with the Lords about a petition to the king for the ordering of a general fast. The Lords granted the conference and joined in the petition, which was granted by the king, with a few remarks, which greatly irritated the zealots. The king admitted the deplorable state of the reformed churches abroad, which was made the chief ground for the petition; but he told parliament that certainly fighting would do those churches more good than fasting. "Though," continued he, "I do not wholly disallow the latter, yet I must tell you that this custom of fasting every session is but lately begun; and I confess I am not fully satisfied with

the necessity of it at this time." A day or two after, the king sent a message to the Commons to tell them that they ought to settle the question of tonnage and poundage before they meddled more with religion; and the court party, now weak and timid, made some speeches in recommendation of the message; but the Puritans only fell the more violently upon some of the bishops for introducing the new ceremonies. They again indignantly asserted that Popery and Arminianism were joining hands to produce a Romish hierarchy and a Spanish tyranny; that civil liberty was but a dependence of the true Protestant faith; that religion was in danger, and the necessity of securing it the chief matter of all others. On the 28th of January Secretary Coke delivered a second message from the king, telling the Commons that his majesty expected rather thanks than a remonstrance; that still he would not interrupt them, so that they trenched not on that which did not belong to them. "But his majesty," added Coke, "still commands me to tell you that he expects precedency of tonnage and poundage." Sir Thomas Edmunds, treasurer of the household, reminded the Commons how industrious his majesty had been to procure them gracious laws in his father's days; how much since then he had enlarged their liberties! "And yet," said he, "we give him cause to repent of the good he has done us by neglecting his business. Consider how dangerous it is to alienate his majesty's heart from parliament!" Mr. Coriton replied:—"When men speak here of neglect of duty towards his majesty, let them know we know no such thing, nor what they mean. I see not how we neglect the same. I see it is all our hearts' desire to expedite the bill of tonnage and poundage in due time. Our business is still put back by their messages, and the business in hand is God's; and his majesty's things are certainly amiss, and every one sees it; but woe be unto us if we present not the same to his majesty." Dark rumours were abroad of the king's intention to dissolve parliament as soon as they should vote the tonnage and poundage for life, and "not soon to call another." The Commons continued to occupy themselves with the subject of religion, and they drew up a brief resolution, stating that they held for truth the articles of religion as established by parliament in the reign of Elizabeth, and utterly rejected the sense of Jesuits and Arminians. On the 2nd of February, instead of their bill of tonnage and poundage, they presented to the king their "Apology" for delaying that bill. They complained of his majesty's sending them two messages in three days, telling him that that manner of pressing the House was inconsistent with their orders and privileges. On the following day Secretary Coke assured the House, in his majesty's name, that he was misunderstood as to a command, which was not the meaning, but simply a desire on the king's part, for the sake of concord; that his majesty was as anxious as they were for the true faith, but must needs think it strange that this business of religion should be only a hinderance of his affairs. And, in the end, the king insisted on their passing the tonnage and poundage bill, telling them they must not think it strange, if he found them slack, that he should give them *such further quickening* as he might find cause. This message did Charles far more harm than good: the house stuck to their grievances, and went on debating about Popery and Arminianism. Mr. Kirton declared that the "too great bishops" (Laud and Neile) were the main and great roots of all those evils which were come upon them and their religion. "Let us inquire," added he, "what sort of men they have preferred in the church, and why?" Everybody knew that Mainwaring, and Sibthorp, and Cosens, and other men obnoxious for their Arminianism and their advocacy of an absolute monarchy,—individuals condemned and sentenced by parliament,—had been recently put upon the ladder of promotion; and the House now appointed a sub-committee to inquire into the pardons granted to those offenders, in scorn of their own justice. In the course of the debates on this subject there rose to speak, for the first time, a sturdy, somewhat clownish-looking man, of about thirty years of age, with a slovenly coat and a neglected hat. His speech was thick and graceless, but there was an earnestness in his manner, a look of command about his person, that imposed respect, if not awe. It was Mr. Oliver Cromwell, the new member for Huntingdon. "I have heard," said Cromwell, "from one Dr. Beard, that Dr. Alablaster hath preached flat popery at St. Paul's Cross, and that the Bishop of Winchester (Dr. Neile) commanded him, as his diocesan, to preach nothing to the contrary. And Dr. Mainwaring, so justly censured for his sermons in this House, has been, by this bishop's means, preferred to a rich living. If these are steps to church preferment, what may we not expect?" Mr. Kirton said, that though this bishop (Neile) had leaped through many bishoprics, yet he had ever left popery behind him; that the Book of Common Prayer had been recently reprinted with many illegal alterations, ordered by this same bishop and his creature Dr. Cosens, who had changed the word *minister* into the word *priest*, and had put out in another place the word *elect*. The result of the whole inquiry was, that the bishops and the court had in all cases taken the obnoxious preachers and their principles, both political and theological, into special favour. The Commons, however, did not altogether lose sight of illegal taxation. They brought Acton, the Sheriff of London who had seized the merchants' goods, on his knees to the bar of their House, and thence sent him to the Tower. They also brought to their bar some of the officers of customs, who declared that they had made the seizures by the king's warrant; and one of the officers said he had been sent for and commanded by the king to give them no further answer. The Commons even brought the barons

of the Exchequer to account; and those high functionaries declined justifying the legality of the measures which had been pursued.*

On the 25th of February the sub-committee of religion presented a long and circumstantial report, under the title of 'Heads of Articles agreed upon, and to be insisted on by the House.' In this paper no quarter was shown to Laud and Arminianism. They complained especially of the publishing, by bishop's license, of books in favour of popery, and of the suppressing of books against popery. They asked, among many other things, for the removal of candlesticks from the communion-table, which they said was now wickedly called a *high altar;* for the removal of pictures, lights, and images, and of praying towards the east, and crossing *ad omnem motum et gestum.* They complained of the bishops bringing men to question and trouble for not obeying their commands in these respects; but they themselves called with Stentorian voices for the persecuting of the Papists and the exemplary punishment of all teachers, publishers, and maintainers of popish opinions, and all practisers of superstitious ceremonies. They required, moreover, that books like those of Montague and Mainwaring should be burnt; that some good order should be taken for licensing books hereafter; that bishoprics and other ecclesiastical preferments should be conferred by his majesty, with advice of his privy council, upon learned, pious, and orthodox men; that the bishops and clergymen thus chosen should reside upon their charge, and that some course might be taken in the present parliament for providing competent means for the maintenance of a godly, able minister in every parish of the kingdom.

In the face of this determined opposition, Charles rashly determined, at all hazards, to maintain Laud and the hierarchy. Immediately after the reading of the above articles, he sent to command both Houses to adjourn to Monday, the 2nd of March, notwithstanding the right which the Commons claimed to fix their own adjournment. Thereupon the House adjourned; but, on the 2nd of March, Sir John Eliot stood up, and, after expressing his duty to the king, once more denounced Arminianism, and then fell with his whole weight upon the great Bishop of Winchester and his greater abettor—"that is," continued Eliot, "the Lord Treasurer Weston, in whose person all evil is concentrated, both for the innovation of religion and invasion of our liberties; he being now the great enemy of the commonwealth. I have traced him in all his actions, and I find him building on those grounds laid by his master, the great duke; he, secretly, is moving for this interruption; and, from this fear, *they go about to break parliaments, lest parliaments should break them.*" Then the Speaker, Sir John Finch, delivered a message from the king, commanding him "to adjourn the House until Tuesday come seven-night following." Several members objected that this message was vexatious and irregular, and that it was not the office of their Speaker to deliver any such commands — for the adjournment of the House properly belonged to themselves. And then they said that, after they had settled a few things, they would satisfy his majesty. Sir John Eliot forthwith produced a remonstrance to the king against the illegal levying of tonnage and poundage, and against the lord treasurer, who "dismayed the merchants, drove out trade," &c. Eliot desired the Speaker to read this paper, but the Speaker said he could not, as the king had adjourned the House. It was then proposed that the remonstrance should be read by the clerk of the House, at the table, but the clerk also refused. And thereupon Eliot read it himself with much more effect than either of the officials could have produced. When Sir John had finished the reading, the Speaker refused to put it to the vote, saying, "he was commanded otherwise by the king." Mr. Selden then got up and said, "Mr. Speaker, if you will not put the question, which we command you, we must sit still; and so we shall never be able to do anything. We sit here by command from the king, under the great seal; and, as for you, you are, by his majesty, appointed our Speaker; and do you now refuse to be a Speaker?" The Speaker replied, that he had an express command from the king, so soon as he had delivered his message of adjournment, to rise. And thereupon he rose; but Hollis, son to the Earl of Clare, Mr. Valentine, and other members of that stamp, forced him to sit down again, and held him fast to his chair. At the same time some of the patriots locked the doors of the House, and brought up the keys to the table. Sir Thomas Edmonds and other members of the House, who were privy counsellors or courtiers, rushed to the release of the pinioned Speaker. "God's wounds," cried Hollis, "he shall sit still till it pleases us to rise." A rude scuffle ensued, during which the Speaker *shed an abundance of tears.* As the courtiers were too weak to release him, he at last sat still, and said, crying more than ever, "I will not say *I will not*, but *I dare not.* I have his majesty's commands. I dare not sin against the express command of the sovereign." Selden then delivered a constitutional speech on the duties of a Speaker of the House of Commons, and told him that he ought to proceed and put the remonstrance to the vote; but the Speaker "still refused, with extremity of weeping and supplicatory orations. Sir Peter Hayman, a gentleman of his own county and of his own blood, told him that he blushed at being his kinsman; that he was a disgrace to his country—a blot to a noble family; that all the inconveniences that might follow—yea, even to the destruction of parliament—would be considered as the issue of his baseness by posterity, by whom he would be remembered with scorn and disdain." Sir Peter ended by recommending, that if he would not do his duty, he should be brought to the bar of

* Rushworth.—Whitelock.—Parl. Hist.

the House, and a new Speaker chosen at once. As neither advice nor threats could prevail on the Speaker, and as they well knew they would not again be allowed the opportunity of expressing their sentiments in parliament, the Commons hastily drew up a protest under the following heads:—"1. Whosoever shall bring in innovation in religion, or by favour seek to extend or introduce Popery or Arminianism, or other opinions disagreeing from the true or orthodox church, shall be reputed a capital enemy to this kingdom and commonwealth. 2. Whosoever shall counsel or advise the taking and levying of the subsidies of tonnage and poundage, not being granted by parliament, or shall be an actor or instrument therein, shall be likewise reputed an innovator in the government, and a capital enemy to this kingdom and commonwealth. 3. If any merchant or other person whatsoever shall voluntarily yield or pay the said subsidies of tonnage and poundage, not being granted by parliament, he shall likewise be reputed a betrayer of the liberty of England, and an enemy to the same." As Mr. Hollis read these articles he was loudly cheered by the House, who expressed their full assent to them, one by one. While they were reading, the king, who had hurried down to the House of Lords, and who was perplexed at not seeing the Speaker, sent a messenger to bring away the sergeant with his *mace*—a symbol almost as important as the Speaker, and without which there could be no House. But the members stopped the serjeant, and, taking the key of the door from him, gave it to a member of the House to keep safe and sure. Not seeing serjeant or mace, the king dispatched the usher of the black rod to call up the Commons, that he might dissolve the parliament; but the Commons refused to receive either the black rod or his black message. When Charles heard this he grew furious, and, sending for the captain of the pensioners and his guards, he ordered them *to force the door*; but the Commons, in the meanwhile, having voted their protest, and adjourned themselves to the 10th of March, had risen and were gone.

Upon the 10th of March the king went down to the Lords with the proclamation for the dissolution of Parliament, which had been signed on the 3rd. Several members of the Lower House were in the Lords when the king arrived, but the Commons had not been summoned as was usual, and their Speaker was not present as he ought to have been. "My Lords," said Charles, "I never came here upon so unpleasing an occasion: therefore many may wonder why I did not rather choose to do this by commission; it being a general maxim of kings to lay harsh commands by their ministers—themselves only executing pleasing things. But, considering that justice is as well answered in commending and rewarding of virtue, as punishing of vice, I thought it necessary to come here this day, to declare to you, my lords, and all the world, that it was only the disobedient carriage of the Lower House that hath caused this dissolution at this time; and that you, my lords, are so far from being causers of it, that I have as much comfort in your lordships' carriage towards me, as I have cause to distaste their proceedings. Yet, that I may be clearly understood, I must needs say, that they do mistake me wonderfully that think I lay the fault equally upon all the Lower House; for, as I know there are many as dutiful and loyal subjects as any are in the world, so I know that it was only some *vipers* amongst them that had cast this mist of difference before their eyes; although there were some amongst them that would not be infected with this contagion—insomuch that some by their speaking (which indeed was the general fault of the House on the last day) did show their obedience. To conclude, my lords, as those evil-affected persons must look for their rewards, so you that are here of the Higher House may justly claim from me that protection and favour that a good king oweth to his loyal and faithful nobility. And now, my lord keeper, do what I have commanded you." Then the lord keeper said, "My lords, and gentlemen of the House of Commons, the king's majesty doth dissolve this parliament." And thus, flattering the Lords, and threatening the Commons, Charles ended his third parliament, on the 10th of March, 1629.*

But before the closing scene the king had laid his hands upon some of those whom he called the "*vipers*." Eliot, Hollis, Selden, Valentine, Coriton, Hobart, Hayman, Long, and Stroud, the members who had been the most active in getting up the protest, and keeping the Speaker in his chair, were summoned by warrant (dated the 5th of March) before the privy council. With the exception of Long and Stroud they all presented themselves, but refused to answer out of the House for the things they had said in it; and they were thereupon committed to the Tower. Long and Stroud surrendered upon the issuing of a proclamation for their arrest, and they were sent to join their friends. The houses of Eliot, Hollis, Selden, Long, and Valentine were forcibly entered, their studies broken open, and their papers seized by the king's warrant.

Charles issued a long declaration to all his loving subjects, explaining the causes which moved him to dissolve the last parliament; but every step he now took only added to the exasperation of the people. Being fully resolved to proceed in the Star Chamber against the members of parliament whom he had committed to the Tower, he propounded a series of questions to the judges, who again were found somewhat less complying than was expected. Judge Whitelock afterwards (and we believe timidly and privately) complained against this way of sending to the judges for their opinions beforehand, and said, that if Bishop Laud went on in this way, he would kindle a flame in the nation. At the same moment of ex-

* Rushworth.—Whitelock.—Parl. Hist.

OLD STAR CHAMBER, WESTMINSTER. Pulled down after the late Fire of the Parliament Houses.

citement the High Commission Court and the Star Chamber passed several harsh sentences; and on the 22nd of March the infatuated king issued a proclamation, which was interpreted by many as meaning a determination on his part to discontinue parliaments altogether, unless he could reduce the House of Commons to be the instrument of his will. "We have showed," said Charles, "by our frequent meeting our people, our love to the use of parliaments; yet, the late abuse having for the present driven us unwillingly out of that course, we shall account it presumption for any to prescribe any time unto us for parliaments, the calling, continuing, and dissolving of which is always in our power; and shall be more inclinable to meet in parliament again, when our people shall see more clearly into our interests and actions, and when such as have bred this interruption shall have received their condign punishment." He afterwards graciously told the nation that he would not overload his subjects with any more burdens, but satisfy himself with those duties that were received by his father, which he neither could nor would dispense with, but should esteem them unworthy of his protection who should deny them.

The apprehensive, or that numerous class which for the sake of excitement exaggerate calamities, spoke in corners of Tower Hill and the block, or Tyburn and the gallows; but the arbitrary faction could not venture upon such extreme measures, and the imprisoned members, in the end, met with nothing but illegal fines in addition to their harsh imprisonment. When they sued for their *habeas corpus*, and were brought up before the Court of King's Bench, the court lawyers made a return that they were detained for notable contempts, and for stirring up sedition, as alleged in a warrant under the king's sign manual. Their counsel argued against the legality of the proceeding, and made a stand on the king's explicit confirmation of principles and precedents in the Petition of Right. The king's counsel slurred over that great constitutional enactment, and the attorney-general, Heath—"a fit instrument for those times"—quibbled and evaded, and set up the old tyrannical doctrine of imprisonment at the king's will. "A petition in parliament," said he, "is no law, yet it is for the honour and dignity of the king to observe it faithfully; but it is the duty of the people not to stretch it beyond the words and intention of the king. And no other construction can be made of the Petition of Right, than that it is a confirmation of the ancient liberties and rights of the subjects. So that now the case remains in the same quality and degree as it was before the petition." In this manner—this wretched, irritating manner—did Charles and his tools endeavour to explain away every confirmation of constitutional rights,—every concession made to the people, till the people would no longer give the slightest credit to his most solemn promises. The Attorney-General Heath recited old authorities to prove that prisoners committed by the sovereign or the privy council were not bailable. The judges, however, wrote "a humble and stout letter" to the king; "that by their oaths they were to bail the prisoners; but thought fit, before they did it, or published their opinions therein, to inform his majesty thereof, and humbly to advise him (as had been done by his noble progenitors, in like

* Rymer.

case) to send a direction to his justices of his bench to bail the prisoners."* The Lord Keeper Coventry would not tell the judges whether he had shown this, their letter, to the king or not; but dissembled the matter, and told them that they must attend his majesty at Greenwich. There the king received them in a manner which showed he was displeased with them, and he commanded them not to deliver any opinion in this case without consulting with the rest of the judges. These judges, obviously by royal command, delayed the business, and so it was put off till the end of the term. When the Court of King's Bench was ready to deliver its opinion, the prisoners, by the king's command, were removed from other places of confinement to the Tower; so that, the writs of *habeas corpus* having been addressed to their former keepers, who of course could not produce them, the prisoners were not forthcoming to claim the right of bail. They were thus detained in close custody during the whole of the long vacation which ensued.† Charles justified his manœuvre to the judges of the King's Bench, by telling them that he had removed the prisoners, "not as some people might say, to decline the course of justice, but because they had carried themselves insolently and unmannerly to himself and their lordships."

Towards the end of the vacation the judges were commanded to attend at Serjeants' Inn, as his majesty had urgent need of their services. Upon Michaelmas-day—the day appointed—the judges attended; and then the Chief Justice Hyde and Judge Whitelock were sent by the Lord keeper to advise with the king at Hampton Court. There the privy council was sitting; but Charles took the two judges aside, and told them he was willing the imprisoned members should be admitted to bail, notwithstanding their contumacy in refusing to declare that they were sorry for having offended him; and he also told them that he should abandon the Star Chamber proceedings, and prosecute them in the King's Bench. The answers of the judges, who felt what was right, but who were not bold enough to oppose the king, did not give entire satisfaction—for Charles spoke disrespectfully of their "oracles and riddles."‡

Upon the first day of Michaelmas Term, the prisoners, who had been already thirty weeks in close confinement, without resort of friends or family, debarred from the use of books, and pen and ink, were brought into court, and ordered not only to find bail for their present charge, but sureties for their good behaviour in future. They refused to give these sureties, but were ready with bail for their appearance to answer the present charge. The judges intimated that they would accept the same persons both for sureties and bail; but the captives were determined not to tie their own tongues and fetter their own hands by making their friends answerable upon so ticklish a point as good behaviour, which was to be judged of by the king and his ministers. They all firmly refused to give the sureties in any shape, and thereupon they were all sent back to the Tower.

The attorney-general then exhibited an information in the King's Bench against Sir John Eliot, Mr. Denzil Hollis, and Mr. Valentine. Sir John was charged with words uttered in the Commons' House, and particularly with saying that the privy council and judges had conspired to trample under foot the liberties of the subject,—that no man was ever blasted in the House of Commons but a curse fell upon him, &c. Hollis and Valentine were charged with the tumult on the last day of the session, when the Speaker was forcibly held down in the chair. The defendants put in a plea excepting to the jurisdiction of the court:—"Forasmuch," it was alleged, "as these offences are supposed to have been done in parliament, they ought not to be punished in this court, or any other except in parliament." The judges, upon demurrer, overruled this plea, and the prisoners refused to put in any other. Upon the last day of the next term judgment was given against them upon a *nihil dicit* by Mr. Justice Jones, who said,—"We will not draw the true liberties of parliament-men into question, to wit, for such matters which they do or speak in a parliamentary manner; but, in this case, there was a conspiracy between the defendants to slander the state, and to excite sedition and discord between the king, his peers, and people; and this was not a parliamentary course. . . . . Members have no privilege to speak at their pleasure. The parliament is an high court, therefore it ought not to be disorderly, but ought to give good example to other courts. If a judge of our court shall rail at the state or clergy, he is punishable for it. A member of the parliament may charge any great officer of the state with any particular offence; but this was a malevolous accusation, in the generality, against all the officers of state; therefore the matter contained within the information is a great offence, and punishable in the court." But, heavy as was their offence, Jones assured the prisoners that their punishment should be laid on "with a light hand;" and then he delivered sentence,—"1. That every of the defendants shall be imprisoned during the king's pleasure: Sir John Eliot to be imprisoned in the Tower of London, and the other defendants in other prisons. 2. That none of them shall be delivered out of prison until he give security in this court for his good behaviour, and have made submission and acknowledgment of his offence. 3. Sir John Eliot, inasmuch as we think him the greatest offender and the ringleader, shall pay to the king a fine of 2000*l.*, and Mr. Hollis a fine of 1000 marks; and Mr. Valentine, because he is of less ability than the rest, shall pay a fine of 500*l.*" And to all this all the other justices, with one

* Whitelock.

† Id.—State Trials.—At the same time this paltry trick was played off upon other less conspicuous victims. "Some constables and other mean men, committed by the council, and bringing their *habeas corpora*, were removed from pursuivant to pursuivant, and could have no benefit of the law."—*Whitelock.*

‡ Whitelock.

voice, assented. Long, who had been pricked sheriff of Wiltshire, was not brought into the King's Bench for his conduct in the House, but into the Star Chamber, for attending in parliament when he was bound, as sheriff, to be present in his own county. This was a revival of an old manœuvre, and people understood perfectly well that Long's severe sentence, condemning him to a fine of 2000 marks, imprisonment during the king's pleasure, and a public submission, was solely on account of his behaviour in the House of Commons.

Previously to the passing of these tyrannical sentences against members of parliament, a merchant had felt the ruthless severity of the court. Richard Chambers was summoned before the privy council for refusing to pay any further duty for a bale of silks than might be demanded by law. The bale of goods had been seized by the officers; but this was not deemed punishment enough, and Charles wanted an opportunity to restate his principle, in scorn of the Petition of Right, that he could lay on duties by prerogative. Smarting under his wrongs, and foreseeing the deplorable consequences that must ensue if this arbitrary principle were established, Chambers told the privy council "that merchants had more encouragement, and were less screwed and wrung, in Turkey than in England." For these words an information was preferred against him in the Star Chamber; and that detestable court, declaring itself of opinion that the words were intended to make the people believe that the *happy government* under which they lived was worse than a Turkish tyranny, forthwith sentenced Chambers to pay a fine of 2000*l.*, and to sign a written acknowledgment that he had spoken the words insolently, contemptuously, seditiously, falsely, and maliciously. The honest merchant signed the paper; but it was to this effect:—"All the above contents and submission, I, Richard Chambers, do utterly abhor and detest, as most unjust and false, and never till death will acknowledge any part thereof." And being a devout man, a puritan or precisian, he subjoined several texts of scripture, one of which was,—"Woe unto them that devise iniquity, because it is in the power of their hand." His fine was immediately estreated into the Exchequer, where he pleaded Magna Charta and other statutes against the fine by the king and his council, it not being by legal judgment of his peers; but the barons would not suffer his plea to be filed. Afterwards Chambers brought his Habeas Corpus, but the judges remanded him; and after twelve years' imprisonment, and a long waiting for satisfaction for his losses from the Long Parliament, this champion and martyr of law and right died at last in want.†

Everything now went to spread the conviction that Charles intended to throw off for ever the restraint of parliament, and to rule undisguisedly as an absolute king. The orthodox pulpits were made to shake with loud expoundings of the divine right; and about this time a pamphlet was put forth advising the king to have no more parliaments, recommending to him the example of Louis XI. of France, who had put down parliaments in that kingdom, and submitting a regular scheme of despotism to be upheld by a military police.* But still there were circumstances which might seem to indicate that Charles thought rather of managing the House of Commons, by winning over some of its most influential members, than of taking the more desperate step alluded to. Perhaps, however, he considered the services of such eminent men as Sir Thomas Wentworth, Sir Dudley Digges, Noye, and Littleton, to be worth the purchasing, parliament or no parliament; for the country contained none more able, and their promptness in apostatizing gave him a reasonable ground for believing that they would not be deterred by a sense of shame, or by scruples of conscience, from going any lengths in the service of their new master. Wentworth, the most renowned of the set, had gone over to the court some time before this. After being one of the sturdiest of the reformers and boldest declaimers in the House of Commons,—after suffering imprisonment for refusing to contribute to the forced loan,—this eminent person, a gentleman of Yorkshire, who boasted his descent, by bastardy, from the royal line of the Plantagenets, out of a very ignoble rivalry, and an ambition for rank and titles (even his friends could find out no purer motives), made his peace with Buckingham a short time before that favourite's death, and sold himself, body and soul, to the court. He had his reward; and the splendour of it, no doubt, served as a decoy to other patriots of his stamp. He was elevated to the peerage by the title of Baron Wentworth; he was caressed by the king; he was taken to the bosom of Laud; and by the end of the year 1628 he was made a viscount and lord president of what was called the Court of York, or the Council of the North. From the first moment he obtained power he used it against his former political associates without mercy or remorse; and it may be that, from that very moment, the party set down the renegade for a sacrifice whenever the wheel of fortune should turn in their favour. The indisputable and commanding abilities of the man also made them hate him the more because they feared him. Sir Dudley Digges, though a spirited debater and a man of talent, had been known for some time to be without principle; and, upon being offered the post of Master of the Rolls, he closed at once with the

* Parl. Hist.—Rushworth—State Trials.

† Whitelock.—Rushworth.

* It was proved, however, that this precious production was not written for Charles, but for his father James, many years before; and that it was now made public and "brouted" by the patriotic party, in order to put their fellow-subjects on their guard against the encroachments of despotism. But the pamphlet scarcely contained a principle that was not cherished, and even acted upon more or less openly, either now or soon afterwards, by Charles, and Laud, and Wentworth. At court the queen was constantly talking of the difference between a *quasi* king, like the kings of England, and a *real*, mighty king, like the absolute sovereigns of her own country and family.

bargain, and turned round upon "the vipers," as the king called his former friends, the leaders of the opposition. Noye and Littleton, both distinguished lawyers, followed the same course: Noye was made attorney-general, Littleton solicitor-general. Being thus placed in a position to explain and stretch the prerogative, they did that work apparently without a blush at the recollections which were but as of yesterday, when they combated for the rights of parliament and the liberties of the people. There was no new king's favourite in lieu of Buckingham, for the Earl of Holland was rather the favourite of the queen (scandal said her paramour) than of Charles. Holland, however, like the extravagant Hay, Earl of Carlisle, had a seat at the council-table, where also sat the pompous and empty-headed Arundel, earl marshal; the contemptible, horse-whipped Earl of Montgomery; his brother, the Earl of Pembroke; and the Earl of Dorset; who, one and all, thought more of pleasure than of business, and were content that the king should ruin himself or the nation, provided they could have their enjoyments. Charles's two secretaries of state at this time were Sir John Coke and Sir Dudley Carleton; his chancellor, or rather lord-keeper, was Lord Coventry; his lord privy seal the Earl of Manchester; and his lord-treasurer the Lord Weston, whom Eliot had denounced in the last session as the great enemy of the commonwealth. But all these counsellors together had not the power over the king of Wentworth and Laud. The rise of the churchman had been forwarded rather than checked by the assassination of his great patron Buckingham. Charles knew that he had long been in the habit of writing for the duke, and guiding him in matters of business: he called Laud into the privy council, and promised to raise him to the primacy as soon as it should please heaven to remove old Archbishop Abbot. It should seem that, on a closer acquaintance, the sympathies of the king and bishop chimed together wondrously well; and that, while Laud adored the divine right of kings, Charles embraced with the zeal of a crusader the right of the bishops to coerce the faith of his people. Between them they would have allowed no liberty to men either in their bodies and goods, or in their souls and consciences. It was this union of the two tyrannies that hurried on the crisis. To the civil despotism singly, and as exercised by Charles, the English people might possibly have submitted some while longer; but the scourge of Laud lashed them into a fury.

All this time England was at war with France, Spain, and, in effect, with the Emperor of Germany; but so insignificant were the events that rose out of this state of hostility, compared with the events at home which signalised the struggle between the sovereign and people, that the minutest historians scarcely devote a page to them. Indeed, without any comparison with the important transactions at home, the warlike operations in which the English were actively concerned were paltry and honourless in themselves, being, in fact, little more than an exhibition of Charles's weakness. With France he had gone to war without reason, and he was glad to make a peace without honour, abandoning the French Protestants to their fate, and scarcely mentioning the cause of his sister and brother-in-law the Palatine. This peace with France was made public in the spring of 1629, and in the following year Charles, notwithstanding the prayers and tears of his wife,* who would have prolonged the war, *because* France was still at war with Spain and the whole House of Austria, he concluded a peace with Philip, the pacification of King James being assumed as the groundwork of the treaty.

But the other belligerents on the continent were carrying on the Thirty Years' War, which arose out of the Bohemian insurrection, with a very different spirit. The Lion of the North had started from his lair,—Gustavus Adolphus, the most warlike sovereign, and perhaps the very best general of his time, had crossed the Baltic on the 24th of June, 1630, and rushed into Germany for the support of Protestantism and the humbling of the Emperor Ferdinand. A series of most brilliant victories was obtained by the daring Swede, who was in close league not only with the Protestants of the empire, but with the French, who, guided by the bold policy of Cardinal Richelieu, now omnipotent in France, stretched their arms in all directions, across the Alps, the Pyrenees, to the frontiers of the Spanish Netherlands, to the Rhine and the Elbe. Savoy was not only overrun, but almost entirely conquered; and in Italy the cardinal dictated terms to the pope, who, as much out of necessity as out of inclination, had adhered to the House of Austria and to the emperor, who was considered as waging a religious war against heretics. When Gustavus Adolphus entered Germany as the champion of Protestantism, the power of the emperor was almost everywhere predominant. His generals, the ferocious Tilly, the bloody Pappenheim, the ambitious Maximilian of Bavaria, and Wallenstein, in whom all these qualities were united in their extreme proportions, had crushed the power of the Protestant states, and laid waste, with every circumstance of cruelty, the territories of friends and foes. Wallenstein had been removed from command by the jealous fears of Ferdinand, who at one time fancied that the fortunate and aspiring general aimed, if not at the imperial crown, at the old crown of Bohemia; Maximilian of Bavaria was rejoicing in the possession of the Palatinate, which he had helped to win from his cousin Frederick; but Tilly and Pappenheim were still in the field with a vast army of veteran troops, so flushed with their many recent victories, that

* "Sir Francis Cottington went towards Portsmouth, on his ambassage (to Madrid), on Monday that week, and was now at length really gone, maugre the French ambassador, who, with all the strength he had, opposed his journey, and used the queen's assistance therein: so that, when Sir Francis Cottington came to take his leave of her, and to know what service her majesty would be pleased to command him to her sister, [she] answered him as I told you in my last. And, then, when she could not prevail with his majesty to cross the ambassage, she shed tears in anger."—*Meade.*

they called themselves invincible. But they were soon found to be no match for the highly disciplined, hardy troops from old Scandinavia, led on by a hero and a great tactician. From Pomerania and Mecklenburg, where the fortresses and towns submitted to him as soon as he approached, Gustavus Adolphus entered the electorate of Brandenburg, and forced Tilly to retire upon the Elbe. The courtiers at Vienna told the emperor that the Swede was but a king of snow, who would melt away as he approached the south; but the Swede continued his onward course, and there was no melting away, or, if there was, it was of that nature which releases the avalanche from the mountain, to thunder through and overwhelm the valley beneath. The only event that clouded the joy and success of the Protestants was the capture of the rich and Protestant city of Magdeburg, which was effected by Tilly and Pappenheim while the Swedes were occupied in another direction. The ferocious Tilly let loose his wild Croats, Walloons, and Pandours upon the devoted citizens, who were massacred without distinction of age or sex. When they had sacked the richest houses they set fire to the rest, and, a violent wind rising, the whole town was soon wrapped in flames, which consumed both quick and dead. In less than twelve hours one of the finest cities of Germany was reduced to an unsightly heap of ruins and ashes, and 30,000 of its industrious inhabitants had perished by different kinds of deaths, but all horrible. Such a tragedy had not often been perpetrated in modern wars: the sack of Magdeburg excited horror throughout the civilized world; but the Protestants consoled themselves with the belief that it must be followed by the curse of the Almighty,—and, in fact, it was the last of the emperor's successes in this war. We are called upon to mention the moral and devout bearing of the victorious Swedes, both because it was rare and beautiful in itself, and because, in the course of a few years, it became the model of that English army which terminated the civil war. In the imperial army, which also professed to fight for the blessed cause of religion, there reigned only immorality, lust, cruelty, and disregard of all the virtues and decencies of life: in the army of Gustavus, on the contrary, every fault was punished with severity; but, above all, blasphemy, violence to women, stealing, gaming, and fighting duels. Simplicity also of manners and habits was commanded by the military laws of Sweden; and in the whole camp, and even in the king's tent, there was neither silver nor gold plate. The eye of the sovereign observed as carefully the morals of his troops as their bravery. Every regiment was obliged to form itself in a circle round its chaplain for morning and evening prayers; and this pious act was then performed in the open air.*

It was in the month of November, 1630, that Charles signed his solemn treaty of peace with Spain. Philip, not in the treaty, but in a private letter, promised Charles to restore to his brother-in-law, the Palatine, such parts of his territories (they must have been very inconsiderable) as were then occupied by Spanish troops, and to use his best endeavours with his near relative, the emperor, to reinstate the expelled prince as he was before his acceptance of the Bohemian crown. And Charles, as a fitting return, entered upon a secret contract, whereby he agreed to unite his arms with those of Spain for the subjugation of the Seven United Provinces, which his great predecessor Elizabeth had so largely contributed to free from the oppressive Spanish yoke. Charles, as a share of the spoil, was to have and to hold Zealand and other territories. There had been a talk of this precious scheme before, when Charles and Buckingham were at Madrid wooing the Infanta. But now the matter went so far that the agreement was signed by Charles's ambassador, Cottington, and by Olivares, who was still the favourite and prime minister in Spain. All this had been done in the closest secrecy,—not a breath of the mystery had got abroad; but Charles, seeing the violence of his Protestant subjects, even when they knew nothing of this projected league with papists against a Protestant people, might easily divine what would be their fury when the scheme should be broached and carried into operation. It appears to have been this consideration which induced him to hesitate in ratifying the agreement which he had allowed his minister to sign. Thereupon Philip, of course, considered himself freed from the promises he had made concerning the Palatine. A few months after Charles went into a project the very reverse of that he had recently entertained. Flanders and Brabant, which remained to Spain and the pope after so many years of sanguinary warfare, had become the scenes of discontent; or, at least, a certain party had conceived the notion of erecting them into independent states. The King of England forthwith dispatched to them Sir Balthazar Gerbier, a native of Antwerp, a good painter, a distinguished critic in the fine arts, an excellent penman, and a very accomplished man of business or intrigue, who had passed from the service of Buckingham into that of Charles. On the 14th of August,* 1632, Gerbier, writing from Brussels, informed his employer that those states, perceiving that the Spaniards were no longer able to defend them and their religion, were determined to make themselves free states, drive out the Spaniards, contract alliances with their neighbours, and conclude a peace with the Hollanders. He assured Charles that he had not failed to have a careful eye thereunto, that nothing might be neglected which concerned his majesty's glory and the interest of his kingdoms, and that he had acted his part without putting himself too forward, merely, as it were, hearkening to what passed. The Infanta and the Spanish council, he said,

* Schiller's History of the Thirty Years' War.

* From an allusion in this letter to a previous dispatch, it appears that Gerbier had been at his secret work ever since the month of June.—*Hardwicke State Papers.*

were already greatly alarmed and on the alert, for they had received advertisements from England, from one Nicolaldy and another, that those states were resolved to shake off the Spaniards and make themselves free. "The Infanta," continues Gerbier, "showed the said letters to *Sir Peter Rubens*, who told me that they bore such information as would hazard the lives of many in these countries." The French had been already in this field of intrigue, offering assistance; for it was an idea among them at least as old as the time of Henry IV., if not of Louis XI., that the Rhine was the proper and natural frontier to their fine kingdom, and nobody better understood how to work by indirect means than Cardinal Richelieu. The party with whom Gerbier was intriguing in Flanders and Brabant, indeed, suspected that the French aimed at a conquest, nor were they less suspicious of the intentions of their neighbours the Hollanders, who also had offered them assistance. These particulars, Gerbier says, were communicated to him by a person in disguise, who had chosen an hour in the night for the dangerous conference, and who had the appearance of being a man of high rank.

He spoke to me," continues the secret agent, "as in the name of a whole body which aimed to be supported by an alliance with England, to counterbalance France, who, instead of a confederacy, prepared means to bring these provinces into subjection; which to prevent, the support of England was conceived to be the strongest remedy, and therefore it was desired I should procure, under your majesty's hand and seal, power to hear (under profound secret) what was so considerable, that, showing my authorization, and engaging my word for secrecy, I might know not only the party, but be sure it was no French." The party, however, were no patriots, for one of the first of their proposals was to obtain for themselves English court distinctions,—ribbons and garters.* "I was very attentive," says Gerbier, "unto this discourse, my mind still fixed on the proverb *Diffidentia est mater prudentiæ*, not being certain but that this person might be set on purposely to sound me, if England was desirous of the subversion of the Spanish government. Wherefore my first answer was with admiration, feigning not well at first to comprehend their design, and with much difficulty these high resolutions, less their success, considered the troubles past and present amongst them, intimating thereby that I lived not here to forge factions; but that, withal, England ought to be accounted as their best and most considerable neighbourhood, both for its situation, strength by sea, commerce, and affection of the people, who have always lived in good intelligence with these countries, being from France whence all the stirs proceed, as the histories do bear record. The said person promised then that, upon the procuring of my authorization, he would make known himself, desiring that no time might be lost. Considering, therefore, the advantages your majesty might reap hereby, and, on the other part, how prejudicial it would be to your majesty that France should procure a primitive alliance with these states, if not the conquest, which would render France too potent a neighbour, I thought fitting to advertise your majesty thereof in these terms, and believe your majesty will approve that, upon this consideration, I set down those of Queen Elizabeth in the years 1576, 1577, and 1578, who, by a singular prudence, laboured to hinder this people from casting themselves under the protection of France. . . And seeing the lives of great persons might run hazard by the discovery of these designs, I find myself bound in charity and loyalty not to communicate them any farther than to your majesty, who may impart them unto your prudent council, as in your royal wisdom shall be thought fitting, it being the request made by the secret party. Your majesty may be pleased to weigh the glory which will redound unto your majesty from this alliance, which, excluding the Spaniards for ever from this part of the world, will serve as an assured rampart to other countries, neighbours, and allies of your majesty, and free them from any change or invasion." Gerbier went on to give the king more particulars touching "the great business," telling him how cautious he had been to prevent all subject of suspicion in the King of Spain's ministers, and how he had been continually pressed by the person in disguise to know whether they could count upon Charles's assistance. He said that there were only some six thousand men, Spaniards and Italians, in the country; and that, as for the Walloons, who made ten thousand men, they would not fight for Spain when it should come to the push; but Charles must make haste, for the Hollanders were very anxious to intermeddle. Charles immediately replied by letter, *written secretly, and all in his own hand.* The business, he said, was so great that, merely to manage it, he was forced to trust somebody, but, as secrecy was especially necessary, he had only trusted Secretary Coke. He told Gerbier that, as he was in peace and friendship with the King of Spain, it would be against both honour and conscience if, without any just cause or quarrel, he debauched his subjects from their allegiance. "But," continued the king, "since I see a likelihood (almost a necessity) that his Flanders subjects must fall into some other king's or state's protection, and that I am offered, without the least intimation of mine, to have a share therein, the second consideration is, that it were a great imprudence in me to let slip this occasion, whereby I may both advantage myself and hinder the overflowing greatness of my neighbours." He was willing, he said, to take the protection of these people into his hands, as they flew to him

* "This party (as the said person told me) being in no small emulation with the other for points of honours, expecting no less from your majesty than, as the King of Spain had honoured them with the Fleece, they might have to wear the Garter, as a mark of dependency of honours, and to be even with those who should be honoured with the order of the Holy Ghost."—*Gerbier's Letter to Charles in Hardwiche State Papers.*

without his seeking: if he did not protect them others would; and the King of Spain, instead of being offended, ought to be pleased; for if he, Charles, did not interfere, then the States would fall into the hands of Philip's enemies or rebels. "And therefore," continued the royal casuist, "upon great consideration I have sent you power to treat with these disguised persons, and do hereby authorise you to promise them, in my name, protection against anybody but the King of Spain, and to defend them from him and all the world else from injuries." This letter, with a commission to Gerbier, was enclosed in a dispatch written by Secretary Coke, who told the agent that the commission was as full as could be expected, secrecy not now permitting more formalities. "Your instructions," said the secretary, "will be made more particular and full when the parties discover themselves, and when you send word *what they offer* and what they require." On the 24th of September Secretary Coke wrote again to instruct him how to convince the Catholic States of Flanders and Brabant that France was not to be thought of, and that England was their surest refuge, which would best agree both with their ecclesiastical and temporal estates, "both which," continues the secretary, running in search of arguments to prove how nicely and nearly the Anglican Church could agree with the Roman, "you must endeavour to persuade to be of the same; for their churchmen, you say, are the most active for this change, and, if it had not been for the scandal of religion, they would have expressed themselves for a treaty with England before others. . . Yet England, in respect of religion, is far more proper for them to join withal than the Seven United Provinces can be; for, howsoever of late they have given their neighbours a specious freedom of the Catholic religion, yet they have reserved in every town a free church for their own profession; and what distraction their continued intercourse with such a mixture would breed may easily be conceived. Whereas, no such effect can be feared from the English, who, as they enjoy at home their honours, freedom, and estates, without difference, so much less will trouble or restrain men's consciences abroad; nor are so incorporate by language, or by general resort to that nation, that they can be capable to make any change." These were most lame and absolutely decrepit arguments, but those which followed were perhaps somewhat more convincing to the dignitaries of the church in Flanders and Brabant, who had a profound abhorrence of the poverty and political insignificance of churchmen in Holland. "But," continues the secretary, "what is more considerable, churchmen amongst the States have no part in the government or in the laws; neither do their elders comport with our hierarchy of archbishops, bishops, deans, canons, and parish curates; and, which doth yet debase them more, they there possess neither glebe-lands nor tithes, nor other stable revenues, but depend altogether upon voluntary contributions, which will bring their rich clergy in short time to a very mean and poor estate. These differences you must infuse into the minds of their ecclesiastics, who were not so mortified that they will not take their own interests to heart, and prefer our alliance in respect thereof." Having thus arranged for the clergy, Secretary Coke, who, no doubt, wrote under the dictation of Charles, proceeded to deal with the nobility, bidding Gerbier to declare to them at large, and on all occasions, how much better it would be for them to adhere to a potent king like the King of England than to a popular and factious government like that of the Hollanders. "Amongst *those boors*," continues the secretary, "where all are equal and capable of the highest places, their honours and degrees can have no pre-eminence, but be subject to the affronts of the baser sort, without civility or respect, which noble minds cannot endure." From the nobility he passed to the merchants and base traders, and from these to the native soldiery, telling Gerbier how to deal with these classes in order to draw them to the king's interest. "But," said Coke, "in conclusion, because the Spaniards are not yet excluded, you must not, by a total adhering to the faction, either cry down their authority or neglect their interests, who may well be able to do that there for us which they cannot for themselves; and, when they perceive they cannot help themselves, and that they must quit their hold, will probably incline rather to deposit their right in our hands (chiefly the sea-towns) than to suffer their rebels or their opposites to carry them by force. In this your dexterity must be employed rather in drawing on overtures from themselves than in offering propositions." This underhand negociation was prolonged through many months, the King of England wishing the conspirators to declare their country independent, and the conspirators wishing him to give them something more than general and vague promises. At last the Spanish court, which had some clue to the secret correspondence from the beginning, discovered the whole,* and reinforced its army in Flanders and Brabant; and thereupon the plot fell to the ground. If such proceedings had taken place between private individuals, no one would hesitate as to the proper epithet to be applied to them; but they had been so common between kings and governments, that we think Charles's conduct on this occasion has been censured with undue severity. He acted precisely as the great Elizabeth would have done; and even at a much later and morally better age, English statesmen would not have hesitated to do as much in the same dark manner to counteract the intrigues of other states, and more especially to prevent the French from making themselves masters of the Low Countries. But, on the other hand, if Charles had been that high model of religion and sanctity, probity and honour, which some have tried to represent him, we should

* Lord Cottington, then Ambassador at Madrid, was accused of divulging the whole business to the Spanish court.

hardly have found him engaged in such a scheme.

Charles now concluded, or rather renewed, a treaty with Gustavus Adolphus, and undertook to send six thousand men to join that victorious sovereign in the heart of Germany. But, as there was no declaration of war with the emperor, he thought it proper and delicate to make it appear as if this force was raised in Scotland by the Marquis of Hamilton on his own account, and without the king's knowledge. When Hamilton was getting ready, Donald, Lord Reay, and Major Borthwick accused the marquis of raising troops to usurp the crown of Scotland. Reay said that this plot was discovered to him by one Ramsay, and Borthwick said that it had been revealed to him by one Meldrum. Neither of the accusers had any witnesses to produce, but Lord Reay proposed having recourse to the now antiquated barbarism of a trial by single combat, and challenged Ramsay, who denied having made any such communication to his lordship as was alleged. Ramsay was as ready to fight as Reay; and a court of chivalry was regularly constituted to arrange and witness the combat, over which the Earl of Arundel, as earl marshal, was to preside. But, when everything was ready, the king revoked his commission, and the absurd proceeding was abandoned.* The original charge, which was in itself scarcely less ridiculous, originated in the malice of Lord Ochiltrie and the Lord Treasurer Weston, who was very jealous of Hamilton's influence at court, for, next to Wentworth and Laud, the marquis was supposed to be "closest with the king." Hamilton had already embarked with his little army,—"but so little care was taken of provisions and accommodations for his men that they were brought into a sick and shattered condition, so that they mouldered away in a short time; and the marquis was forced to return to England without gaining any great renown by this action, wherein he neither did service to the King of Sweden nor to himself, or to the Protestant cause in Germany."† When Hamilton returned, Charles received him into as great favour and trust as ever.

We cannot condense half of the circumstances which occurred at home between the dissolution of the parliament of 1629 and the calling that of 1640,—circumstances which discontented the mass of the English people, and which gave zeal to the timid or lukewarm, fury to the zealots. We shall, however, try to explain, in as few words as possible, the most important of these provocations. In contempt of the Petition of Right, the king persisted in levying tonnage and poundage, even augmenting the rates on sundry kinds of goods, and ordering that the goods of such as refused payment should be instantly seized and sold. The Commons, it will be remembered, had denounced the man as a traitor that should pay these illegal taxes. And, at the same time that Charles thus availed himself of the resources of modern commerce, he arbitrarily revived certain feudal uses or abuses. Henry III. and Edward I., when their poverty obscured their chivalry, had introduced the practice of summoning their military tenants, worth 20*l.* per annum, to receive at their hands the costly honour of knighthood: many declined this honour, and were allowed to compound by paying a moderate fine. Elizabeth and James had both availed themselves of this ancient prerogative; and the change in the value of money rendered it more oppressive than formerly, though only persons esteemed worth 40*l.* per annum were now subjected to it. In many instances, in James's time, the sheriffs purposely neglected to serve these writs, and many persons, when they were served, took no notice of them; but now Charles appointed a regular commission to attend solely to this vexatious method of raising money; and these commissioners called upon all landed proprietors, rated at 40*l.*, to pay their fines for not being knighted. When any resistance was offered, the parties were dragged into the expensive law-courts, and there invariably cast, and forced to pay, or thrown into prison. Nor was there any fixed rule or rate; for, when any man was a known puritan or precisian, or otherwise obnoxious to the court, he was made to pay a great deal more than another. Nor was the practice limited to those who were liable as military or feudal tenants: lessees, who held no land by any such tenure; merchants whose fortunes had risen from bales of goods, and not from the sword or lance, were called upon to pay, were prosecuted and persecuted. It would not have been easy to find a more effective method of indisposing that numerous and influential class of the lesser landholders and country gentlemen. It is said that 100,000*l.* were thus screwed and squeezed out of the subject; and the king preferred this method to meeting and agreeing with the House of Commons. The most intolerable sufferings of the people had arisen in the old time from the atrocious game or forest laws. This bloody and disgraceful code had been allowed in good part to drop into desuetude, but Charles resolved to revive at least all such parts of it as might tend to the increase of his revenue. The Earl of Holland was appointed to hold a court for the recovery of the king's forestal rights, or those lands which had once belonged to the royal chaces. In this manner people were driven from many tracts which they and their fathers had long occupied as their own; gentlemen's estates were encroached upon, and, as the king was the litigant, the opposite party, even if he gained his cause, which in such circumstances he had but slight chance of doing, was distressed or ruined by the costs of the action, which he had to pay whether he was the loser or the winner. The Earl of Southampton was reduced almost to poverty by a decision which deprived him of his estate adjoining the New Forest in Hampshire. In Essex the royal forests grew so large, that people said they

* Rushworth.] † Whitelock.

had swallowed up the whole county. Rockingham Forest was increased from a circuit of six miles to one of sixty miles, and all trespassers were punished by the imposition of enormous fines. "Which burden," says Clarendon, "lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and were therefore like to remember it with more sharpness."* To enlarge Richmond Park, Charles deprived many proprietors, not merely of their rights of common, but also of their freehold lands. It should appear that he afterwards gave some compensation; but the act at first had in it all the worst features of a cruel and plundering despotism. The House of Commons had scarcely rendered a service more important to the nation than by insisting on the suppression of monopolies: but now the king began to revive those abuses also; and, for the sum of 10,000*l.*, which they paid for their patent, and for a duty of 8*l.* sterling upon every ton of soap they should make, which they promised to pay the king without vote of parliament, he chartered a company with exclusive privileges to make soap. The patent permitted every soap-boiler or manufacturer to become a member of the chartered company; and that precious turn-coat, Attorney-general Noy, who devised the project, probably thought he had in this way evaded the letter of the law, the act of parliament being more particularly directed against individuals or two or three monopolists favoured by the court. But the circumstance of the monopoly being in the hands of a numerous company made little or no difference to the consumers of the article, who were still obliged to pay for their soap whatever price the monopolists demanded. These incorporated soap-boilers, as a part of their bargain, received powers to appoint searchers, and they exercised a sort of inquisition over the trade. Such dealers as resisted their interference, or tried to make soap on their own account, were handed over to the tender mercies of the Star Chamber. This precedent was followed in the erection of a similar company of starch-makers, and in a great variety of other grants, till monopolies, in transgression or evasion of the late statute, became as common as they had been under James and Elizabeth.† And no less unjust proceedings of other kinds, some of them ridiculous, some scandalous, all very grievous, were set on foot; the envy and reproach of which (we should say *justly*) fell to the king, the profit to other men—for the expense of collection was enormous, and only a small portion of the money ever reached the royal coffers.‡ Proclamations, which James had carried to such excess, and which had been branded by parliament, were again brought into play, and arbitrary fines were exacted from such as disobeyed these proclamations, which were in themselves illegal. The late Solomon had decided in his wisdom that the plague and other great mischiefs were solely owing to the excessive and constantly increasing size of London, and he had proclaimed over and over again that people must not be so wicked and so foolhardy as to build any more houses in the metropolis. But his proclamations were disregarded—the judges had declared them not to be according to law; and the Londoners had gone on building faster than ever. Charles, who was more steady in wrong proceedings than his father, appointed a commission to examine into this growth and increase, and to make money of those who had built the new houses. In general the latter got off by paying a fine equivalent to three years' estimated rent of their houses, and an annual tax to the crown; but in some instances the houses were knocked down, and the owners made to pay a penalty besides suffering this destruction of their property. Thus, a Mr. Moore lost forty-two houses of the better kind, with coach-houses and stables, which he had erected near St. Martin's in the Fields; and, after these houses had been demolished by the sheriffs, heavy fines were levied on him by distress warrants.* And, as if all these were not sufficient causes of disgust and irritation, there were the galling and high-handed proceedings of the Earl Marshal's Court, which will be described more particularly hereafter. But what more than anything heaped coals on the doomed head of the king was the conduct of the high church party, led on by Laud. This bishop is allowed, by one of his warmest admirers, to have been a zealot in his heart "of too warm blood and too positive a nature;"† but he followed the course of Archbishop Bancroft, and was an emphatic flatterer of the king. When, in the month of May, 1630, Henrietta Maria gave birth to a prince, afterwards that godly king Charles II., Laud baptized the infant, and composed a prayer upon the occasion, in which was the petition,—"Double his father's graces, O Lord! upon him, if it be possible." Bishop Williams, the ex-lord-keeper, now in disgrace, and almost a patriot, forgetting his own performances in former times, called this "three-piled flattery and loathsome divinity." A few months after composing this prayer, Laud called before him, in the Star Chamber, Alexander Leighton, a Scotchman and a Puritan preacher, for writing against the queen and the bishops in a book entitled "An Appeal to the Parliament, or Sion's Plea against Prelacy." The tone of the book was disrespectful, fanatic, and in some respects brutal; but we lose sight of its demerits in the atrocious punishment of the author, who vainly pleaded, in the Star Chamber, that he had offended through zeal, and not through any personal malice. He was degraded from the ministry, publicly whipped in Palace-yard, placed in the pillory for two hours,

* Hist.

† For a full list of these monopolies, see Rymer, and the reports of the debates of the Long Parliament.

‡ Clarendon says, that of 200,000*l.* drawn from the subject by such ways, in a year, scarce 1500*l.* came to the king's use or account.

* Rushworth gives several most arbitrary proceedings in the Star Chamber against men who had built houses in contravention of the king's proclamations.

† Sir Philip Warwick's Memoirs.

had an ear cut off, a nostril slit, and was branded on one of his cheeks with the letters S. S., for "Sower of Sedition." After these detestable operations he was sent back to his prison; but, at the end of one short week, before his wounds were healed, he was again dragged forth to public whipping, the pillory, the knife, and the brand; and, after he had been deprived of his other ear, split in the other nostril, and burnt on the other cheek, he was thrust back into his dungeon, there to lie for life. After ten years, indeed, Leighton regained his liberty, but it was by the mercy neither of Laud nor Charles, but through that parliament which destroyed alike the bishop and the king.*

Blind to the almost inevitable consequences of persecution, Laud neglected no opportunity of enforcing conformity. By his advice Charles had issued a proclamation forbidding all preachers to condemn Arminianism or to enter upon that controversy. Though not yet the chief of the Anglican church, for old Abbot, the Archbishop of Canterbury was still living, Laud wielded or directed all its thunders. "He prevented likewise a very private and clandestine design of introducing nonconformists into too many churches; for that society of men (that they might have teachers to please their itching ears) had a design to buy in all the lay impropriations which the parish churches in Henry VIII.'s time were robbed of, and, lodging the advowsons and presentations in their own feoffees, to have introduced men who would have introduced doctrines suitable to their dependencies, which the court already felt too much the smart of, by being forced to admit the presentations of the lay patrons, who too often dispose their benefices to men rather suitable to their own opinions than the articles and canons of the church."† But this is the showing of a royalist and high churchman, who conceived that everything done by Laud was right; the other party might have reasonably pleaded their great and natural desire to procure preachers whose notions and practices agreed with their own. And, then, if they had done what was illegal in associating for the purchase of livings, and for the establishment of afternoon lectures in boroughs and cities, where, as they considered, the service of God was much neglected, we can scarcely see upon what principle of law the large sums of money which had been contributed should be seized by the king and Laud. Noy, the attorney-general, brought the trustees in whom the money was vested into the Court of Exchequer, and there, after production of their books and deeds, and counsel heard on both sides, their corporation was dissolved, and all the money adjudged to the king, who, at some future time, was to employ it in his own way for what he might consider the benefit of the church.‡

* "The severe punishment of this unfortunate gentleman many people pitied, he being a person well known both for learning and other abilities; only his untempered zeal (as his countrymen gave out) prompted him to that mistake."—*Rushworth.*——He was the father of the celebrated Archbishop Leighton.

† Sir Philip Warwick's Memoirs.

‡ Rushworth.—Laud's Diary.—Whitelock.

The Puritans now began to emigrate in great numbers to North America, preferring a wilderness with religious liberty to their native country without it. The pilgrim fathers chiefly settled in New England. Those who remained at home were sharpened and embittered by persecution, and by the whole tone and manner of Charles's court, which, be it said, though moral, or at least decent, compared with that of James, was far from being so pure and exemplary as it has been described by certain writers.* Being pretty well shut out from the pulpit, and hunted down in their conventicles,—having no other valve through which to let off their rarefied feelings,—they had recourse to the shackled press. In Hilary Term, 1634, by which time Laud was primate, Mr. William Prynne, a barrister of Lincoln's Inn, was brought into the Star Chamber, together with Michael Sparkes, "a common publisher of unlawful and unlicensed books," William Buckmer, and four other defendants, upon informations filed by the attorney-general, Noy.† The offence charged was, that Mr. Prynne, about the eighth year of Charles's reign (being the current year), had compiled and put in print a libellous volume, entitled by the name of "Histrio-Mastix; the Player's Scourge, or Actor's Tragedie;" which was directed against all plays, masques, dances, masquerades, &c. "And although he knew well that his majesty's royal queen, the lords of the council, &c., were, in their public festivals, oftentimes present spectators of some masques and dances, and many recreations that were tolerable and in themselves sinless, and so declared to be by a book printed in the time of his majesty's royal father; yet Mr. Prynne, in his book, had railed not only against stage plays, comedies, dancings, and all other exercises of the people, and against all such as frequent or behold them; but further, in particular, against hunting, public festivals, Christmas-keeping, bond-fires, and May-poles; nay, even against the dressing-up of houses with green-ivy." He was also accused of directly casting aspersions upon her majesty the queen, and of stirring-up the people to discontent against his majesty the king, whom he had treated with "terms unfit for so sacred a person." The fact was, Prynne was a learned fanatic, a spiritual ascetic, who conscientiously believed that plays, and masques, and other sports, in which the queen and court indulged to excess, were unlawful to Christians; and he parti-

* The letters of Garrard and of Conway, in the Strafford Correspondence, several of the contemporary Memoirs, and even occasional passages and hints in Clarendon's great but one sided work, will fully bear out our statement as to the morals of Charles's court The words of Lord Sunderland have often been quoted. That noble man, writing from the army *to his wife*, says that the indecency of the language he heard in the camp was so great, that it made him fancy himself *at court.—Sydney Papers.*

† Prynne had already undergone some persecution. He was one of the first to attack the arbitrary doctrines of Montague. Laud and his party attempted to suppress these books and pamphlets, and called Prynne, Burton, and others into the High Commission Court, and "they were at the point to have been censured, when a prohibition comes from Westminster Hall to stay the proceedings in that court, contrary to his majesty's will and pleasure, expressed so clearly and distinctly in the said proclamation: which prohibition they tendered to the court in so rude a manner, that Laud was like to have laid them by the heels for their labour."—*Heylin.*

cularly attempted to demonstrate, in his book *of a thousand pages*, that "by divers arguments, and by the authority of sundry texts of scripture,—of the whole primitive church,—of 55 synods and councils,—of 71 fathers and Christian writers before the year of our Lord 1200,—of above 150 foreign and domestic Protestant and Popish authors since,—of 40 heathen philosophers, &c.,—and of our own English statutes, magistrates, universities, writers, preachers,—that popular stage-plays are sinful, lewd, ungodly spectacles, and most pernicious corruptions." Against masques and dancing (the last a dangerous thing to touch when there was a French queen on the throne) Prynne was equally severe. "If," said my Lord Cottington upon the trial, "Mr. Prynne should be demanded what he would have, he liketh nothing: no state or sex; music, dancing, &c., unlawful even in kings; no kind of recreation, no kind of entertainment, no, not so much as hawking;—all are damned." But the whole tenor of the book, according to Noy, was not less against the orthodox church of England, than against their sacred majesties. "The music in the church," said the attorney-general, "the charitable term he giveth it is, not to be a noise of men, but rather a bleating of brute beasts: choristers bellow the tenor as it were oxen, bark a counter-point as a kennel of dogs, roar out a treble like a sort of bulls, grunt out a bass as it were a number of hogs: his complaint for suppressing repetitions, by way of conventicles; also his general censure of all the bishops and of all the clergy; they scorn to feed the poor; the silk and satin divines: very charitable terms upon them of the church! Christmas, as it is kept, is a devil's Christmas; nay, he doth bestow a great number of pages to make men affect the name of Puritan, as though Christ were a Puritan, and so he saith in his Indéx." Laud was also incensed at Prynne's bestowing some praise upon the factious book of Dr. Leighton. Prynne's book had been written four years ago, and the greater part of it had been printed, if not published, two years ago; but it happened that, at the moment it was mentioned to the king by the bishop, Henrietta Maria was rehearsing a part which she shortly afterwards acted in a play or pastoral with her maids of honour.* Hence every abusive term was held to be directed against her majesty; and, though the mass of those terms were strictly scriptural, there are some of them that could scarcely bear repeating. Charles was greatly exasperated, but it is said that he would have let the matter drop, and the author go unpunished, if it had not been for the activity of Laud and his chaplains. In mentioning that the tribunal was the Star Chamber, we have sufficiently indicated that Prynne's sentence must be atrocious. "For the book," said the Lord Chief Justice Richardson (encouraged into eloquence by the approving nods of Laud, who was present during the whole trial, as he generally was at all the most important or most arbitrary Star Chamber prosecutions), "for the book, I do hold it a most scandalous, infamous libel to the king's majesty, a most pious and religious king; to the queen's majesty, a most excellent and gracious queen (*he could not praise her religion, because she was a Roman Catholic*), such a one as this kingdom never enjoyed the like, and I think the earth never had a better. It is scandalous to all the honourable lords and the kingdom itself, and to all sorts of people. I say eye never saw, nor ear ever heard of, such a scandalous and seditious thing as this mis-shapen monster is. . . . . Yet give me leave to read a word or two of it, where he cometh to tell the reasons why he writ this book:—because he saw the number of plays, play-books, play-haunters, and play-houses so exceedingly increased, there being above 40,000 play-books, being now more vendable than the choicest sermons. What saith he in his epistle dedicatory, speaking of play-books?—They bear so big a price, and are printed in far better paper, than most octavo and quarto Bibles, which hardly find so good a vent as they; and then come in such abundance, as they exceed all number, and 'tis a year's time to peruse them over, they are so multiplied: and then he putteth in the margin Ben Jonson, &c., printed in better paper than most Bibles. . . . . This monster, this huge, mis-shapen monster, I say it, is nothing but lies and venom against all sorts of people. It is a strange thing what this man taketh upon him. He is not like the powder traitors,—they would have blown up all at once; this throweth all down at once to hell together, and delivereth them over to Satan. . . . . Stage-players, &c., saith he, none are gainers and honoured by them but the devil and hell; and when they have taken their wills in lust here, their souls go to eternal torment hereafter. And this must be the end of this monster's horrible sentence. He saith, so many as are in play-houses are so many unclean spirits; and that play-haunters are little better than incarnate devils. He doth not only condemn all play-writers, but all protectors of them, and all beholding of them; and dancing at plays, and singing at plays, they are all damned, and not less than to hell. I beseech your lordships, but in a word, to give me leave to read unto you what he writes of dancing. It is the devil's profession, and he that entereth into a dance entereth into a devilish profession; and so many paces in a dance, so many paces to hell. This is that which he conceiveth of dancing. The woman that singeth in the dance is the prioress of the devil, and those that answer are clerks, and the beholders are the parishioners, and the music are bells, and the fiddlers are the minstrels of the devil." All this was Puritanism run mad—the being righteous overmuch, at the expense of the lightest and brightest enjoyments of all ages and all climes; but how it could be made sedition, and

* 'That which the queen's majesty, some of her ladies, and all her maids of honour, are now practising upon, is a pastoral penned by Mr. Walter Montague, wherein her majesty is pleased to act a part, as well for her recreation as for the exercise of her English. Ben Jonson (who I thought had been dead) hath written a play against next term, called the Magnetick Lady."—Letter from Mr. Pory to Sir Thomas Puckering, in Sir H. Ellis.

almost high treason, we know not, unless it were by connecting it with the fact—which was not done openly—that the queen was a great dancer, and by holding it to be seditious and treasonable to hint that a queen could go to the place so often mentioned by the lord chief justice. This high functionary, however, went on to make out his case upon other grounds. "He writeth thus: that Nero's acting and frequenting plays was the chiefest cause that stirred up others to conspire his death. . . . . And, in another place, that Tribellius Pollio relates that Martian, Heraclius, and Claudius, three worthy Romans, conspired together to murder Gallienus, the emperor, a man much besotted and taken up with plays, to which he likewise drew the magistrates and people by his lewd example. . . . . Now, my lords, that they should be called three worthy persons that do conspire an emperor's death, though a wicked emperor, it is no Christian expression. If subjects have an ill prince, marry, what is the remedy? They must pray to God to forgive him, and not say they are worthy subjects that do kill him." After sundry invectives, which the prisoner heard, standing behind that other fierce persecutor of the Puritans, Bishop Neile, the lord chief justice concluded:—"Mr. Prynne, I must now come to my sentence; though I am very sorry, for I have known you long; but now I must utterly forsake you, for I find that you have forsaken God, his religion, and your allegiance, obedience, and honour, which you owe to both their excellent majesties, the rule of charity to all noble ladies and persons in the kingdom, and forsaken all goodness. Therefore, Mr. Prynne, I shall proceed to my censure, wherein I agree with my Lord Cottington:—First, for the burning of your book in as disgraceful a manner as may be, whether in Cheapside or Paul's Churchyard; for though Paul's Churchyard be *a consecrated place*, yet heretical books have been burnt in that place.* And because Mr. Prynne is of Lincoln's Inn, and that his profession may not sustain disgrace by his punishment, I do think it fit, with my Lord Cottington, that he be put from the bar and degraded in the University; and I leave it to my lords the lord bishops to see that done; and, for the pillory, I hold it just and equal, though there were no statute for it. In the case of a high crime it may be done by the discretion of the court; so I do agree to that too. I fine him 5000*l.*; and I know he is as well able to pay 5000*l.* as one-half of 1000*l.*; and perpetual imprisonment I do think fit for him, and to be restrained from writing,—neither to have pen, ink, nor paper; yet let him have some pretty prayer book, to pray to God to forgive him his sins; but to write, in good faith, I would never have him: for, Mr. Prynne, I do judge you by your book to be an insolent spirit, and one that did think by this book to have got the name of a Reformer, to set up the Puritan or separatist faction." One might have fancied that such a rating and such a tremendous sentence were enough for any criminal; but so thought not the officials of the Star Chamber! Mr. Secretary Coke next fell upon the condemned prisoner, beginning with an unquestionable truth. "By this vast book," said the secretary, "it appeareth that Mr. Prynne hath read more than he hath studied, and studied more than considered, whereas, if he had read but one sentence of Solomon, it had saved him from this danger. The preacher saith, be not over just, nor make thyself over wise, for why wilt thou destroy thyself?" Coke then proceeded to show the necessity of mildness and toleration to the vices of society, quoting Scripture again and again, but in rather an awkward manner, considering the monstrous intolerance which the court had shown to the prisoner. He insisted particularly that every man was not a fit reprehender of folly and vice,—that Mr. Prynne had no invitation, no office, no *interest* to make himself a censor. "And certainly," said Coke, "the faults that have been tolerated in all times were greater than modest plays or modest dancing. It is not my intention, neither do I think it is the intention of any of your lordships to apologise for stage plays, much less for the abuse of them. I wish, and so I think doth every good man, that the abuse of them were restrained; but, my lords, not by railing, cursing, damning, and inveighing, not only against the faults and players themselves, but against all spectators and those that come to them, and that of all degrees, &c." But everything hitherto said was milk and honey compared to the gall poured forth by the noble Earl of Dorset. After complaining of the swarms of murmurers and mutineers not fit to breathe, he exclaimed, "My Lords, it is time to make illustration to purge the air. And when will justice ever bring a more fit oblation than this Achan? Adam, in the beginning, put names on creatures correspondent to their natures. The title *he* hath given this book is *Histrio-mastix*, or rather, as Mr. Secretary Coke observed, *Anthropo-mastix*; but that comes not home,—it deserves a far higher

* In proposing the sentence of Michael Sparkes, the printer of Prynne's book, Cottington had said, "I do fine Sparkes 500*l.* to the king, and to stand in the pillory, *without touching of his ears*, with a paper on his head to declare his offence, and it is most necessary in these times: *and for the pillory to be in Paul's churchyard.*" Here Laud had exclaimed, evidently to the annoyance of Cottington, "*It is a consecrated place!*" "I cry your grace mercy," said my Lord Cottington; "then let it be in Cheapside."

This talking of consecrated places was rather new to the English Protestants; but Laud was now ceremoniously consecrating churches, churchyards, &c., to the horror of the Puritans. The Lord Chief Justice might have said that not only had heretical books been burned, but blood also spilt in St Paul's churchyard. The horrid execution of the gunpowder conspirators, Digby, Robert Winter, Grant, Bates, Thomas Winter, Rookwood, Keyes, and Guido Fawkes, had been performed at "the west end of St. Paul's churchyard."

It is worthy of remark that Cottington, in treating of Sparkes's case, alluded to the inevitable consequences of prohibition "I do find that he (Sparkes) persuaded men to buy this book after it was prohibited; and before it was prohibited he persuaded men to buy it, saying it was an excellent book, and it would be called in, *and then sell well!*"

Buckner, who had been chaplain to Archbishop Abbot, and who was accused of having licensed at least a part of the Histriomastix, was let off very easily; but poor Sparkes suffered the sentence proposed by Cottington. Besides being a printer, he was (as was common in those days) a publisher, bookseller, and bookbinder. The noble Earl of Dorset suggested that he ought henceforward "to be barred from printing and selling books, and kept wholly to binding of books."—*Rushworth.*

title, *Damnation*, in plain English, of *Prince, Prelacy, Peers, People*. . . My lords, when God had made all his works, he looked upon them and saw that they were good. This gentleman, the devil having put spectacles on his nose, says that all is bad; no recreation, no vocation, no condition good; neither sex, magistrate, ordinance, custom divine or human; things animate and inanimate, all, my lords, wrapt up in *massa damnata*,—all in the ditch of destruction." In some respects this was a just criticism of Prynne's sour book; but their lordships presently showed that they could be as abusive and uncharitable as the fanatic Puritan. "Do you, Mr. Prynne," said the Earl of Dorset, "find fault with the court and courtiers' habits, with silk and satin divines? I must say of you, you are all purple within,—all pride, malice, and all disloyalty; you are like a tumbler, which is commonly squint-eyed, you look one way and run another way; though you seemed, by the title of your book, to scourge stage-plays, yet it was to make people believe that there was an apostasy in the magistrates; but . . . . . when did ever church so flourish, and state better prosper? And, since the plagues happened, none have been sent among us such as this *caterpillar* is. What vem hath opened his anger? or who hath let out his fury? When did ever man see such a *quietus est* as in these days? yet in this golden age is there not a Shimei amongst us that curseth *the anointed of the Lord*, so puffed with pride; nor can the beams of the sun thaw his frozen heart; and this man appeareth yet. And now, my lords, pardon me, as he hath wounded his majesty in his head, power, and government, and her majesty, his majesty's dear consort, our royal queen and my gracious mistress, I can spare him no longer,—I am at his heart. *Oh quantum!*" &c. The courtier, who was an adept at long speeches, proceeded to draw an oratorical eulogium of the immeasurable virtues of Henrietta Maria. He described that passionate, wilful woman as being not less mild and meek than majestic, of a sweet disposition, and for compassion always relieving some oppressed soul, having a heart full of honour, a soul full of chastity. Nay, Dorset, in the swing of his eloquence, did not scruple to praise her religion, saying that her zeal in the ways of God was unparalleled, and if all its saints were as she, the Roman church was not to be condemned. Going even further than this, he spoke as if he were privy to what passed between the queen and her confessor. "On my conscience," said he, "she troubleth her ghostly father with nothing, but that she hath nothing to trouble him withal." But then, changing this gentle tone, the noble Dorset again addressed the Puritan in the following words, which should be remembered whenever the reader is startled by the denunciations of the religious party:—"Mr. Prynne, I do declare you to be a schism-maker in the church, a sedition-sower in the commonwealth, a wolf in sheep's clothing,—in a word, *omnium malorum nequissimus*. I shall fine him 10,000*l*., which is more than he is worth, yet less than he deserveth; I will not set him at liberty, no more than a plagued man or a mad dog, who, though he cannot bite, he will foam: he is so far from being a sociable soul that he is not a rational soul; he is fit to live in dens with such beasts of prey as wolves and tigers like himself; therefore I do condemn him to perpetual imprisonment as those monsters that are no longer fit to live among men, nor see light. Now, for corporal punishment, my lords, I should burn him in the forehead and slit him in the nose, for I find that it is confessed of all that Dr. Leighton's offence was less than Mr. Prynne's; then why should Mr. Prynne have a less punishment? He that was guilty of murder was marked in a place where he might be seen, as Cain was. I should be loth he should escape with his ears, for he may get a perriwig, which he now so much inveighs against, and so hide them, or force his conscience to make use of his unlovely love-locks on both sides. Therefore I would have him branded on the forehead, slit in the nose, and his ears cropped too."*

The infamous sentence was executed with the additional barbarities proposed by the noble and gallant Earl of Dorset. A contemporary, of some learning and note, says he went to visit Prynne in the Fleet, and to comfort him, and found, in his serenity of spirit and cheerful patience, the rare effects of an upright heart and a good conscience. But Sir Symonds D'Ewes was a favourable reporter; and though the victim was no doubt cheered by his conscience, he was certainly neither serene nor patient. He sent Laud from his prison a stinging letter about his Star Chamber sentences, which letter Laud showed to the king, and then (as he informs us), by the king's commands, to Mr. Attorney Noy. Noy forthwith had Mr. Prynne brought to his chamber, showed him the letter, and asked him whether it were his hand-writing. Mr Prynne said he could not tell unless he might see it nearer. The letter being then given into his hands, and Mr. Attorney going to his closet for a pressing necessity, Prynne, when his back was turned, tore it into small pieces, and threw them out of a window; "fearing," says

* As to the book, Dorset said,—"My lords, I now come to this *ordure*,—I can give no better term to it,—burn it, as is practised in other countries, or otherwise we shall bury Mr. Prynne, and suffer his ghost to walk. I shall therefore come in to the burning, but also let there be a *proclamation* made, that whosoever shall keep any of the books in his hands, and not bring them to some public magistrate to be burnt in the fire, shall fall under sentence of this court."

The very loyal Sir Philip Warwick, who never even mentions or alludes to the trial and barbarous punishment of Prynne, calls the Earl of Dorset "a gentleman of great parts and elocution." Clarendon, as is usual with that great penman, gives the earl's character at greater length; but, though eulogistic, the violence, dissipation and other vices of the man shine through all his rhetorical varnish. Some years before this, Dorset, then Sir Edward Sackville, signalised himself by a murderous duel. According to Clarendon, "he entered into a fatal quarrel, upon a subject very unwarrantable, with a young nobleman of Scotland, the Lord Bruce, upon which they both transported themselves into Flanders, and, attended only by two pages, placed at a distance, and under an obligation not to stir but upon the fall of one of them, they fought under the walls of Antwerp, where the Lord Bruce fell dead upon the place: and Sir Edward Sackville being likewise hurt, retired into the next monastery."—*Hist.*

Laud, "*ore tenus*." Noy then brought the victim again into the Star Chamber, where all this was proved against him, and where, according to the persecuting prelate's own account, he mercifully forgave him this last offence.

Between the first arrest and the punishment of Prynne, Charles had made a magnificent journey into Scotland, where the people, too forgetful of the effects of the last royal visit they had received from James, had been complaining of neglect—as if the king thought the ancient crown of Scotland not worth his journey thither. Charles was attended in this journey by Laud, it being a principal object with him to force the Liturgy, with all the innovations in the Anglican church proposed, or about to be proposed, by his favourite bishop, upon his Scottish subjects. The Scots received him with great demonstrations of joy; many of the nobility ruined themselves by feasting and entertaining his numerous court; and on the 18th of June, 1633, Charles was crowned at Edinburgh. The ceremony was performed, as of right, by the Archbishop of St. Andrew's; but there were several circumstances in it which gave offence to the people. Laud, for example, rudely jostled and displaced the Archbishop of Glasgow, who was standing by the king's side, because that prelate had scrupled to officiate in the embroidered habits—very like the robes of the Roman hierarchy—which the English bishop had prescribed.* The introduction of a high altar, tapers, chalices, and genuflections, recalled the memory of the old religion, and the oil, and the unction, and other parts of the performance, all savoured to the majority of the Scots of the rankest idolatry.† The coronation was succeeded by a parliament—stratagem having been employed to secure the election of such lords of the articles as were noted for their entire and unscrupulous devotion to the royal will. They voted supplies with unprecedented liberality and promptitude. A land-tax of 400,000*l.* Scotch, and the sixteenth penny of legal interest were granted for six years. The regular rate of interest was reduced from ten to eight per cent., and the difference of two per cent., taken by this act from the creditor, was vested in the king for three years. The harmony of the parliament was first disturbed by a question about the attire of the clergy; Laud and the king having made up their minds that the Scottish ministers should wear precisely the same garments as their English brethren. The subject seemed one of awful importance to many of the Scotch; and it was not trivial, if taken in connexion with other circumstances and the temper of the government. If Charles, by his arbitrary will, should impose the embroidered cope and the white surplice—which the people abominated as vestiges of Papistry—he might, by a like process, interfere with the most important rights and privileges of the nation. Silence now would assuredly be taken as a tacit submission to further encroachments. But the Scottish lords were not disposed to be silent. The aged Lord Melville, addressing himself to Charles, exclaimed, "I have sworn with your father and the whole kingdom to the Confession of Faith, in which the innovations intended by these articles were solemnly abjured." Charles was disconcerted and confounded by this bold remark; he rose, and withdrew to take counsel of himself and others. But soon he returned, repossessed of his authoritative tone; and when they resumed their deliberations, he haughtily commanded them not to debate, but to vote; and, refusing to separate the questions which they were willing to approve, from his copes and surplices, to which they objected, he produced a paper containing a list of the members, and said, "Your names are here; I shall know to-day who will do me service and who will not." The articles were rejected by fifteen peers and forty-five commoners, making a clear majority of the House; and yet the lord register impudently reported them as affirmed by parliament. The Earl of Rothes boldly declared that the votes were erroneously collected, or falsely reported, and demanded a scrutiny. If Charles's conduct be correctly reported, it is decisive in itself of his whole character and temper. It is said that he stood up, and refused the scrutiny, unless the Earl of Rothes would, at his peril, take upon himself to arraign the lord register of the capital and treasonable crime of falsifying the votes—a proceeding which would have involved the unsuccessful accuser in ruin; and, from the tone of the king and the timidity or subservience of that parliament, Rothes might well despair of establishing his accusation, however just. He was silent; the articles, though really rejected by a majority, were ratified in the Scottish manner by the touch of the sceptre; and the parliament was forthwith dissolved upon the 28th of June. Charles did not venture upon his English practice of imprisoning refractory members, but he studiously testified his high displeasure against those who had opposed his will. They were excluded from a lavish dispensation of honours and promotions; were received at court with reproaches or sullen silence; were turned into ridicule; were set down as schismatic and seditious men.* Having made Bishop Laud a privy coun-

* Immediately before the coronation a sermon was preached by David Lindsey, then Bishop of Brechin, upon the text, 1 Kings, v. 39:—"And all the people said God save King Solomon." During the coronation "it was observed that Dr. Laud, then Bishop of London, who attended the king (being a stranger), was high in his carriage, taking upon him the order and managing of the ceremonies; and, for an instance, Spotswood, Archbishop of St. Andrew's, being placed at the king's right hand, and Lindsey, then Archbishop of Glasgow, at his left, Bishop Laud took Glasgow, and thrust him from the king, with these words: '*Are you a churchman, and wants the coat of your order?*' (which was an embroidered coat, and that he scrupled to wear, being a moderate churchman;) and in place of him put in the Bishop of Ross at the king's left hand."—*Rushworth.*

† Rushworth.—Spalding.—Burnet.

* "The passing of the act concerning ecclesiastical habits did much perplex the dissenting lords and others, which occasioned some of them to divulge in writing a paper reflecting upon his majesty (adjudged afterwards to be a libel), wherein was contained this reflection—how grievous a thing it was for a king in that place, by making of the subjects' votes to overawe his parliament; and that the same was a breach of privilege, &c. This writing, as afterwards appeared, was drawn by one William Hagg, who fled for it.

sellor of Scotland, and heard him preach in *pontificalibus* in the royal chapel of Holyrood; having established "singing men" in the said chapel, and set up an episcopal see at Edinburgh, with a diocese extending over ancient Lothian from the Forth to Berwick, and with rich endowments in old church lands, which certain great nobles had, by a private and not unprofitable bargain, agreed to surrender, for the sake of example, to others, Charles made a posting journey to the queen at Greenwich, where he arrived after four days' travelling, on the 20th of July.* Laud, who was not so good a traveller, followed him by slow stages, and reached his palace at Fulham, on the 26th. "On Sunday, August the 4th" (we use the prelate's own words) "news came to court of the Lord Archbishop of Canterbury's death, and the king resolved presently to give it me, which he did August 6th. That very morning at Greenwich, there came one to me seriously that vowed ability to perform it, and offered me to be a cardinal. I went presently to the king, and acquainted him both with the thing and person." To be promised the primacy of the Anglican church, and a cardinal's hat from the pope, upon one and the same day, was a combination of circumstances of a very extraordinary kind! We would not make more of the mystery than his conduct and proceedings justify; but we think it can scarcely be doubted, that some high Catholics, who had watched his conduct, fancied that Laud's great project was, gradually to bring back the English to the bosom of the Roman church, or that he himself was, from conviction and practice, already worthy of being a prince of that church. Under date of Saturday, August the 17th, he says: "I had a serious offer made me again to be a cardinal (*this seems to prove that he had not rejected the first offer in a very angry or decided manner*); I was then from court, but so soon as I came thither (which was Wednesday, August 21) I acquainted his majesty with it; but my answer again was, that *somewhat* dwelt within me, which would not suffer that, till Rome were other than it is." At a later period, when the scourged, mutilated, and maddened Puritans were hunting Laud to the scaffold, he said, in alluding to this remarkable passage of his life: "His majesty, very prudently and religiously, yet in a calm way, the person offering it having relation to some ambassador, freed me from that both trouble and danger."† Some agent in the singular transaction let out the secret of the hat, the effect of which upon the Puritans, who saw that Laud was every day labouring to assimilate the ceremonies of the English church to the Roman model, may be easily conceived, although they had no positive proof of the transaction.* Having definitively settled the business of the cardinalate, Laud was formally installed in the archbishopric of Canterbury on the 19th of September. About the beginning of the month of November, the Lady Davies prophesied against the new primate, that he should "a very few days outlive the 5th of November."† This lady was the widow of Sir John Davies, the author of several poetical productions of much merit, and of sundry slavish speeches in King James's time in support of the prerogative in the House of Commons. It was said that she had correctly predicted the death of the Duke of Buckingham. Laud, who was excessively superstitious, a believer, beyond the general credulity of the times, in dreams, omens, and prognostics, had her dragged into the Star Chamber, which was not often the scene of such a merry, and laughable, and harmless trial. "The woman was grown so mad, that she fancied the spirit of the prophet Daniel to have been infused into her body; and this she grounded on an anagram which she made of her name—viz. Eleanor Davies,—*Reveal, O Daniel.* And though the anagram had too much by an L, and too little by an S, yet she found *Daniel* and *Reveal* in it, and that served her turn. Much pains was taken by the court to dispossess her of this spirit, but all would not do, till Lamb, then dean of the arches, shot her through and through with an arrow borrowed from her own quiver; for whilst the bishops and divines were reasoning this point with her out of holy scripture, he took a pen into his hand, and at last hit upon this excellent anagram, viz.—Dame Eleanor Davies,—*Never so mad a Ladie*; which having proved to be true by the rules of art, Madam, said he, I see you build much on anagrams, and I have found out one which I hope will fit you. This said, and reading it aloud, he put it into her hands in writing, which happy fancy brought that grave court into such a laughter, and the poor woman thereupon into such a confusion, that afterwards she grew either wiser or was less regarded"‡

Thus happily surviving the 5th of November, Laud went on fearlessly with his high-handed proceedings in the church. But he had not waited

but, being found in the custody of the Lord Balmerino, that lord, by the instigation of Archbishop Spotswood, and others of the privy council, was, in a court of his peers, found guilty of concealing *treason*, and therefore condemned to lose his head, but afterwards pardoned by his majesty."—*Rushworth.*

* From the 1st of July to the 10th, the king and his favourite bishop had made excursions to St. Andrew's, Dundee, Falkland, Dumblane, &c. Laud, in his Diary, describes his journey to Dumblane and Stirling, as *his* "dangerous and cruel journey, crossing part of the *Highlands* by coach, which was a wonder there." It appears that King Charles was in some danger of being drowned or wrecked; at least, Laud has in his Diary—"July 10th, Wednesday, his majesty's dangerous passage from Brunt-Island to Edinburgh."

† Troubles and Trial of Archbishop Laud.

* Hobbes, in his tractate 'De Cive,' published some nine years after, alludes to the strange rumour, but treats it as an absurd and malicious party calumny. But Laud's own Diary had not then been made public, to show the man in his true colours as painted by himself.

† Laud's Diary.

‡ Heylin, Life of Laud.—An odd account of Lady Davies's predictions was published, in quarto, in 1649, under the title of 'Strange and Wonderful Prophecies.' Old Anthony à Wood, in relating her husband Sir John's death, says:—"It was then commonly rumoured, that his prophetical lady had foretold his death in some manner, on the Sunday going before. For while she sat at dinner by him, she suddenly burst out with tears; whereupon he asking her what the matter was, she answered, 'Husband, these are your funeral tears;' to which he made reply, 'Pray, therefore spare your tears now, and I will be content that you shall laugh when I am dead.'"—*Ath. Oxon.*

for the primacy to begin these; for, even during old Abbot's life he had obtained the almost entire disposal of bishoprics, and, as Bishop of London, had introduced numerous changes into the churches of his diocese, and the cathedral of St. Paul's, which he began to rebuild and beautify with money obtained, for the most part, in an irregular and oppressive manner. According to the doctrine of the majority of the English preachers and of the reformed churches abroad, the Almighty cared not for temples built with hands; simplicity, as far as possible removed from the pomp, the glare, and glitter of the Roman church, was most acceptable unto him, and a barn as good a temple as the vast and wondrous dome of St. Peter's itself, provided only those within it worshipped in sincerity and truth. Laud thought differently, as no doubt did many good and conscientious persons, who had long been representing that it was indecorous to worship God in places no better than stables. "The remissness of Abbot and of other bishops by his example," says Clarendon, "had introduced, or at least connived at a negligence, that gave great scandal to the church, and no doubt offended very many pious men. The people took so little care of the churches, and the parsons as little of the chancels, that, instead of beautifying or adorning them in any degree, they rarely provided against the falling of many of their churches, and suffered them at least to be kept so indecently and slovenly, that they would not have endured it in the ordinary offices of their own houses; the rain and the wind to infest them; and the sacraments themselves to be administered where the people had most mind to receive them."* Soon after the death of Buckingham, when Bishop Laud "had great favour with the king," a proclamation was issued to the bishops for the repair of decayed churches throughout the kingdom. It was asserted in this royal ordinance, that by law the same ought to be repaired and maintained at the charge of the inhabitants and others having land in those chapelries and parishes respectively, who had wilfully neglected to repair the same, being consecrated places of God's worship and divine service. His majesty charged and commanded all archbishops and bishops to take special care that these repairs were done, and by themselves and their officers to take a view and survey of them. The parishioners and landlords thought that a part, if not the whole, of the expense, instead of falling solely upon them, ought to be defrayed out of the tithes which they paid; but what was calculated to produce still greater disgust was the concluding clause of the proclamation, wherein the bishops were ordered "to use the powers of the Ecclesiastical Court for putting the same in due execution; and that the judges be required not to interrupt this good work by their too easy granting of prohibitions."* That is, the judges were not to interfere to stop the proceedings of the Ecclesiastical Court in extorting money from the subject for the repairing and adorning of churches and chapels. Nor did Charles and Laud stop here; for in the month of May, 1631, a commission was issued, with the usual arbitrary forms, empowering the privy council "to hear and examine all differences which shall arise betwixt any of our courts of justice, especially between the civil and ecclesiastical jurisdiction."† Some three months before the issuing of this commission, Laud astonished the people of London by his newly made or revived ceremonial of consecrating churches. The first which he so consecrated was that of St. Catherine Creed, a London church, which had not been rebuilt, but only repaired, but which was pronounced by him to require the ceremony, because new timber and other materials, not consecrated, had been introduced. He proceeded to St. Catherine's in the greatest state, an infinite number of people of all sorts "drawing together," says his sympathizing biographer, Heylin, "to behold that ceremony, to which they had so long been strangers, ignorant altogether of the antiquity and the necessity of it." In fact, the Romish aspect of the ceremony, from beginning to end, gave scandal and alarm to the majority of the spectators. To begin his repairs at St. Paul's with pomp and effect, he conducted the king thither in state, and after a fitting sermon Charles took a view of the delapidations of the church, which appear to have been very serious. Soon after a commission was issued under the great seal, appointing money brought in for the purpose of repairs to be paid into the chamber of London, and declaring further, that "the judges of the prerogative courts, and all officials throughout the several bishoprics of England and Wales, upon the decease of persons intestate, should be excited to remember this church out of what was proper to be given to pious uses."‡ The clergy, being summoned by their ordinaries, gave towards the repairs of St. Paul's a kind of annual subsidy; Sir Paul Pindar gave 4000*l.* and other assistance; the king contributed altogether about 10,000*l.*, Laud himself only 100*l.* per annum. As more money was wanted, it was sought for in the arbitrary fines extorted in the Star Chamber and in the High Commission Courts, in which Laud was all prevalent, and where he carried two great objects at once, by intermeddling with men's consciences and private conduct, and by making their punishment contribute to his great object of making St. Paul's a kind of rival of St. Peter's. "He intended the discipline of the church," says Clarendon, in a striking passage, "should be felt, as well as spoken of, and that it

* Hist. The loyal historian, after praising "so pious a work" as repairing and adorning the churches, is obliged to add—"Yet, I know not how, the prosecution of it, with too much affectation of expense, it may be, or with too much passion between the ministers and the parishioners, raised an evil spirit towards the church, which the enemies of it took much advantage of, as soon as they had an opportunity to make the worst use of it."

* See the proclamation, dated the 11th of October, 1629, in Rushworth.

† Rymer.

‡ Life of Laud.

should be applied to the greatest and most splendid transgressors as well as to the punishment of smaller offences and meaner offenders; and thereupon called for, or cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men, or their power or will to chastise. Persons of honour and great quality, of the court and of the country, were every day cited into the High Commission Court, upon the fame of their incontinence, or other scandal in their lives, and were there prosecuted to their shame and punishment; and as the shame (which they called an insolent triumph upon their degree and quality, and levelling them with the common people) was never forgotten, but watched for revenge. so the fines imposed there were the more questioned, and repined against, because they were assigned to the rebuilding St. Paul's church, and thought, therefore, to be the more severely imposed, and the less compassionately reduced and excused: which likewise made the jurisdiction and rigour of the Star Chamber more felt and murmured against, and sharpened many men's humours against the bishops, before they had any ill intention towards the church."* Well supplied with money from this curious variety of sources, and spurred by the active, impatient spirit of Laud, the workmen proceeded apace, but with more rapidity than good taste or attention to congruity. Inigo Jones restored the sides with a clumsy Gothic, and threw up in the western front a fine Corinthian portico; but before the body of the work was finished the bishop was brought to the block; and during the civil wars St. Paul's was converted into barracks for the parliament's dragoons. It got abroad that Laud, in speaking before his majesty, had expressed himself in favour of the rule of celibacy as imposed on all Roman priests by Pope Gregory, and in disparagement of the married clergy, saying that he, for his part, other things being equal, should, in the disposal of benefices, always give the preference to such clergymen as lived in celibacy. This was touching a most sensitive chord: there were some things in which the churchmen of the establishment would willingly have resumed the ancient usage; but a return to celibacy was horrible and atrocious in their eyes: everywhere the ministers of the reformed churches looked upon the vindication of the rights of nature as the most signal advantage obtained over popery, and they were indignant, infuriated at the slightest hint of the vows of chastity being essential to the servants of the gospel. A loud and universal murmur warned Laud that he had gone too far. His retractation was adroitly managed. He immediately got up a marriage between one of his own chaplains and a daughter of his friend or creature Windebank, performed the nuptial service himself in a very public manner, and gave the married chaplain preferment. We have deplored the fanatical and barbarous destruction of the works of art connected with the old religion: Laud—we can scarcely believe from mere taste—was most anxious to preserve such fragments as had hitherto escaped, and to supply the places of some of those which had perished. But the way in which he went to work only gave a fresh impetus to the iconoclastic fury. Mr. Sherfield, a bencher of Lincoln's Inn, and recorder of Sarum, by direction of a vestry, and in accordance with acts of parliament and canons of the reformed church, caused a picture on glass to be removed from the window of a church and broken to pieces.* Laud, thereupon, brought him up in the Star Chamber, maintaining that he had usurped on the jurisdiction of the bishop and that of his majesty as supreme head of the church. He there ventured to defend the use of painted images in places of worship, and counted among the evils which attended their destruction the keeping moderate Catholics away from church. Some members of the court presumed to hint that Laud was leaning towards popery; but the majority sentenced Sherfield to pay 500*l.* to the king, to lose his office of recorder, to find security that he would break no more images, and also "to make a public acknowledgment of his offence, not only in the parish church of St. Edmond's, where it was committed, but in the cathedral church itself, that the bishop, in contempt of whose authority he had played this pageant, might have reparation."† Upon Laud's first removal to the see of London, he presented to Charles a list of "considerations for the better settling of the church government." He proposed that the bishops should be commanded to reside in their several dioceses, *excepting those which were in attendance at court*, that a special charge should be given them against frequent and unworthy ordinations, and that especial care should be had over the lecturers, which, by reason of their pay, were the people's creatures, and blew the coals of their sedition. "For the abating of whose power," continues Laud, "these ways may be taken:—That the afternoon sermons in all parishes be turned into catechising; that every lecturer do read divine service according to the Liturgy, printed by authority, in his surplice and hood, if in church or chapel, and if in a market town, then in a gown, and not in a cloak; that the bishop should suffer none under noblemen and men qualified by law to keep any private chaplain in their houses; that his majesty should prefer to bishoprics none but men of *courage*, gravity, and *experience in government*; that Emanuel and

* Hist. Reb.

* The particular picture destroyed by Mr. Sherfield appears to have been barbarous in taste and offensive in other respects. The subject was the Creation. The poor recorder said in defence, "That the true history of the creation was not contained in that window, but a false and impious one. God the Father was painted like an old man with a blue coat, and a pair of compasses, to signify his compassing the heavens and the earth. In the fourth day's work there were fowls of the air flying up from God, their maker, which should have been the fifth day. In the fifth day's work a naked man is lying upon the earth asleep, with so much of a naked woman as from the knees upwards, growing out of his side, which should have been the *sixth* day: so that the history is false."

† Cyprianus Anglicus.

Sydney Colleges, in Cambridge, 'which are the nurseries of Puritanism,' be from time to time provided with grave and orthodox men for their governors; that more encouragement should be given to the High Commission Court; that some course should be taken to prevent the judges from sending so many prohibitions," &c. &c.* Charles regulated his conduct according to these suggestions, and shortly after he issued his "regal instructions," which differed very slightly from the considerations presented by Laud, and included all the clauses except those relating to the Cambridge colleges and the High Commission Court, which it was neither necessary nor expedient to mention in public. Laud, upon the appearance of these instructions or injunctions, which were of his own devising and composition, summoned all the ministers and lecturers within the city and suburbs of London, and, making a solemn speech, pressed them all to be obedient to his majesty's orders, as being full of religion and justice, and advantageous to the church and commonwealth, although they were mistaken by some hasty and incompetent persons.† But, at the same time, Laud projected several things which were good and laudable in themselves, without being opposed to the national liberties. Such were the buildings at St. John's College, Oxford, wherein he had been bred; the setting up a Greek press in London;‡ the appointment of a professor of Arabic at Oxford; the foundation of an hospital at Reading; all of which works were perfected in his lifetime. He had proposed to find a way to increase the stipends of poor vicars, but this remained an intention.

Maintaining the closest correspondence with Viscount Wentworth, now (1632) not merely President of the North, but also Lord Deputy of Ireland, Laud endeavoured to surround the king with persons devoted to his own views and interests. On the 15th of June, 1632, Francis Windebank, his old friend, whose daughter he had married to his chaplain, was sworn secretary of state; and in the month of July another old and sturdy friend, Dr. Juxon, then Dean of Worcester, at his suit, was sworn clerk of his majesty's closet. "So that Windebank having the king's ear on one side, and the clerk of the closet on the other, he might presume to have his tale well told between them, and that his majesty should not easily be possessed with anything to his disadvantage."* If Laud had taken all to himself in the business of the church while only bishop of London, he became far more absolute on his promotion to the primacy. He commanded like a pope of the fourteenth century. The communion-table, which, according to Clarendon, had not been safe "from the approaches of dogs," was, by an order of council, directed to be removed in all cases from the centre to the east end of the church, to be railed in and called by its old Roman name of altar.* Against disobedient priests, nay, even against neglectful churchwardens, were hurled the thunders of excommunication. Not merely painted glass began to reappear in the windows, but pictures in the body of the churches and over the altars. Laud was inexorable on the subject of surplices and lawn sleeves. Everywhere great pains were taken to give pomp and magnificence to the national worship, and a dignified or imposing appearance to the persons of the officiating ministers. At the present day there can scarcely be a difference of opinion as to the savage severity with which Laud enforced these changes; but still many may doubt whether the popular religion would not have been benefited in some respects by their introduction.

The more religious part of the Protestant community, however—the classes branded with the general name of Puritans—regarded the attempt with horror, and considered it as nothing less than an engine to batter down the pure worship, and destroy the pure worshippers of God;† and they were further confirmed in this feeling by every subsequent step taken by the archbishop and his master. They had delighted especially in evening lectures and extemporary prayers of wondrous length, wherein they were often carried away by their fervour to utter things displeasing to the court: Laud, by a stroke of his pen, suppressed the evening meetings and the extemporary praying. In the beginning of the month of October, 1633, there were complaints made to the council concerning church-ales and revels upon the Lord's day in Somersetshire. The Lord Chief Justice Richardson and Baron Denham, being on the circuit in that county, thought it incumbent on them to issue an order similar to divers others that had been made heretofore by the judges of assize, for the suppressing of these noisy sports. As soon as intelligence of this proceeding reached the ears of Laud, he complained of it to the king as an insolent invasion of his province; and the chief justice was commanded to attend the council, where he was not only made to revoke his order, but also received "such a rattle, that he came out blubber-

* Laud, in his "Considerations," recommended the king to prevent bishops from wasting the woods on their lands "where any *were* left." Charles, in his "Regal Injunctions," went more at length into the business, showing some curious practices of the prelates on their translations "Every bishop that, by our grace and favour, and good opinion of his service, shall be nominated by us to another bishopric, shall, from that day of nomination, not presume to make any lease for three lives or twenty-one years, or concurrent lease; or any ways to renew any estate, or cut any wood or timber, but merely to receive the rents due, and quit the place: for we think it a hateful thing, that any man leaving a bishopric should almost undo his successor."—*Rushworth.*

† Rushworth.—Just at this time Mr. Bernard, lecturer at St. Sepulchre's church, London, said, in his prayer before sermon,—"Lord open the eyes of the queen's majesty, that she may see Jesus Christ, whom she has pierced with her infidelity, superstition, and idolatry." For these words he was questioned in the High Commission Court, which declared the same to be scandalous and unadvised, and not to be repeated. The zealous preacher, however, escaped any severe punishment by making a very humble submission.—*Id.*

‡ The whole or part of the Greek type was, however, obtained in an arbitrary manner truly characteristic of Laud. The king's printers, in an edition of the Bible, had committed the very awkward mistake of omitting the word *not* in the Seventh Commandment. The bishop called in the impression, and called up the poor printers to the High Commission Court, which sentenced them to pay an exorbitant fine, with part of which Laud provided the Greek type for printing ancient manuscripts, &c

* Heylin.

† Mrs. Hutchinson's Memoirs of Colonel Hutchinson.

ing and complaining that he had been almost choked with a pair of lawn sleeves."* The justices of peace, being much troubled at the revocation of the order, drew up a petition to the king, showing the great mischiefs that would befall the country if the sabbath were not better kept, and if these meetings at church-ales, bid-ales, and clerk-ales, condemned by the laws, should now be set up again. The petition was subscribed by Lord Poulet, Sir William Portman, Sir Ralph Hopeton, and many other gentlemen of rank and fortune; but before they could deliver it to the king, a declaration came forth concerning "lawful sports to be used of Sundays," which was little more than a republication of King James's 'Book of Sports,' which, after a time, had been disregarded and cast aside. Charles gave his warrant to Laud, and Laud had the paper printed and published on the 18th of October, with the following preamble: "James, of blessed memory, in his return from Scotland, coming through Lancashire, found that his subjects were debarred from lawful recreations, upon Sundays after evening prayers ended, and upon holy days. And he prudently considered, that if these times were taken from them, the meaner sort, who labour all the week, should have no recreations at all, to refresh their spirits. And after his return, he further saw that his loyal subjects in all other parts of his kingdom did suffer in the same kind, though perhaps not in the same degree; and did, therefore, in his princely wisdom, publish a declaration to all his loving subjects, concerning lawful sports to be used at such time, which was printed and published by his royal commandment in the year 1618." After giving the whole of the document, Charles, or Laud, added, that his present majesty "ratified and published this his blessed father's declaration; the rather because of late in some counties, under pretence of taking away abuses, there had been a general forbidding, not only of ordinary meetings, but of the feasts of the dedication of the churches, commonly called wakes. "Now," continued this *renvoi*, "his majesty's express will and pleasure is, that these feasts, with others, shall be observed, and that his justices of the peace, in their several divisions, shall look to it, both that all disorders there may be prevented or punished, and that all neighbourhood and freedom, with manlike and lawful exercises, be used. And his majesty further commands all justices of assize in their several circuits to see, that no man do trouble or molest any of his loyal and dutiful people, in or for their lawful recreations, having first done their duty to God, and continuing in obedience to his majesty's laws. And this his majesty commands all his judges, justices of peace, as well within liberties as without, mayors, bailiffs, constables, and other officers, to take notice of, and to see observed, as they tender his displeasure. And doth further will, that publication of this his command be made by order from the bishops, through all the parish churches of their several dioceses respectively."* The bishops, it should appear, were obedient enough; but many ministers, very conformable to the church in other respects, refused to read this order in their churches; for which some were suspended, some silenced from preaching and otherwise persecuted. This made men to look again beyond the Atlantic for some place where they might be free from the "haughty prelates' rage." At the same time, Laud stretched his hands to Scotland and Ireland, making a sad turmoil in both countries; and Charles continued to issue proclamations without number, and on an infinite variety of subjects, from fixing the religion that people were to profess, down to fixing the price of poultry—from a prohibition of heresy to a prohibition of the abuses growing out of the retailing of tobacco. In the mean while the people murmured and railed; some, *not exactly* of the people, broadly prophesied in what all this would end; but the power of Archbishop Laud kept steadily on the increase, and certainly the proud churchman neglected none of the arts of a courtier, or those adroit compliances which smooth his ascent. He had, however, now and then to sustain a check from the queen, whose influence over Charles seemed to grow with years and troubles, and with his now cherished plan of governing like a king—like a very king of France—without intermeddling and impertinent parliaments. Henrietta Maria's temper was almost as difficult to manage as a sturdy Puritan's conscience: at times she conceived plans connected with her religion, and exacted services, which startled even the boldness of the primate. "On the 30th of August, 1633," says he in his Diary, "the queen, at Oatlands, sent for me, and gave me thanks for a business with which she had trusted me, and her promise then that she would be my friend, and that I should have immediate address to her when I had occasion." What the business was we know not, but, soon after, Laud was put into the Commission, or, as he calls it, the Great Committee, of Trade and the king's revenue. On March the 14th of the following year he was named chief of the Board of Commissioners of the Exchequer, appointed upon the death of Lord Weston (recently created Earl of Portland), the Lord High Treasurer. After presiding over the board for about a year, he induced the king to make his friend Juxon, Bishop of London, Lord High Treasurer; in doing which, he did not "want some seasonable consideration for the good of the church."† His biographer says that Bishop Juxon was a most upright man, yet it was generally conceived that the archbishop, in making this appointment, neither consulted his present ease—for which he should have procured the treasurer's white staff, for Cottington, who had long

* Rushworth.

† Heylin. "No churchman," says Laud himself, "had it since the time of Henry VII. I pray God bless him to carry it so, that the church may have honour, and the king and the state service and contentment by it. And now if the church will not hold up themselves under God, I can do no more."—*Diary.*

been Chancellor of the Exchequer, and who looked to the staff almost as his due*—nor his future security; for which he ought to have advised the delivery of the staff to some popular nobleman, such as the Earl of Bedford, Hertford, or Essex, or Lord Say.† It is quite certain that several great noblemen, who had borne rather patiently with Laud's tyranny in church and state, became very patriotic after the disposal of this high and lucrative office; and it is almost equally certain that Juxon was an honester man than most of his predecessors. It is difficult to conceive a learned body carrying baseness and adulation farther than was practised at this time by the University of Oxford, the proceedings of which, in Puritan notions, verged on idolatry and blasphemy. They gave Laud the title of Holiness, which the Papists bestowed on the pope, and they applied to him the other title attached to the tiara of "Summus Pontifex." They told him in their Latin epistles, that he was "Spiritu Sancto effusissime plenus," "Archangelus, et ne quid minus," &c.‡

And even when this vision of vain-glory was departing from him, Laud maintained that these expressions, so offensive to Protestant ears, so inapplicable to frail humanity, were proper and commendable, *because* they had been applied to the popes and fathers of the Roman church. But at the time of which we are speaking the archbishop no doubt considered himself as a sort of Protestant pope. Not satisfied with coercing men's consciences in England, Scotland, and Ireland, he was determined to establish an uniformity of worship, including all his innovations, wherever there was an English colony or factory—wherever a few subjects of the three kingdoms were gathered together for the purpose of commerce, or even for the military service of foreign states. In 1622, when his power and influence were in their infancy, he offered to the lords of the council certain considerations for the better and more orthodox regulation of public worship amongst the English factories and regiments beyond sea. He never forgot or neglected a scheme of this kind, and as soon as he attained to the primacy he procured an order in council for the observance of the Anglican liturgy by the factories in Holland and the troops serving in that country, and a chaplain of his own choice was sent to the factory at Delf to establish this orthodoxy, and to report the names of all such as should prove refractory. What made the case the harder was, the fact that nearly all the soldiers and most of the merchants were Scotch or English Puritans, who had abandoned their own country for the sake of liberty of conscience. "The like course was prescribed for our factories in Hamburgh and those further off, that is to say, in Turkey, in the Mogul's dominions, the Indian islands, the plantations in Virginia, the Barbadoes, and all other places where the English had any standing residence in the way of trade. The like was done also for regulating the divine service in the families of all ambassadors abroad. . . . . The English agents and ambassadors in the courts of foreign princes had not formerly been so regardful of the honour of the church of England as they might have been, in designing a set room for religious uses, and keeping up the vestments, rites, and ceremonies prescribed by law in the performance of them. It was now hoped that there would be a church of England in all courts of Christendom, in the chief cities of the Turks, and other great Mahometan princes, and all our factories and plantations in every known part of the world, by which it might be rendered as diffuse and catholic as the church of Rome."* In his paper, presented to the council in 1622, Laud had also proposed reducing the French and Dutch churches in London to conformity; and now, having vexed the Scotch and English who had fled abroad for religion, he proceeded to harass the Dutch and the French who had fled to England for the same cause. The French were all Huguenots, or extreme Calvinists, and as such hateful in the eyes of this Summus Pontifex. Without condescending to ask the concurrence of his master, he addressed to the French church in Canterbury, and the Dutch churches in Sandwich and Maidstone, the three following questions:—1. Whether they did not use the French or Dutch Liturgy? 2. Of how many descents they were for the most part born subjects of England? 3. Whether such as were born subjects would conform to the church of England? These foreign congregations in Kent declined answering these interrogatories, and pleaded the national hospitality which had been extended to them when they fled from papal persecution, and the privileges and exemptions which had been granted to them by Edward VI., and which had been confirmed not only by Elizabeth and James, but also by Charles himself. Laud, who cared little for these solemn pledges given to industrious and ingenious classes of men, who, in some respects, had essentially improved the country which they had chosen for their home, issued an order as absolute as a pope's bull, that such as were natives should regularly attend their parish churches, and (a condition as weighty as their conformity) contribute in money to the support of the Anglican clergy; and that such as were aliens should use the English Liturgy in their own places of worship, faithfully translated into their own language. The Protestant refugees were troubled and dismayed as if a new Duke of Alva was thundering at their doors: they sought a respite by addressing an humble petition to the primate. Laud answered it in the very tone of a Hildebrand of the old time. He told the dismayed French

* In his Diary, Laud marks the months of May, June, and July (1635) as being stormy or troublesome months on account of the commission for the Treasury, "and the differences which happened between Lord Cottington and himself." And upon Sunday, the 12th of July, he notes that his old friend Sir F. W. (Francis Windebank), forsook him, and joined with the Lord Cottington, which put him to the exercise of a great deal of patience, &c.

† Heylin.

‡ Troubles and Trials.

* Heylin.

and Dutch that his course was not to be stopped either by the letters patent of Edward VI. or by any argument they were able to use; that their churches were nests and occasions of schism; that it were better there were no foreigners in England than that they should be permitted to prejudice and endanger the church government of the realm; that they were endeavouring to make themselves a state within a state; that the dissipation of their churches, and the maintenance of their ministers, were things not to be laid in the same balance with the peace and happiness of the church of England; that their ignorance of the English tongue was no proper reason for their not attending the parish churches, considering that it was an affected ignorance, and that they might learn English when they would; and finally, that he had the power and the right of enforcing obedience, and that they must conform at their peril by the time appointed. Hereupon the refugees presented a petition to the king, who churlishly left it without any answer. Soubise, who, like many others of the French Protestants, had been precipitated into ruin by the mad expedition ordered by Charles and conducted by Buckingham, was now in England, and he took charge of a second petition, and pleaded to his majesty of England the danger of fresh persecutions of the Protestants in France, if it should be seen that their brethren were discountenanced and oppressed in the country of their choice.* The reasonings of this nobleman made a deep impression, but all that Charles would grant was, that those who were born aliens might still enjoy the use of their own church service; insisting at the same time, that their children born in England should go regularly to the parish churches. But even this narrow concession was limited to the province of Canterbury: in the province of York, where the foreign congregations were weaker in numbers, money, and friends, Laud's original injunctions were imposed. "When these injunctions were to be put in execution at Norwich, the Dutch and French congregations petitioned Dr. Matthew Wren, (the bishop of the diocese) that these injunctions might not be imposed upon them; but finding no relief, appealed to the archbishop, who returned a sharp answer, that unless they would submit, he would proceed against them according to the laws and canons ecclesiastical. Here take notice, that, as the Spanish trade was the most enriching trade to this nation, so the trade to Hamburgh, and the countries and kingdoms within the Sound, with our woollen manufactures, was the best the English had for employment of people, shipping, and navigation: the company which traded into the Sound was called the East Country Company, and Queen Elizabeth, and after her King James, to honour them, called it the Royal Company. This trade the English enjoyed time out of mind; and the cloths which supplied it were principally made in Suffolk and Yorkshire; and Ipswich, as it was the finest town in England, and had the noblest harbour on the east, and most convenient for the trade of the northern and eastern parts of the world, so till this time it was in as flourishing a state as any other in England. The Bishop of Norwich, straining these injunctions to the utmost, frightened thousands of families out of Norfolk and Suffolk into New England; and about one hundred and forty families of the workers of those woollen manufactures, wherewith Hamburgh and the countries within the Sound were supplied, went into Holland; where the Dutch, as wise as Queen Elizabeth was in entertaining the Walloons, persecuted by the Duke of Alva, established these English excise-free, and house-rent-free, for seven years; and from these the Dutch became instructed in working these manufactures, which before they knew not."*

Laud, primate and first peer of England, seems to have imagined that there could be no limits to his authority. He was already chancellor of Oxford, and now he would visit both universities by his metropolitan right, and not by commission from the king, as had been customary. The two universities replied, that they could not admit his visitation without a warrant from the sovereign; and reminded his grace that he was only chancellor of Oxford, and the Earl of Holland of Cambridge. The cause was brought to a hearing before the king and council, on the 21st of June, 1634. Serjeant Thynne, who was retained for Oxford, showed that no archbishop had visited that university by his own right; but Gardener, the Recorder of London, who was retained for Cambridge, could not say quite so much for that university; inasmuch as, in the reign of Richard, when the doctrines of Wycliffe prevailed much in both universities, Thomas Fitz-Alan, alias Arundel, then primate of England, did visit Cambridge *jure metropolitano*, and Cambridge submitted to the visitation, whereas Oxford resisted it *forti manu*. Fitz-Alan appealed to the king, and Richard declared the right of visitation to be in the archbishop. This decision was adopted by Henry IV., and confirmed afterwards by parliament; but then Oxford was named in the act, and Cambridge was not. It appears to have been proved, however, that no archbishop of Canterbury, since the beginning of the fifteenth century, had ever visited either university *jure metropolitano*. But after much talk Laud had his will, and, "plumed thus in his own feathers, all black and white, without one borrowed from Cæsar, he soared higher than ever."

The intriguing Williams, Bishop of Lincoln, and ex-lord keeper, was not only still alive, but a sort of favourite with the people on account of his unquestionable talent, eloquence, and address, his munificence, his hospitality, and his harsh treatment by the court, which had induced him, like

* Charles was also told that Cardinal Richelieu had said, that if a king of England, who was a Protestant, would not permit two church disciplines in his kingdom, it could not be expected that the king of France, who was a Catholic, would allow of two religions in his kingdom. From the beginning to the end of the chapter Protestant intolerance was the best whet-stone for the sharpening of Roman persecution.

* R. Coke.

many others, to lean to the side of the patriots. At the instigation of his lord and master, Buckingham, this prelate had helped Laud over the first difficult steps of church promotion, and Laud had assured him that his life would be too short to requite his lordship's goodness. But when Laud rose, and Williams declined, the former hated the latter as the only churchman and statesman that was likely to check his absolute dominion. The intensity of this feeling on the part of Laud was a tribute to or acknowledgment of the abilities and *savoir faire* of Williams. He dragged the ex-lord keeper into the star chamber,* for, in addition to his former ground of enmity, Williams had published a tract entitled, 'The Holy Table,' in which he lashed with much wit and some learning Laud's love for high altars, &c., and he had, moreover, refused to surrender his deanery of Westminster, which the primate would at one moment have accepted as a peace offering, *because*, lacking the deanery, Williams would have had no pretexts for his frequent visits to London, and the primate, by a high exercise of his authority, could have kept him to his diocese among the Fens of Lincolnshire, far away from court and the resort of public men and politicians. "Would he have quitted his deanery, perhaps he might have been quiet;"† but Williams had lost his old pliability, and his indignation against Laud made him bold. After a series of iniquitous and arbitrary proceedings on the part of Laud, his servant Windebank, and his master Charles, who threw witnesses into prison to make them swear what they wanted, brow-beat the judges, and removed Chief Justice Heath, putting in his place one "who was more forward to undo Lincoln than ever the Lord Heath was to preserve him;" a compromise was effected, chiefly by the means of Lord Cottington, who, though he had no great love for the Bishop of Lincoln, had a very cordial hatred to the Archbishop of Canterbury, for coming between him and the white staff. The business was made the easier by the king's great want of money, and his indifference as to the modes of obtaining it. Cottington, as the result of his negociation to save the ex-lord keeper from entire ruin, told Williams that he must part with 4000*l.*, with his deanery, and two commendams. Williams did not object to the money, but he stickled about the preferments. Cottington returned to court, and then to the disgraced bishop with new terms, that is, that he should pay another 4000*l.* in lieu of surrendering the deanery and the commendams. The bishop held up his hands in amazement at it—"But you will lift your hands at a greater wonder," said Lord Cottington, "if you do not pay it;" and he consented to "satisfy the king." The money was paid wholly or in part, and in return a royal pardon was proffered to Williams, who hesitated at accepting it, because it contained a statement of offences of which he held himself to be entirely innocent. Taking advantage of this circumstance, Laud worked afresh upon the king, who, without restoring the money he had received for a free and full pardon, allowed of a new prosecution in the star-chamber. Williams was there charged with tampering with witnesses in order to procure evidence favourable to his cause.* (The court and the archbishop had not merely tampered with witnesses to elicit evidence *unfavourable* to the accused, but had also imprisoned witnesses, threatened them with ruin, and menaced the judges;† and there was not a scoundrel sitting in the star-chamber but must have known these notorious facts.) On the ninth day of the proceedings, Cottington, who had forsaken Williams probably from a fear of consequences, stood up and said, that the bishop had sought and wrought his own overthrow; that he was sorry so great a person, so wise and so well experienced a man, and one who had sat on the judgment-seat of the star-chamber himself, should now come to be censured for foul crimes, undue practices, heinous attempts, and foul faults in his agents and servants, who were countenanced, maintained, and set on by his instigation; and then, proceeding to sentence, Cottington proposed that Powel should be fined 200*l.*, and Walker, Catlin, and Lunn, other servants or agents of the bishop, 300*l.* a-piece. "And," said this gentle friend in conclusion, "for my Lord Bishop of Lincoln, I fine him at 10,000*l.* to the king, and to be imprisoned in the Tower during his majesty's pleasure, and to be suspended from all his ecclesiastical functions, both *ab officio et beneficio;* and I refer him over to the High Commission Court to censure him as they think fit."‡ After Finch, Sir John Bamston, Secretary Windebank, Sir Thomas Germine, the Lord Treasurer (Bishop Juxon), and the three noble Earls of Lindsey, Arundel, and Manchester, had spoken in the same sense, most of them paying a compliment to Williams's abilities, learning, and high rank in church and state, but not one of them recommending any diminution of his punishment, the triumphant Laud stood up and delivered a speech, which has justly been characterised as one of the most detestable monuments of malice and hypocrisy extant.§ He expressed his deep sorrow that such a man as my Lord Bishop of Lincoln should come to stand there culpable of such faults, and then continued:—"When I look upon and consider his excellent parts, both of nature and achieved unto by study and art; when I think upon his wisdom, learning, agility of memory, and the experience that accompanies him with all those endowments, it puts me

* Before star-chambering Williams, Laud indirectly got a bill filed against him for betraying the king's counsels, but the charge was so frivolous, that it was thrown off by the privy council. At this juncture, Williams made an humble submission, and presented a petition to the king, who promised that this accusation should be quashed; but Charles afterwards permitted it to be made one of the charges against him in the star-chamber process.—*Life of Williams.*

† Letter from Garrard to Wentworth, in Strafford Papers.

* During the iniquitous process other charges were introduced, and Williams was particularly accused of "undue practising, to gain a sight of some examinations kept in the council chamber, by the clerks of the council;" of "preparing and instructing witnesses by the said examinations," &c.

† When Williams asked Lord Finch, one of his judges, why he had so used an old acquaintance, Finch replied, "he had been soundly chidden by his majesty, and would not destroy himself for any man's sake."

‡ Rushworth.

§ Aikin, Memoirs of the Court of King Charles I

to a stand, that, after he had been overtaken in one error in the first cause, he should not have recalled himself, and made a stand, but that he hath now run into a far worse and more desperate one in this cause, by obnoxious and criminal ways, even to a very precipitation and downfall of himself and his credit. What though there was some question made, and some proofs on foot, whereby his loyalty to the king his master seemed to be in dispute, and his discretion might have some ways come to trial in matter of words, discovering his affection in some matter of state: must he seek unlawful means to procure his actions and words to be lawful, and leave the course of a good conscience, to bolster up a fancy of innocency in another man, and make himself plainly faulty, for to make another man free from shame?" He openly declared that this new offence was Williams's *not submitting in silence to the accusations laid against him.* When St. Cecilia was charged unjustly with many things, and all the stream and current was quite against her, she called no one to prove her innocence, but used the saying of holy Job, *testis meus est in cœlis*, my witness is in heaven,—and so, said Laud, ought the Bishop of Lincoln to have done. "I am sure," continued the Primate, "if the circumstance of his behaviour had been more temperate and mixed with more patience, the event could not have been so unlucky and his censure so sharp as it is now like to be. I may be bold to say it, my lords, for it is no untruth;—I have been five several times upon my knees to the king, my master, in his behalf; I delivered for him several petitions myself into the king's own hand; and I then did that which, had I known what now I do, I should not have done—I sent him, under my own hand, the king's answer upon every petition. And after all those five several services, I must tell you, my lords, I was but coarsely dealt withal, nay, very ill requited."*

He assured the Star Chamber that many ill-disposed persons had boldly given out that Williams had not committed any fault whatever, "only that he was rich, and must be let blood, and the king wanted 10,000*l.* or 12,000*l.*" "But," continued Laud, "howsoever these reports go, the king is just, as he is honourable." The primate proceeded to quote and distort the Mosaic books of Leviticus, Exodus, and Deuteronomy, St. Paul's Epistles, the laws of the twelve tables, the councils of the Roman church, the canon laws, St. Augustine and other authorities to prove the enormity of Williams's offence of tampering with witnesses, which, in plain English, was not an offence provided for by the statutes. But according to Laud, whose logic and language were worthy of the cause he was pleading,—"he that is a tamperer this way is guilty of no small crime, doing at the same time wrong to three of the greatest persons in the world, viz., to God, to the king, to the innocent." He compared Williams's delinquencies to the devilish practice and leading piece of impiety set on foot by Jezebel—which odious practice "was not rooted in human nature, but took its birth from hell"—and he concluded his very long speech by saying that he should, therefore, agree with my Lord Cottington, and the rest that went before him, for the fine of 10,000*l.* to his majesty, for the imprisonment in the Tower during the king's pleasure, for the suspension from the exercise of his ecclesiastical function, and for turning Williams over to be proceeded against in the High Commission Court.*

The Bishop of Lincoln, who had revelled in the good things of the church, who had been a whole diocese in himself, was forthwith shut up in the dismal state prison, and the agents of government, amongst whom, by special appointment, was a furious enemy, were let loose to fell his timber, to kill his deer, to consume his stores, and to sell his moveable property for payment of his enormous fine. But this was not revenge enough for the large stomach of archbishop Laud, who wanted to change suspension into deprivation, imprisonment into deportation. He held that there was ground enough for this commutation in Williams's tract of 'The Holy Table,' but the Attorney General was of a different opinion, and this course was abandoned. Soon after, Laud got possession of some private letters from Osbaldeston, the learned master of Westminster school, which letters were addressed to the Bishop of Lincoln, and contained much scurrilous abuse of the "little urchin," the "vermin and meddling hocus-pocus"—terms which Laud maintained could apply only to himself. Upon the evidence of these letters, or rather of the archbishop's interpretation of the offensive passages, the Star Chamber sentenced Osbaldeston to deprivation and branding, and to stand in the pillory with his ears nailed to it in front of his own school; but the poor schoolmaster was fortunate enough to escape the search of the officers, and he left a note to say that he was "gone beyond Canterbury." All the wrath of the primate fell, therefore, upon Williams, who was condemned to pay a further fine of 8000*l.*

The licensing of all new books was in the power of Laud. There was nothing new in this; Milton had not yet written his glorious argument in defence of unlicensed printing; the liberty of the press, which was not established in reality till long after, had scarcely entered as an idea into the head of any one; and the archbishops of Canterbury had long been considered censors by right of their spiritual dignity and office. But what was really new was Laud's method of exercising this function. Hitherto many works, not strictly in accordance with the views of the high church party and of the court, had been permitted by indolence or indifference or connivance to go abroad into the world. Now, on the contrary, such strictness was used, that nothing could pass the press without the approbation of Laud, or of his substitutes and dependents. The

* Rushworth. Laud said that "for his majesty he was very inclinable to have had a fair reconcilement, as might appear by his often asking *what* Lincoln *did; doth he seek to repair my credit? hath he any show of sorrowfulness for his fault?*

* Rushworth.

printers, finding that their business was almost destroyed by the tediousness, uncertainty, and severity of this censorship, bethought themselves of employing their type in reprinting old books of divinity, and works already licensed by former archbishops. But Laud would allow of neither new nor old without his *imprimatur*, and against some of these old books he had a particular spite; and he procured from the Star Chamber, which was now set above all law and all reason too, a decree, "That no person shall presume to print any book or pamphlet whatsoever, unless the same be first licensed, with all the titles, epistles, and prefaces therewith imprinted, by the Lord Archbishop of Canterbury or the Bishop of London; and within the limits of either university by the chancellor or vice-chancellor thereof; upon pain that every printer so offending shall for ever be disabled to exercise the art of printing; and shall suffer such further punishment as to this court or the High Commission shall be thought fitting. That before any books imported from foreign parts shall be exposed to sale, a true catalogue thereof shall be presented to the Archbishop of Canterbury or the Bishop of London. And that no officers of the customs shall deliver any foreign books out of their hands before those bishops shall have appointed one of their chaplains, or some other learned man, with the master and wardens of the company of stationers, or one of them, to be present at the opening of the packs or fardels, and to view the same. And if in this search there happen to be found any schismatical or offensive books, they shall be brought to the aforesaid bishop, or the High Commission-office, that the offenders may be punished. That no person whatsoever shall imprint beyond the seas, or import from thence, any English books, or whereof the greater part is English, whether formerly printed or not. And that no books whatsoever shall be reprinted, though formerly licensed, without a new license first obtained, upon pain of like censure and punishment. And that if any person whatsoever, that is not an allowed printer, shall presume to set up a press for printing, or work at any such press, or set and compose letters for the same, he shall be set in the pillory, and whipt through the city of London."* There was one particular book which had gone through various editions, and which all zealous Protestants loved, and perhaps esteemed next to their Bible; it was a book giving striking and in many instances exaggerated accounts of their countrymen who had suffered on the rack and at the stake for conscience sake; it was a book full of horror and excitement, abounding with the most frightful pictures of Papal persecution; the 'Acts and Monuments,' more commonly called the 'Book of Martyrs,' of the Puritan Fox. This book was unsavoury to Laud on many accounts, and forthwith he struck it with his fiat that it should be printed no more. At the same time he refused new licenses to Bishop Jewel's works, and to other books formerly printed by authority.* Divinity and law had suffered the most degrading punishments and the mutilation of the hangman's scissors, in the persons of Leighton and Prynne, and now, while one of those sufferers was to pass through fresh tortures, the other faculty was to be struck in the person of Bastwick, a physician. In Trinity Term, 1637, this Dr. Bastwick, together with Prynne, still a prisoner in the Tower, and Henry Burton, a bachelor in divinity, was prosecuted in the Star Chamber for writing and publishing seditious, schismatical, and libellous books against the hierarchy of the church, and to the scandal of the government. The defendants drew up their answers in writing, but their counsel were backward to sign them, for fear of offending the court of Star Chamber; but it was said on the other side that their answers were so violent and of such a nature that their counsel disapproved of them *in toto*. The details we have given of preceding cases will have sufficiently explained the course of Star Chamber proceedings. We may therefore pass at once to the sentence, which was—"That each of the defendants should be fined 5000*l.*; that Bastwick and Burton should stand in the pillory at Westminster, and there lose their ears; and that Prynne, having lost his ears before by sentence of this court, should have the remainder of his ears cut off, and should be branded on both cheeks with the letters S. L., to signify a seditious libeller." These execrable barbarities were all publicly performed on the 20th of June, the hangman rather sawing than cutting off the remainder of Prynne's ears; and then they were sent to solitary confinement in the castles of Launceston (in Cornwall), Lancaster, and Carnarvon.† The king was told that not less than 100,000 persons had gathered together to see Burton, the minister, pass by, and that much money had been thrown to his wife, who followed him in a coach: but Charles would not be warned. As Prynne went through Chester, on his way to Carnarvon castle, one of the sheriffs with several other gentlemen met him, and conducted him to a good dinner, defrayed his expenses, and gave him some coarse hangings or tapestry to furnish his dungeon at Carnarvon. Money and other presents were offered, but refused by Prynne. Laud forthwith despatched a pursuivant to bring the sympathising sheriff up to London.‡ The three captives were afterwards removed out of the way of their friends to the islands of Jersey, Guernsey, and Scilly; "the wives of Bastwick and Burton not being allowed, after many petitions, to have access unto them, nor to set footing in the island; neither was

Rushworth.

* Among these was the 'Practice of Piety,' a work which had gone through thirty-six editions.

† "The main scope of their libels," said Laud in the Star Chamber, "was to kindle a jealousy in men's minds, that there are some great plots in hand; dangerous plots (so says Mr Burton expressly) to change the Orthodox Religion established in England, and to bring in I know not what Romish superstition in the room of it: as if the external decent worship of God could not be upheld in this kingdom, without bringing in of Popery." When the atrocious sentence was pronounced the primate thanked the lords "for their just and honourable *censure* upon these men, and for their unanimous dislike of them, and defence of the church."—*Rushworth.*

‡ Strafford Letters.

any friend permitted to have access to Mr. Prynne."*

A.D. 1638.—About six months after the punishments above described, John Lilburne and John Warton were *Star-Chambered* (the practice had become so prevalent that people had made a verb for it) for the unlawful printing and publishing of libellous and seditious books, entitled 'News from Ipswich,' &c. The prisoners both refused to take an oath to answer the interrogatories of the court, Lilburne saying that no free-born Englishman ought to take it, not being bound by the laws of his country to accuse himself.† His offence was aggravated in the estimation of the court in consequence of Laud's recent prohibitory decree against printing without his license. Upon the 9th of February the Star Chamber ordered that, as the two delinquents had contemptuously refused to take the oaths tendered to them, they should be remanded to the Fleet prison, there to remain close prisoners, and to be examined; and that, unless they yielded to take the said oaths, they should be proceeded against for contempt on the Monday following. Upon the 13th of February they were again brought to the bar of the Star Chamber, and still continuing in their former obstinacy, their lordships adjudged and decreed that Lilburne and Warton should be sent back to the Fleet, there to remain until they conformed themselves,—that they should pay 500*l.* a-piece as fines, for his majesty's use,—and, before their enlargement, find good sureties for their good behaviour. "And," continued the sentence, "to the end that others may be the more deterred from daring to offend in the like kind hereafter, the court hath further ordered and decreed that the said John Lilburne shall be whipt through the streets from the prison of the Fleet unto the pillory, to be erected at such time and in such place as this court shall hold fit; and that both he and Warton shall be set in the said pillory, and from thence returned to the Fleet."‡ To make the whipping the longer, and to have the punishment performed near to the court which had decreed it, the pillory was placed between Westminster Hall gate and the Star Chamber; and to that point Lilburne was smartly whipped all the way from his prison. But this enthusiast had a spirit which was not to be subdued by the scourging of his body. Whilst he was whipt at the cart, and stood in the pillory, he uttered many bold speeches against tyranny of bishops, &c.; and, when his head was in the hole of the pillory, he scattered sundry copies of pamphlets (said to be seditious), and tossed them among the people, taking them out of his pocket; whereupon the Court of Star Chamber, then sitting, being informed, immediately ordered Lilburne to be gagged during the residue of the time he was to stand in the pillory, which was done accordingly; and, when he could not speak, he stamped with his feet, thereby intimating to the beholders he would still speak were his mouth at liberty."* The Star Chamber, moreover, ordered that Lilburne "should be laid alone, with irons on his hands and legs, in the ward of the Fleet, where the basest and meanest sort of prisoners are used to be put;" and that the warden should prevent his getting any books, letters, or writings, or his seeing any of his friends; taking care at the same time to note who the persons were that attempted to visit him, and report their names to the board. On the same day the Court of Star Chamber prayed and required his majesty's attorney and solicitor general to take strict examination of John Lilburne, prisoner in the Fleet, touching his demeanour and speeches during the time of his whipping and standing in the pillory. When the prisoner had endured, for some time, close confinement in the innermost and most unhealthy part of the prison, borne down by the weight of his double irons, a fire broke out in the Fleet near to the place where he lay. Either out of pity for his sad case, or out of real fear, the citizens who lived in the narrow street outside the Fleet, and the prisoners within, said that, in his fury and anguish, he had become desperate, and had set fire to the prison, in the intention of being burnt with it; and the prisoners within, all cried, "Release Lilburne, or we shall all be burnt;" and, running to the warden, they made him remove him out of his hole; and the fire was quenched, and he was put into a place where he had some more air.—We shall soon meet John Lilburne again.

While these transactions were spreading horror and disgust through England and Scotland, fresh religious alarms were excited by a mysterious negociation with the court of Rome, and the arrival of Gregorio Panzani, an envoy from the Vatican, who was courteously received by Charles and his queen, by Lord Cottington (a Catholic in disguise), and by Secretary Windebank. Panzani had frequent interviews with Montague, and some others of the bishops; but Laud cautiously kept away from these conferences, which are said to have turned almost entirely on the possibility of reuniting the Anglican and Roman churches. The Italian had a very limited commission, and, as an acute and observing man, it was not difficult for him to perceive the insuperable obstacles which existed in the resolute opinions of the English people. He soon returned to Rome; but two

* Rushworth.

† In consequence of this speech, John Lilburne was ever afterwards called "Free-born John."

‡ Rushworth.

* No doubt Laud had the gags ready; for Prynne, Bastwick, and Burton, while suffering their punishment, had addressed the people, "who cried and howled terribly, especially when Burton was crept." In writing to the Lord-Deputy Wentworth, the Primate says,—"What say you to it, that Prynne and his fellows should be suffered to talk what they pleased while they stood in the pillory, and win acclamations from the people, and have notes taken of what they spake, and those notes spread in written copies about the city; and that, when they went out of town to their several imprisonments, there were thousands suffered to be upon the way to take their leave, and God knows what else. . . . . You observe most rightly that these men do but begin with the church, that they might after have the freer access to the state; and I would to God other men were of your lordship's opinion, or, if they be so already, I would they had some of your zeal, too, for timely prevention; but, for that, we are all too secure, and will not believe there is any foul weather toward us till the storm break upon us."—*Strafford Letters*

accredited agents to the queen, Rosetti, an Italian priest, and Con, a Scotch priest, arrived, and were entertained at London. At the same time Henrietta Maria sent an agent of her own to reside at Rome. And though proselytism, which the queen ever had much at heart, made no progress among the people, it was otherwise with the court gentry, among whom several sudden conversions were witnessed and paraded. Not only were the old penal laws allowed to sleep, but fresh favours and indulgences were daily shown to the Catholics,—not out of toleration, for that blessed spirit would have prevented Charles from persecuting the Protestant sectarians, but as a tribute paid to the still increasing influence of the queen, and to the slavish devotion to the crown professed by the members of the old church, who, however, may be forgiven by liberal minds for preferring a despotism with some religious freedom to an alliance with the Protestant patriots, who would allow them neither this blessing, nor a share, as English citizens, in the great boon of civil liberty.

By this time Laud had accumulated upon himself a burden of hate heavy enough to crush any man; but his bosom friend Wentworth is not much behind-hand with him, having been as tyrannical in state matters as Laud had been in ecclesiastical. From the moment of his apostasy his rise, or, as it has been rather happily called, his "violent advancement," was most rapid. President of the North, a privy councillor, baron, and viscount,—"the Duke of Buckingham himself flew not so high in so short a revolution of time."* But if his promotion was rapid, his devotion to the principle of despotism, his activity, his boldness, and, for a time, his success in serving the government as Charles wished to be served, were all extreme. There was no post in England which offered so large a field for tyranny and lawlessness as that of the presidency of the Council of the North; and there never was a man put in it so apt to take the full range of the power it conferred as Thomas Wentworth. The Council of the North, an offspring of blood and tyranny, was first erected by Henry VIII. after the suppression of the great insurrection of the northern provinces, known by the name of the Pilgrimage of Grace. This council had a criminal jurisdiction over all Yorkshire and the four more northern counties, in cases of conspiracies, riots, and acts of violence. It had also, in its origin, a jurisdiction in civil suits, or at least the faculty of deciding causes, when either of the parties litigating was too poor to bear the expenses of a process at common law. But, as far back as the time of Elizabeth, the judges had held this latter authority to be illegal. Indeed the lawfulness of the whole tribunal, which was regulated at the arbitrary will of the court, expressed in instructions under the great seal, had always been very doubtful; and, unless it was pretended to exclude that important part of England from the benefits of that great national act, it had become more problematical than ever since the passing of the Petition of Right. But, heedless of these considerations, Wentworth immediately began to enlarge the jurisdiction of his court; and he was seconded by the king, the Archbishop of Canterbury, and the privy council. In 1632 he got a commission empowering the Council of the North to hear and determine all offences, misdemeanors, suits, debates, controversies, demands, causes, things and matters whatsoever therein contained, within certain precincts,—that is to say, in the whole country from the Humber to the Scottish border. Nor did the despotic commission end here. The council, or rather Wentworth, was appointed to judge certain offences, according to the course pursued by the Star Chamber, whether provided for by act of parliament or not; also to hear complaints like the Court of Chancery, and stay proceedings at common law by injunction; and also to attach persons in any part of the realm. It has been fairly observed that the soliciting or procuring such inordinate powers as these, and that, too, by a person so well versed in the laws and constitution of his country, was of itself ground sufficient for an impeachment. But Wentworth not only obtained these powers, but abused them when he had got them, to gratify his own pride and lust for domineering, or to strike terror into the hearts of the party he had abandoned, and of all who sought to oppose arbitrary measures. He ruled like a king, and like a despotic king, uncontrolled by parliaments or laws, and his name became a word of terror through all the north. Several of his prosecutions of gentlemen of rank and influence were personally vindictive, and carried on with a most rancorous spirit. But where his pride was not irritated, where the prerogative was not questioned, or where money was not wanted, he managed affairs with honour and ability. In 1633, without resigning the presidency of the North, he obtained the still more important and unchecked post of Lord Deputy of Ireland. Dublin was as much better a field for such a man than York, as York was better than London. The ordinary course of affairs in Ireland was in the main lawless and absolute. Even in times when the sovereign professed more reverence for the laws and constitution, the Irish people were treated by the lord deputies in much the same fashion in which the rayah subjects of the Turkish empire were treated by the pashas. It was in Ireland chiefly that Wentworth raised himself to that bad eminence which is now as everlasting as our annals and language: and yet, in spite of all his dark deeds, his government was for a time in some respects advantageous to the country. Before his arrival there were hundreds of tyrants, but where Wentworth was there could be no tyrant save himself: his bold and grandiose des-

* "He was made viscount, with a great deal of high ceremony, upon a Sunday, in the afternoon, at Whitehall. My Lord Powis (who affects him not so much), being told that the heralds had fetched his pedigree from the blood-royal,—namely, from John of Gaunt, said, Damme, if ever he come to be king of England, I will turn rebel."—*Howell.*

potism swallowed up all smaller despotisms. He put down at once the oppressions and malversations of his subordinates; and in the offices of government and the whole administration of affairs, where there had been nothing but a chaotic confusion, he introduced and maintained something like order. His keen eye detected at once several of the causes which had contributed to make Ireland an expensive burden rather than a profit to the English crown. It had long been the practice to consider that country in the light of a new-discovered land inhabited by savages, or as a colony of measureless extent, with the faculty of expanding itself by encroaching on the backwoods or territories occupied by the natives. Whenever the sovereign was at a loss for the means of paying some service or gratifying some favoured petitioner, he took up his pen and drew a grant of crown lands in Ireland (a sort of property never very nicely defined), or he granted a patent, a monopoly, or a military commission for the same country, where there was as yet no patriotic band to resist these abuses. Wentworth represented to his master that the Irish people were thus kept in such a state of poverty that it was impossible to hope that they should enrich his exchequer, and he obtained a promise from Charles that no more Irish grants should be given without his consent or advice. But the king could do nothing in a plain, straightforward way. He entertained the applications of the Duke of Lennox, the Earl of Arundel, and other noble courtiers: he had evidently promised them what they asked for in Ireland, and then he told Wentworth that, if there was anything to be denied, he might do it, so that he (the king) "should have thanks howsoever."* And, shortly after, Secretary Windebank had occasion to write to the lord deputy that he must be content to take upon himself "the refusing part."† Wentworth refused in the same determined style in which he did everything else, thereby making himself many enemies among the great, who praised the generous intentions of the king, and threw the whole blame of their disappointment upon his arrogant lieutenant; but, at the same time, he improved the resources of the country, so that, by these and other means, he was enabled to pay off the debts of the crown, and eventually even to remit some sums of money to the English exchequer. He saw, however, from the beginning, that little or nothing could be done without calling together an Irish parliament; and, confident in his own powers of intriguing, imposing, and domineering, he ventured to recommend that measure to his master as one of expediency, and which, under his management and control, would be perfectly harmless. His arguments were put with great skill and force; but he encountered some difficulty in obtaining the consent of Charles, who now hated the very name of parliament. "As for that hydra," writes the king, "take good heed; for you know that here I have found it as well cunning as malicious. It is true that your grounds are well laid, and I assure you that I have a great trust in your care and judgment; yet my opinion is, that it will not be the worse for my service, though their obstinacy make you to break them, for I fear that they have some ground to demand more than is fit for me to give. This I would not say if I had not confidence in your courage and dexterity, that, in that case, you would set me down there an example what to do here."*

Wentworth omitted no arts, no cajolery, promises, or threats, to prepare beforehand for a submissive assembly. He told some of the leading men that it was absolutely in their power to have the happiest parliament that ever was in that kingdom; that nothing was wanting thereunto but their putting an absolute trust in the king, without offering any condition or restraint at all upon his royal will. The bronze-faced renegade, who had himself made the loudest thunder that had been heard in the English House of Commons, bade them take warning by the fate of that House, and be wise by others' harms. They were not ignorant, he said, of the misfortunes these meetings had run in England of late years, and therefore they were not to strike their foot upon the same stone of distrust, which had so often broken them.† Even his admiring friend, Archbishop Laud, appears to have blushed at this daring piece of effrontery. Wentworth, however, obtained his object in a promise that no bills should be introduced but such as were agreeable to him; and he then opened the parliament with royal pomp, delivered a speech which might have served Milton as a model for the harangue of the proud Lucifer himself, and forthwith demanded and obtained the extraordinary grant of six subsidies. When the second session came, in which the parliament were to debate upon the grievances of the country, they were cut short *ab initio*, taunted, reviled, menaced, by the man who had made them solemn promises in the king's name, *and by the king's express orders*, but who, by his commanding person and manners, and overwhelming eloquence, made them appear like criminals before an inflexible and upright

* Charles's Letter to the Lord-Deputy.—*Strafford Letters.*

† Strafford Letters.

* Strafford Letters.—Of the arguments used by Wentworth to persuade the king to permit the calling of the Irish parliament, that which had the most weight with the king was, that if the parliament, when called, did not vote its money freely, and behave submissively in all things, it could be summarily dissolved, and then its misconduct would be a good cover to whatever arbitrary proceedings Charles might please to institute. Or, in Wentworth's own words, "then their unthankfulness to God and the best of kings becomes inexcusable before all the world, and the regal power more warrantably to be thereafter extended for redeeming and recovering your majesty's revenues thus lost, and justly to punish so great a forfeit as this must needs be judged to be in them"—Id. It will be understood that both the king and the lord deputy wanted nothing of parliament but its money. It was agreed between them that two sessions should be held; that the first should be given entirely to the service of his majesty, and then, in the second, such acts and graces might be passed as seemed to his majesty and his attorney general proper and fitting, and not likely to prejudice the crown. "And if," says Charles, in a letter to Wentworth, "they will not proceed or be satisfied with our royal promise for the second session, or shall deny or delay the passing of our bills, we require you thereupon to dissolve the parliament, and forthwith to take order to continue the contributions for our army, and withal to proceed to such improvements of our revenue as are already in proposition, or may hereafter be thought upon for the advantage of our crown."—Id.

† Id.

judge, and hold their timid tongues. He was not backward in claiming his reward for these very acceptable services; he wanted to change his viscountship for an earldom, and applied to his master, "not only primarily but solely, without so much as acquainting any body with it." Charles acknowledged "that noble minds are always accompanied with lawful ambition;" but he would not give him what he asked for; and the reason for his refusing is as clear as it is characteristic of the king: he wished his lord deputy to bear the whole odium of deceiving and tyrannizing over the parliament; and, therefore, he abstained from hastening to honour his true and accepted servant. If Wentworth's mad ambition, and his enjoyment in the present possession of arbitrary power, had permitted him to reflect upon these things and upon the mind of his master, as partially disclosed in his letters,* he must inevitably have foreseen his own fate; but he went on as he had begun, sharpening the axe for his own neck, whenever it should suit Charles to deliver him up as a sacrifice. He was so elated by his success, so doubly confident in his faculty of managing and controlling the parliament, that he suggested it might be useful to prolong the existence of that assembly beyond a second session; but here he utterly failed in convincing the king, who told him that "parliaments are of the nature of cats—they ever grow *curst* with age; so that, if ye will have good of them, put them off handsomely when they come to any age; for young ones are ever most tractable."†

Charles and his lieutenant, not satisfied with refusing any more grants of the crown lands in Ireland, suddenly laid claim to all the lands in the province of Connaught. It was maintained that this great province had fallen to the crown through the forfeiture of an Irish rebel, as far back as the reign of Edward IV. Since that time it had been granted out in parcels by patents, which the occupants and the courts of law also long considered to be good titles in all respects. James had listened to the tempting arguments of his crown lawyers, who undertook to demonstrate that the said patents were worth nothing, and that all Connaught was his; but he had not ventured upon the experiment of actually seizing it. Nor was it the design of his son to take absolute possession of all the province; it was rather to frighten men out of their money, by making them believe that they held their property by an insecure tenure. The men of Connaught were told that they must produce their titles, and surrender them, when proved defective, to the king's majesty, who, upon such terms as he might choose, would grant them valid titles to their property. The lord deputy, who had told Charles that he had made him as absolute a king in Ireland as any prince in the whole world could be,* proceeded, at the head of a commission, to hold an inquisition in each county of Connaught. Beginning at Roscommon, he summoned a jury purposely composed of "gentlemen of the best estates and understandings," in order that more weight might be given to their decisions, if favourable to the crown, or that they might "answer the king a round fine in the Castle Chamber," if their decisions were not such as were wished for. These gentlemen were instructed beforehand, that it would be best for their own interests to return such a verdict as his majesty desired, since he was able to establish his right without their consent, and wished only to settle the cause on a proper basis, intending graciously to reinvest them legally with what they now held unlawfully. These threats and the artful and imposing eloquence of Wentworth, who, when the counsel had spoken, always summed up himself, prevailed in the counties of Roscommon, Sligo, and Mayo; but in county Galway, which was almost entirely occupied by Irish and Catholics, a jury stood out manfully against the crown, and, as Wentworth expressed it, "most obstinately and perversely refused to find for his majesty." The lord deputy, who had not threatened without a resolution to execute his threats, forthwith levied a fine of 1000*l.* on the sheriff, for returning so improper a jury, and he dragged all the jurymen into the Castle Chamber, which was his Star Chamber, where they were condemned in fines of 4000*l.* a piece. He then endeavoured to bring about the destruction of the Earl of Clanrickard and of other great proprietors of the county; to seize the Fort of Galway; to march a good body of troops into the county, and take possession of the estates of all such as were not ready to comply with the king's will.† Some of these suggestions, and the mode proposed for carrying them into execution, were detestable, but Charles hastened to express his cordial approbation of them. The Galway proprietors, who were certainly not aware of this fact, for they had been by Charles's management induced to believe that the harshness proceeded, not from him, but from the malice and tyranny of his lieutenant, sent over agents to represent their case to his majesty. Charles received them at Royston, and met their complaints with reproaches, telling them how undutiful they had been; and, in the end, he sent them back to Ireland as state prisoners. Old Clanrickard, whose virtuous and high-minded son had headed the deputation, died a few weeks after these tyrannical proceedings. "It is reported," says Wentworth, in a letter to his master, "that my harsh usage broke his heart: they might as well have imputed unto me for a crime his being threescore and ten years old." He had already fallen upon the Earl of Cork, who was obnoxious to him by reason of his great reputation for wisdom

* In the very letter in which Charles refuses to gratify Wentworth with the earldom, he says: "I must tell you, that your last public dispatch has given me a great deal of contentment, and especially for keeping of the envy of a necessary negative from me, of those unreasonable graces that that people expected from me."—*Strafford Papers.*

† Id.

* Strafford Letters.

† As the Galway lawyers had incensed him by their courageous pleading, he also proposed that they should be called upon to take the oath of supremacy, or abandon their profession.

and experience in state business; and he pursued the Lord Wilmot. It was one of the avocations of the primate of the English church to make espials or watch the impressions made at court by these proceedings, and to report to his friend whatever was said against him. At this time there was a loud murmur at Whitehall; and things "were somewhat loudly spoken by some on the queen's side." Laud, in making this report, after praising Wentworth's wise and noble proceedings, said,—"And yet, my lord, if you could find a way to do all these great services, and decline these storms, I think it would be excellent well thought of."* But the lord deputy would not be warned; and if he looked to the line of conduct which was actually pursued by the archbishop in England, he must have seen an example at variance with Laud's recommendation of leniency and moderation. Lord Mountnorris, vice-treasurer of Ireland, after enjoying for a brief space the friendship of Wentworth, incurred his high displeasure, which blighted every object upon which it chanced to fall. The vice-treasurer was accused of extortion and corruption; but Wentworth and his creatures could not make good this charge. A gouty foot, and some hasty words stood him in better stead. It chanced that a relation of Lord Mountnorris, in moving his stool, struck Wentworth's gouty member, and that the accident was spoken of at the table of Loftus, the chancellor. "*Perhaps*," said Mountnorris, "it was done in revenge; but he has a brother who would not have taken such a revenge." For these hasty words, which were repeated by some spy, Mountnorris was proceeded against as a "delinquent in a *high and transcendent* manner against the person of his general and his majesty's authority." As he held a commission in the Irish army, it was resolved to try him by a court-martial, over which Wentworth presided as commander-in-chief. This court sentenced his lordship to be cashiered, to be publicly disarmed, and then to be shot. It was not the intention of the lord deputy to take his victim's life in this manner; he only wanted to grind him to the dust—to humiliate him by making it appear that he owed his life to his enemy. He recommended the prisoner to the royal mercy, and Charles remitted the capital part of the sentence. But Mountnorris was kept a close prisoner, separated from his wife and children, stripped of all his offices and emoluments, and treated in other respects with the greatest harshness. The case excited much dissatisfaction in England and even in the council-chamber; but the king silenced the murmurs of his ministers and courtiers, and gave his approval to all that had been done. But the tale of infamy is not yet complete. Strafford wanted Mountnorris's place of vice-treasurer for Sir Adam Loftus, and, knowing that such patronage was generally sold, he placed 6000*l.* in the hand of his friend Lord Cottington, who was to distribute it in those quarters where it would prove the most effectual. "I fell upon the right way at once," said Cottington, in return; "which was, to give the money to him that really could do the business—*which was the king himself;* and this hath so far prevailed, as, by this post, your lordship will receive his majesty's letter to that effect; so as there you have your business done without noise: and now it rests that the money be speedily paid, and made over hither with all expedition. For the king hath already assigned it in part of twenty and two thousand pounds for land, which he hath bought in Scotland."* Soon after this precious transaction, Wentworth came over to pay a visit to Court, where his master received him with open arms, but where the Earl of Holland and the queen's party were intriguing to bring about his overthrow. After visiting his presidency of the North, he returned to Dublin, to lengthen and darken the list of his iniquities. Wentworth, though long passed the heyday of youth, was a notorious libertine; and one of the victims of his seduction was the daughter of Loftus, the lord chancellor of Ireland, the wife of Sir John Gifford. Sir John claimed from his father-in-law, the chancellor, a large settlement on his wife and her children. The chancellor refused. Thereupon Wentworth offered the dishonoured husband the resources of his Star Chamber, and the head of the law in Ireland was brought into the Castle Chamber at the suit of Gifford. That board decided against the chancellor, who challenged its authority, and maintained that the cause ought to be tried in the ordinary courts of law. As Wentworth was well aware of the existence of powerful enemies in court and country, as his connexion with the lady, the wife of the plaintiff, was no secret, it might have been expected that he would have been glad to let this delicate matter drop; but any opposition to his arbitrary will blinded him to all considerations of danger or shame. He represented to his master that this was pernicious contumacy; and Charles, who had a wonderful reverence for Star Chamber tribunals sent him what he wished, which was an order to take the seals from Loftus, to turn him out of the council, and to throw him into a prison until he should submit to the award. The lord chancellor, who was a very old servant of the crown, appealed to Charles, but without any effect, and, to regain his liberty, he complied with the award of the Castle Chamber, and made his submission to the man who had first seduced his daughter, and then sought to enrich her by forcing money from her parent. The outcry was now tremendous, but, loud as it was, Wentworth deafened the king's ear to it by constantly urging the licentiousness of the people's tongues and their proneness to censure all such as were by the will of God placed in authority over them. He made it a merit in the eyes of his master that he was so unpopular, which he said arose solely from his contending to establish and enforce his majesty's authority. "And," wrote he to the king, "whilst

* Strafford Letters.

* Strafford Letters.

my heart tells me I am therein guided by a perfect will and zeal, nay, indeed, a necessity imposed upon me so to do, I am able, without amazement, to hear myself reported, nay, cried out aloud in the streets, to be the outrageous, where verily I take myself to be the patient; and that entirely for the service of my master."

Wentworth proposed making a settlement on a grand scale in Connaught, where the lands, which had been seized for the crown, were to be occupied by a very obedient and thoroughly orthodox (in Laud's sense) set of English, if such could be found; but there were several serious obstacles to this scheme, and before he could make much progress in it the civil war broke out in England. He, however, made a beginning to plantations in Ormond and Clare, and this Laud declared to be a marvellous great work for the honour and profit of the king, and safety of that kingdom. It appears, however, that Wentworth's tyranny, both in religious and civil matters, made the English and Scottish emigrants, who were all Dissenters, prefer the wilds of America to the pleasant banks of the Shannon; for the archbishop adds, "but I am sorry to read in your letters that you want men extremely to fill that work; and this is the more considerable a great deal that you should want men in Ireland, and that the while there should be here such an universal running to New England, and God knows whither; but this it is when men think nothing is their advantage but to run from government. As for your being left alone in the envious and thorny part of the work, that's no news, at least to me, who am forced to the like here, scarce a man appearing where the way is rough indeed."*

There were reasons enough for this want of men; and, as if they were not powerful enough, the Lord Deputy began a crusade against the Presbyterians established in Ulster. It will be remembered that a very unsuccessful attempt had been made to colonize that great province in the time of Elizabeth. It is an anomaly, but quite certain that James met with better success in the same enterprise. Soon after the flight of the great Earl of Tyrone, the brave O'Dogherty, the leader of the insurgents, was driven back to the bogs and mountains, where he was killed by a chance shot. His followers thereupon dispersed; and nearly the whole of the country, or two millions of acres, was declared to be the lawful prey of the crown. This enormous tract of land was separated into lots or portions, varying from 2000 to 1000 acres each. The larger lots were reserved for undertakers, or adventurers of capital from England and Scotland, and for the military and civil officers. The smaller lots were divided among these and the Catholic natives of the province (the last-named class, it should appear, got very little; but the undertakers or capitalists, at least according to Wentworth, had generally taken to themselves more land than was specified in their patents). It was wisely regulated that the Scotch and English colonists should occupy the hilly country and all the strong positions, and thus isolate and gird in the native Irish, who were to have their allotments in the plains; but this scheme was widely departed from in practice, as the settlers naturally preferred the fertile soil of the plains to the moors and morasses of the mountains. Several of the native chieftains were allowed to retain possession of the poor and hungry country, but some hundred thousand acres were planted by the new comers, who were chiefly Scotch, and who, not less by their prudence than their bravery, kept the province in a tranquil state. Now Wentworth, who was called by Laud a glorious champion of the church, and who was resolved to make all Ireland as conformable as England, fiercely interfered with the kirk of these spirited, industrious, and bigoted colonists, threw many of their elders into prison, and banished many of their ministers who would not conform to what they considered an idolatrous form of worship. These preachers returned to their parent hive in Scotland, whence there soon issued such a swarm as darkened the sun of the house of Stuart.

These high doings of Wentworth were greatly to the satisfaction of Laud, who in fact had approved and applauded every part of the arbitrary system pursued in Ireland. The two congenial despots, in their close correspondence, had established a cant term to express briefly the system so dear to both. It was the word "Thorough"—a proper word to express their thorough-going proceedings!* "For the state," writes the primate, "indeed, my lord, I am for thorough; but I see both thick and thin stays somebody, where I conceive it should not, and it is impossible to go thorough alone."† In another letter Laud says, "I am very glad to read your lordship so resolute, and more to hear you affirm that the footing of them that go thorough for our master's service is not upon fee, as it hath been. But you are withal upon so many ifs, that by their help you may preserve any man upon ice, be it never so slippery.....I am certain it is; if we grow not faint, if we ourselves be not in fault, if we come not to a *peccatum ex te, Israel*, if others will do their parts thoroughly, as you promise for yourself, and justly conceive of me. Now, I pray, with so many and such ifs as these, what may not be done in a brave and noble way? But can you tell when these ifs will meet, or be brought together? Howsoever, I am resolved to go on steadily in the way which you have formerly seen me go; so that (to put in one *if* too), if any thing fail of my hearty desires for the king and the church's service, the fault shall not be mine." In another place the archbishop writes, "As for my marginal note, I see you decipher it well,‡ and I see you make use of it too; do so still, thorough and thorough." And pathetically lamenting, as if his own hands were

* Strafford Letters.

* A not courtly equivalent would be "Go the whole hog," as some of our American brethren have it.

† Strafford Letters.

‡ They frequently corresponded in cipher and had other cant words besides "thorough." "Mora," which often occurs, is supposed to designate the tardiness and timidity of the rest of the council.—*Strafford Letters.*

tied in England, he goes on to say, "Oh that I were where I might go so too! but I am shackled between delays and uncertainties; you have a great deal of honour here for your proceedings; go on a God's name." Until this memorable correspondence and other documents, wherein they both stand committed by their own words, can be annihilated, and all memory of it and reference to it utterly effaced, it must be absurd in any historian to attempt to soften or explain away the character and intentions of Laud and Wentworth.

These two busy and stupendous personages so completely fill the stage for several years as to leave no room for the exhibition of minor performers. Their doings in fact constitute the history of their country for that time; the other events, in which they were not concerned, or in which they were not principal movers, may be compressed in a very narrow space. During the whole of this interval the apparently interminable business of the Palatinate had engaged such a portion of public attention as the people of England could spare from their home affairs. From the first entrance into Germany of Gustavus Adolphus, the champion of Protestantism, the weak Frederick had adhered to the victorious Swede, who had promised to reinstate him in the Palatinate, upon condition of his holding it as a dependency and tributary of the Swedish crown. But Gustavus Adolphus ended his extraordinary career on the 6th of November, 1632, when he was killed in the battle of Lutzen, near Leipsic. The Swedes, notwithstanding his loss, gained a complete victory; but the Palatine Frederick saw in his death the ruin of all his hopes, and exclaiming, with a broken heart, "It is the will of God!" he took to his bed, and expired eleven days after at Mentz, in the thirty-sixth year of his age. In dying he expressed a faint hope that the King of England would show his fraternal affection for his widow, and be a protector or father to his children. But Elizabeth applied in the first place to the States of Holland, as her best friend next to heaven, imploring their protection for herself and her orphans; and the States continued to her the same pensions they had paid to Frederick. Charles sent over the Earl of Arundel to condole with his sister, and then to proceed on a mission to the emperor. Elizabeth was indignant at what she called her brother's meanness of spirit, and she predicted that Arundel's mission, which was to intercede for the restoration of the Palatinate to her innocent children, would be altogether fruitless: and so indeed it proved. The English cabinet then entertained a strange scheme for finding principalities for two of the Palatine's children on the coast of Africa and in the Caribbean seas: the eldest son, Prince Charles Louis, was to take possession of the Island of Madagascar; his brother, Prince Rupert, whose name was afterwards written in English blood, was to found a colony in the West Indies. The two princes, it is said, entered readily into the project, but Elizabeth scornfully rejected it, saying that she would have no son of hers go about as a knight errant.* Soon after this Charles rejected a treaty proposed by Cardinal Richelieu, in which a leading clause was the restitution of the Palatinate to his nephew, and was well-nigh forming an alliance with Spain and Austria against the Dutch, his sister's only friends. In the year 1635 he, for the first time, invited into England Charles Louis and Rupert, whose conduct and behaviour, particularly in church-time, was closely watched by archbishop Laud, for their father had been hated on account of his Calvinism or Puritanism, and it was suspected that the taint was strong upon his children.†

In the same year the Dutch in league with the French invaded Flanders by land, and infested Dunkirk by sea. It should appear that some of the Flemish plotters, upon the failure of their secret negociations with his English Majesty, had bargained with the United Provinces; but the Dutch were very odious to the common people of Flanders on account of their religion, and both they and the French troops behaved so insolently that the country people rose against them and drove them out, while the English fleet "persuaded powerfully the Hollanders to remove from before Dunkirk."‡ In the month of December, shortly after the arrival of the Princes Charles Louis and Rupert, when Henrietta Maria was delivered of a second daughter, the States "sent hither to congratulate her Majesty a solemn embassy and a noble present."§ "Some supposed that they did it to ingratiate themselves the more with our king, in regard his fleet was so powerful at sea; and they saw him resolved to maintain his right and dominion there."‖ But it was not a compliment and a present of this kind that could make up the differences between Charles and the Dutch, or between the Dutch and the English people; for the latter felt that the massacre at Amboyna, and other injuries, had not yet been avenged, and there was an old and increasing jealousy about the Hollanders fishing in their waters, and almost monopolizing the profitable trade in herrings,—circumstances which could hardly have arisen except from their own inferiority as fishermen, their want of industry and enterprise, or the want of a proper navy to protect them.¶ For a time the Dutch had paid a certain sum yearly, even to King James, for the privilege of taking herrings off the Scottish coast, but they had now not only ceased to make

* Howell.

† Laud says in his diary, "December 25, Christmas-day, Charles Prince-Elector received the Communion with the King in Whitehall; he kneeled a little beside on the left hand; he sat before the Communion on a stool by the wall, before the traverse, and had another stool and a cushion before him to kneel at."

It is evident that the young elector knew the archbishop's consequence, and endeavoured to win his favour.

Other entries in the diary about the same time show this. We find the king's nephew at Lambeth palace "at solemn evening prayer." On another occasion he comes suddenly upon the archbishop, dines with him at Lambeth, &c.

‡ Whitelock.

§ The present was—"a huge piece of ambergris, two fine China basins, *almost transparent*, a curious clock, and four rare pieces of Tintinelli (Tintoretto?), and Titian's painting."—Id.

‖ Id.

¶ The Dutch sent out ships of war with their fishing smacks or busses, and the fire of their guns often drove the English and Scots from their fishing-grounds on their own coasts.

these payments, but had encroached in other places, and had attempted to establish as a point of international law that the seas and every part of them, wherever salt water flowed, were free to them and other nations, without any limitations as to coast-lines, &c. In this sense they had employed the great publicist Grotius to write his "Mare Liberum," a treatise against the claims of the English to exclusive rights over certain seas, which was published in 1634. Our great Selden took up his pen and answered Grotius, in his treatise (published in 1635), entitled "Mare Clausum," wherein he laboured to establish the British right of dominion over the narrow seas, a right which had been asserted ever since the time of the united Saxon monarchy. But this was a question not likely to be settled by the pens even of great writers; and in the following year, 1636, Charles, who, by means presently to be described, had got together a fleet, gave the command of sixty sail to the Earl of Northumberland,* who seized and sunk a few of the Dutch busses in the northern seas, near to the Scottish coast.

After this assertion of dominion over the circumjacent seas, the States hastened to acknowledge the right of our island over its own friths, bays, and shores, and agreed to pay Charles 30,000*l.* a-year for liberty to fish there. In the same year Captain Rainsborough sailed with a small squadron to the Barbary coast, where, being assisted by the Emperor of Morocco, he destroyed the shipping and town of Sallee, whence daring pirates had been accustomed to watch the mouth of the Straits of Gibraltar, and even to extend their depredations to the English coast. By a secret engagement Charles's fleets were to co-operate with the naval forces of the King of Spain, ostensibly *only* for the protection of Spanish commerce;† not, however, until the King of Spain should procure from the emperor the removal of the ban upon Charles's nephew, the Prince Palatine; but this engagement was not performed on either part. In the month of February, 1637, the Emperor Ferdinand II., the inveterate enemy of the Palatine Frederick, departed this life, and was succeeded by Ferdinand III., who, it was imagined, might be more favourably disposed towards the outcasts. Therefore, Charles again despatched the pompous Earl of Arundel into Germany, "where he stayed and treated some months about the restitution of the king's nephew, the Prince Elector; but, being opposed by the Duke of Bavaria, who had gotten possession of part of the Palsgrave's territories, and by others after their interest, and being discontented at the delays they put upon him in the treaty at the Diet, the ambassador, without taking any leave, or effecting anything for which he was sent, returned home in much distaste and choler."* To free himself from the importunities of his nephews, who had now been nearly two years in England, Charles gave them 10,000*l.*, with his permission to make war in whatever manner they might think fit for the recovery of their inheritance.† The young men sailed to Holland with the assistance of Lord Craven, who was chivalrously attached to their mother—still the Queen of Hearts—raised an insignificant force, and threw themselves into Westphalia, where there remained about 2000 Swedish veterans still in arms against the emperor. When the princes' mercenaries joined the Swedes, they gained a few trifling advantages; but they were driven from their siege of Lippe, and in their retreat were intercepted by the Imperial general, Hatzfeldt. Charles Louis, the elder brother, fled like a selfish coward, abandoning his friends on the field; but young Rupert gave proof of that fiery courage which the soldiers of the English parliament afterwards experienced to their cost; he fought till victory and escape were alike hopeless, and then he would have died rather than surrender his sword, if it had not been for Lord Craven. Charles Louis, the Elector, was arrested some time after, as he was attempting to pass in disguise through France; and Cardinal Richelieu, with very little regard to his quality and high connexions, shut him up in the castle of Vincennes. That great master of his craft, before their hair-brained expedition into Westphalia, had endeavoured to drag the English into a war with Spain, and the emperor into an alliance offensive as well as defensive with France; and Charles, who was apt to be transported with sudden passion, and who never had any fixed system of foreign policy, in his first rage at the failure of the earl marshal's negociations in Germany, gave ear to the charmer. He thus unbosomed himself to his oracle, Wentworth:—"Upon Arundel's return, I have perceived that directly which heretofore I have much feared, to wit, the impossibility of restoring my sister and nephews by fair means, at least without threatening. This has made me fall in with France in a strict defensive league (the treaties are not yet ratified by France, but I make no question of their ratifying of them): and if we and the confederates (namely, Denmark, Sweden, and the States) can agree both how and what to ask, upon refusal, or so long delay as, upon agreement set down, we shall account as ill as a denial, we are jointly to proclaim the House of Austria, with all their adherents, our enemies. But I have professed that all my warfare must be by sea and not by land. What likelihood there is, that upon this I should fall foul with Spain, you now may see as well as I; and what great inconvenience this war can bring to me, now that my sea contribution is settled, and that I am resolved not to meddle with land armies, I cannot imagine, except it be in Ireland; and there too I fear not much, since I find the country so well settled by

* Northumberland's commission, under the privy seal, was signed on the 23rd of March.—*Rymer.*

† There was doubtless more in the wind. In the commission wherein Charles appoints Northumberland "our admiral, custos maris, captain-general and governor of our said fleet and forces," &c., after mention of "our state and honour," "defence and safety of our own territories and dominions," "guarding and safe-keeping of the seas," "commerce and trade," &c., the commission adds,—"and for other sundry reasons and considerations of state, best known to ourself."—*Rymer.*

* Whitelocke.

† Strafford Letters.

your vigilant care: yet I thought it necessary to give you this watchword, both to have the more vigilant eye over the discontented party, as also to assure you that I am as far from a parliament as when you left me."* The lord deputy, who was cool, and who saw further than his master, was greatly alarmed at this warlike note: he fondly flattered himself that, when they should have perfected their scheme—gone "thorough" in England, Scotland, and Ireland—the sinews of war might be levied to any amount; but he wisely felt that this time was not yet come, and he wrote a long and very able letter to convince Charles of the danger of a premature war. To his friend Laud he spoke more frankly of his own personal danger, and of that of the lord archbishop himself. "A war," he said, "will necessarily put the king into all the high ways possible, else will he not be able to subsist under the charge of it: and if these fail, the next will be the sacrificing of those that have been his ministers therein. I profess I will readily lay down my life to serve my master—my heart should give him that very freely; but it would something trouble me to find even those that drew and engaged him in all these mischiefs busy about me themselves in fitting the halter about my neck, and in tying the knot sure, that it should not slip, as if they were the persons in the whole world the most innocent of guilt, howbeit in truth as black as hell itself, and on whom alone the punishment ought to lie."† In his dissuasive letter to the king he once more unequivocally stated his scheme of absolute government. He told his majesty, that the judges, in declaring the lawfulness of ship-money, had performed the greatest service, but still the crown would stand only on one leg, unless his majesty could get the like power declared for the raising of a standing army, and this he thought might be effected and won from the subject in time of peace only. "I beseech you," continues this artful reasoner, "what alliance is there, that should divert a great and wise king forth of a path which leads so manifestly, so directly, to the establishing his own throne, and the secure and independent seating of himself and posterity in wealth, strength, and glory, far above any their progenitors, verily in such a condition as there were no more hereafter to be wished them in this world, but that they would be very exact in their care for the just and moderate government of their people, which might minister back to them again the plenties and comforts of life; that they would be most searching and severe in punishing the oppressions and wrongs of their subjects, as well in the case of the public magistrate as of private persons; and lastly, to be utterly resolved to exercise this power only for public and necessary uses; to spare them as much and often as were possible; and that they never be wantonly vitiated or misapplied to any private pleasure or person whatsoever? This being indeed the very only means to preserve, as may be said, the chastity of these levies, and to recommend their beauties so far forth to the subject, as, being thus disposed, it is to be justly hoped they will never grudge the parting with their moneys."* These arguments were unanswerable; they pointed out the gentlest and surest way of reconciling men's minds to a specious despotism: Charles took them to his heart, and replied coldly to Richelieu's pressing instances. The cardinal, who knew his character and intentions, and who was perfectly well aware of the resistance he was likely to encounter, tempted Charles by the offer of French assistance to subdue the mutinous spirit of his subjects, an offer which Charles wisely declined. "The king and queen of England," said Richelieu, "will repent this rejection before the year is at an end." But the Spanish ambassador, who had obtained an inkling of these secret negociations, came forward with new delusive promises about the Palatinate, and Charles remained firm to the advice of Wentworth.†

We may now pass to the more proximate causes of the great civil war,—the arbitrary levying of ship-money, the iniquitous trial of Hampden, and the enforcing of the reading of the Book of Common Prayer in Scotland. Noy, the turncoat and attorney-general, who, according to Clarendon, "was wrought upon by degrees by the great persons that steered the public affairs to be an instrument in all their designs, turned his learning and industry to the discovery of sources of revenue, and to the justifying of them when found,—thinking that he could not give a clearer testimony that his knowledge in the law was greater than all other men's, than by making that law which all other men believed not to be so. So he moulded, framed, and pursued the odious and crying project of soap, and with his own hand drew and prepared the writ for ship money; both which will be the lasting monuments of his fame."‡ In hunting among the old records the attorney-general found that not only had the seaport towns been occasionally made to furnish ships for the service of the crown, but that even maritime counties had, in early time, been called upon to do the same; and that, though few, there were instances of the like demands being made upon inland places. With the assistance of the Lord-Keeper Coventry, who highly approved of the project, he induced the king to require this aid of his subjects, as a right inherent in him, and wholly independent of the parliament. And, having set on foot this arbitrary demand, Noy died almost immediately, without proposing the extreme lengths to which his scheme was subsequently

* Strafford Letters.

† Id. Wentworth here pointed at the French party at court, and more particularly, it is supposed, at the Earl of Holland, who was reputed the leader of that party, and the devoted servant of the queen, who, however, was not invariably the promoter of Richelieu's views. Wentworth, who hated Holland with all the vehemence of his nature, once told the king that he ought to cut off his head. Holland remembered the recommendation when Wentworth's own head was in jeopardy. There were such fierce factions among these and other mighty lords at court, that, if they had succeeded in enslaving the nation, the chances were, that they would have had a civil war of their own to destroy one another.

* Strafford Letters.

† P Orleans.—D'Estrade's Mems. and Lett.—Carte.

‡ Hist.

carried.* The first writ was issued by the lords of the council "for the assessing and levying of the ship-money against this next spring," on the 20th of October, 1634. It was signed by the king, and addressed to the mayor, commonalty, and citizens of London, and to the sheriffs and good men in the said city and in the liberties thereof. It began by reciting that,—"Because we are given to understand that certain thieves, pirates, and robbers of the sea, as well Turks, enemies of the Christian name, as others, being gathered together, wickedly taking by force and spoiling the ships, and goods, and merchandises, not only of our subjects, but also of the subjects of our friends in the sea, which hath been accustomed anciently to be defended by the English nation; and the same, at their pleasure, have carried away, delivering the men in the same into miserable captivity: and forasmuch as we see them daily preparing all manner of shipping, farther to molest our merchants, and to grieve the kingdom, unless remedy be not sooner applied, and their endeavours be not more manly met withal; also the dangers considered, which, on every side, in these times of war do hang over our heads, it behoveth us, and our subjects, to hasten the defence of the sea and kingdom with all expedition or speed that we can; we willing, by the help of God, chiefly to provide for the defence of the kingdom, safeguard of the sea, security of our subjects, safe conduct of ships and merchandises to our kingdom of England coming, and from the same kingdom to foreign parts passing; forasmuch as we, and our progenitors, kings of England, have been always heretofore masters of the aforesaid sea; and it would be very irksome unto us if that princely honour in our times should be lost, or in anything diminished."† The writ went on to say that this charge of defence, which concerned all men, ought to be borne by all, as had been done before; yet, considering that they, the citizens of London, were most interested in maritime commerce, and got more plentiful gains by it, they were chiefly bound to set to their helping hand; the king, therefore, commanded them to prepare and bring forth before the 1st day of March one ship of war of 900 tons, with 350 men at the least; one other ship of war of 800 tons, with 260 men at the least; four other ships of war of 500 tons, with 200 men for each; and another ship of war of 300 tons, with 150 men. They were further ordered to supply these said ships with guns, gunpowder, spears, and all necessary arms, with double tackling, and with provisions and stores; as also to defray at their charges for twenty-six weeks the men's wages and all other things necessary for war. The common council and the citizens humbly remonstrated that they conceived that, by their ancient liberties, charters, and acts of parliament, they ought to be freed from any such charges; but the privy council scorned their remonstrance, and compelled them to submit. At the beginning of the following year, 1635, the writs, after being served along the sea-board, were sent into the inland counties, with very comprehensive instructions signed by Laud, Juxon, Coventry, Cottington, and the rest of the privy council. Money was asked for instead of ships, at the rate of 3300*l.* for every ship; and the local magistrates were empowered to assess all the inhabitants for a contribution. They were to deal lightly with the poor, and this for a very obvious reason.* The sheriffs were enjoined to regulate the payments so as to be most equal and agreeable to the inhabitants of their counties; but, when any person refused or neglected to pay, they were without delay to execute the writ, causing distresses to be made, and their goods to be sold for payment of their assessments and the just charges arising therefrom. If any constables, bailiffs, or other officers, refused or neglected to do their duties on the people, they were to bind them over to answer for it, and to commit them to prison if they refused to give bond or bail. His majesty had not made up his mind whether his clergy should be taxed or not, but was pleased that, for the present, they should be assessed for this service, but with great care and caution. The sheriffs were told that, in case of the constables or ordinary municipal officers not doing their duties, they (the sheriffs) were to do theirs, using such instruments as they liked best. They were not to hope, as some of their predecessors had done, that what they left unlevied during the year of their shrievalty would fall upon others,—his majesty being resolved not to put upon the successor the burden of his predecessor's neglect; but that all such sums as were left unlevied should be levied upon themselves. The money collected was to be paid from time to time, at London, to the Treasurer of the Navy, who would give receipts and discharges for the same.†

But all this gilding of the pill could not make people swallow it; and many, especially of the gentry, expressed great discontent at this new assessment, as an imposition against law and the rights of the subject.‡ For a time, however, all opposition was overpowered or intimidated by the bold front of the government. The deputy lieutenants of Devonshire wrote to the council in behalf of some inland towns, that they might be spared from this tax, which they called a novelty: they were dragged up to London, and severely reprimanded for what the council considered their im-

* "The libelling humour was also continued after the death of William Noy, the king's attorney-general, the greatest and most famous lawyer of that age; for, after his decease (who departed this life the 9th of August this year, 1633), papers were put upon posts reflecting on him, that, his body being opened, there was found in his head a bundle of proclamations, in his maw moth-eaten records, and in his belly a barrel of soap."—*Rushworth.*

† Rymer.—Rushworth.

* "For," says the document, "his majesty takes notice that, in former assessments, notwithstanding the express order given in our letters to ease the poor, there have been assessed towards the service poor cottagers, and others, who have nothing to live on but their daily work, which is not only a very uncharitable act in itself, and grievous to such people, but can admit no better construction than that *it was done, out of an adverse humour, of purpose to raise clamour and prejudice the service.*"

† Rushworth. ‡ Whitelocke.

pertinent interference. The people in some of the little seaports on the Sussex coast absolutely refused to pay ship-money, but they submitted when they found that extensive powers had been given to the sheriffs, and that their goods would be seized. This was at the first blush of the experiment; but when it was carried out and tried all over the country, there did not appear, for a short time, any more strenuous and courageous resistance. The timid knew that to remonstrate, however respectfully, was to incur persecution,—such had been the course pursued during the whole reign; the unthinking multitude of people in easy circumstances looked at the smallness of the amount demanded from them, and considered it not worth the trouble and certain expense of a dispute with the government,—not reflecting that the present attempt was but a gentle feeling of the public purse, an experiment to ascertain how the people of England would part with their money at the call of the crown without consent of parliament. In this sense, to a thinking patriot, a sixpence ought to have been as important as a thousand pounds; and many men, presently, viewed the case in its true light. In several places actions were brought against those who had forcibly collected the ship-money; and the judges of assize, who had been instructed to inculcate the duty of submission, were not listened to with much respect. Then Charles demanded from the twelve judges an extra-judicial opinion, in order that he might have the appearance of proceeding according to law. The case was submitted to them in these words:—"When the good and safety of the kingdom in general is concerned, and the whole kingdom in danger, whether may not the king, by writ under the great seal of England, command all the subjects of our kingdom, at their charge, to provide and furnish such a number of ships, with men, victuals, and munition, and for such time as we shall think fit, for the defence and safeguard of the kingdom from such danger and peril, and by law compel the doing thereof, in case of refusal or refractoriness? And whether, in such case, is not the king the sole judge both of the danger, and when and how the same is to be prevented and avoided?" It appears that two of the judges were doubtful as to the point whether the king should be sole judge of the danger, but the rest started no difficulty of any kind, and, in the end, they unanimously returned an answer in the affirmative to every part of the royal question. It is said that the king obtained this opinion from the judges by declaring that it was merely for his own private satisfaction, and not meant to be binding or to be published; but it was forthwith, and by his order, read publicly in the Star Chamber (now the centre of all business) by the Lord-Keeper Coventry. Yet this publishing of the opinion of the judges of the land rather provoked than quieted resistance. Richard Chambers, that courageous London merchant, who had already suffered so much in the good cause, had brought an action against the lord mayor for imprisoning him on account of his refusal to contribute. The mayor had pleaded the king's writ as a special justification; and the plaintiff had been refused a hearing by Berkley, one of the judges of the King's Bench, who had declared that there was a rule of law and a rule of government, and that many things which might not be done by the rule of law might be done by the rule of government; and he would not suffer the point of legality of ship-money to be argued by Chambers's counsel. Charles, and Laud, and Wentworth would have canonized such an upright judge as this; who afterwards declared, in a charge to the grand jury of York, that ship-money was an inseparable flower of the crown. But foul and arbitrary as was the judgment-seat, there was one, a wealthy English gentleman, of the true old Saxon stock, that was resolute to face it and expose it, and, thereby, aided by his own importance in the country, and by troops of friends entertaining the same high notions, to bring the whole question to issue. This man was the immortal John Hampden, one of the few living gentlemen of England that could trace their family in an unbroken line from the Saxon times. He was born in 1594, and in his infancy succeeded to his father's immense estates, situated chiefly in the county of Buckingham. He studied at Oxford at a time when Laud was Master of St. John's, and then in the Inner Temple, where he made himself acquainted with the common law. His mind was well stored with literature, his manners refined, his person and countenance impressive and handsome. Even from the testimony of his bitterest enemies he may be safely set down as one of the most accomplished gentlemen of that time, as one whose great moral courage was accompanied by a most winning amiability of temper. When a mere stripling he had the good sense to despise honours and titles, which then flowed from such a sullied source, and to overrule the silly vanity of his mother, who yearned to see him made a lord,*—a promotion *then* (as his mother ought to have known, for it was in King James's time) attainable only through money or a base favouritism. In 1619 Hampden married a young lady of a good family, in Oxfordshire, to whom he was ever tenderly attached; and, shunning the city and the court, he led the enviable life of a country gentleman, endeared to his tenantry and to all his neighbours, amusing himself with his books and field sports. But, in 1621, when the whole nation was indignant at the disgraceful government of James, and when that sovereign was compelled, by want of money, to meet the parliament, Hampden took his seat in the House of Commons as member for Grampound, then no rotten borough, but a place of some wealth and

* "If ever my son will seek for his honour, tell him now to come; *for here is multitudes of lords a-making*.....I am ambitious of my son's honour, which I wish were now conferred upon him, that I might not come after so many new creations."—MS letter, written about the year 1621, from Mrs. Elizabeth Hampden to Mr. Anthony Knyvett, as quoted from Harl. Collect. Brit. Mus., by Lord Nugent. —*Some Memorials of John Hampden, his Party, and Times.*

importance. It was at the same time that that "great, brave, bad man," Wentworth, first entered the House of Commons; and being then, or pretending to be, like Hampden, most zealous for the reform of abuses, and for securities against the encroachments of the prerogative, the two ancient-descended wealthy commoners became associates and friends. Wentworth was the more confident, boldly spoken, and eloquent of the two, and from the first he spoke frequently in the House: Hampden had a cooler judgment, and the better sagacity; he was less eloquent, a great deal less confident, and for a long time he spoke rarely and briefly, modestly attending to learn the duties of a parliamentary life, and working industriously in the committees. At the same time he cultivated the closest intimacy with the learned Selden, the indefatigable and daring Pym, the undaunted Eliot, and other men of that stamp. If, as a school, it was not perfect, this was certainly one of the most favourable and noble of schools for the training of a young patriot. In the parliament of 1624 Hampden again took his seat for Grampound. In 1625, when Charles summoned his first parliament, he was returned for the borough of Wendover, a town in the neighbourhood of his paternal estates, which had just before recovered its right, partly through his own exertions, to be represented in the House of Commons.—The enlargement of the representation about this time will be treated of elsewhere.

In the next parliament, which met after Buckingham's enterprise against Cadiz, Hampden was again returned for Wendover; and he was engaged on several of those memorable committees which shook both the favourite and the king. On the breaking up of that parliament, when Charles set on foot his forced loan, Hampden resolutely refused to contribute; and, on being asked why, he made this curious and striking reply:—"That he could be content to lend, as well as others, but feared to draw upon himself that curse in Magna Charta which should be read twice a year against those who infringe it." The privy council, refusing his own recognizance to appear at the board, sent him a close prisoner to the Gate-House. After appearing before these willing tools of despotism, and refusing again to pay his [illegible] without warrant of parliament, he was relegated to one of his manor-houses in Hampshire. But in 1626, made more conspicuous by his sufferings in the cause of liberty, Hampden again took his seat for Wendover, and was one of the most important debaters and committee men during that most important and stormy session. He was associated with Selden, Pym, St. John, and the veteran Coke, in the management of several bills, and he was put upon nearly all the committees. In 1628, when the reforming party was indignant at the desertion of Wentworth, Noy, and others, Hampden took his seat again, and became more conspicuous in parliament than he had ever been before. He was now in his thirty-fifth year, in the prime and vigour of manhood; and the country had learned to consider him as a champion that no tyranny could intimidate, that nothing could corrupt or turn from his high purposes. At the end of that short session he saw his friends Eliot, Selden, Hollis, and others, committed to the Tower. Hampden again retired into private life, looking forward with a confident hope for the day when the despotic principle should be carried to its excess, and when the patriotic band should awake like giants refreshed by a long sleep, and crush the hydra for once and for ever. From his pleasant, rural solitude in Buckinghamshire he corresponded with his "honoured and dear friend Sir John Eliot, at his lodging in the Tower;"* and he performed almost the part of a father by the captive's two sons. He returned to the studies of his earlier life, and more particularly to those of constitutional law and history. Foreseeing the inevitable consequences of Charles's proceedings, he made himself familiar with the works of the great Italian historians, who had treated like soldiers and statesmen, as they were, the convulsions and campaigns that had occurred in Italy, in France, in the Low Countries. "He was," says Sir Philip Warwick, "very well read in history; and I remember the first time I ever saw that of Davila of the Civil Wars of France, it was lent me under the title of Mr. Hampden's *Vade Mecum.*" He also frequented the Lord Falkland's house at Tew,—"that college situate in a purer air,"†—for the high-minded Falkland and Hampden, whose names are coupled in an immortal verse, were then near and dear friends, wishing alike for the improvement of government both in church and state. At Tew Hampden was wont to meet, among other distinguished men, the learned, witty, and original Dr. Earles, Fellow of Merton College; Dr. Morley,‡ afterwards the excellent Bishop of Winchester; and Dr. Hales, the Greek Professor of Oxford, who was still more distinguished by his rare spirit of gentleness and toleration than by his great learning. "Nothing troubled him more than the brawls which were grown from religion, and he therefore exceedingly detested the tyranny of the church of Rome, more for their imposing uncharitably upon the consciences of other men, than for the errors in their own opinions; and would often say, that he would renounce the religion of the church of England to-morrow if it obliged him to believe that any other Christians should be damned; and that nobody would conclude another man to be damned

* See Hampden's autograph letter in Lord Nugent's Memorials.

† Clarendon, Hist.

‡ "Dr. Morley," says Clarendon, "was a gentleman very eminent in all polite learning; of great wit and readiness .... He had fallen under the reproach of holding some opinions which were not then grateful to those churchmen who had the greatest power in ecclesiastical promotions; and some sharp answers and replies he used to make in accidental discourses, and which, in truth, were made for mirth and pleasantness sake (as he was of the highest facetiousness), were reported and spread abroad to his prejudice; as, being once asked by a grave country gentleman (who was desirous to be instructed what their tenets and opinions were), what the Arminians held, he pleasantly answered, that *they held all the best bishoprics and deaneries in England;* which was quickly reported abroad as Mr. Morley's definition of the Arminian tenets."—*Life.*

who did not wish him so."* To men of this temper and taste, the persecution then so actively carried on by Laud must have appeared most odious and unwise.

In 1634 Hampden lost his beloved wife, and his mind, which had always been of a religious turn, became more serious and devout under the pressure of affliction. He was taxed with Puritanism, as were all men who entertained liberal opinions in politics, or who disliked the new church ceremonies, and the inquisitorial proceedings of the primate; but though he had to act with fanatics, he was a stranger to fanaticism in his own heart. When Charles demanded ship-money, Hampden resolved to make a bold and decisive stand, and he refused payment of what he maintained was an illegal tax. He had taken advice in this great business from Holborne, St. John, Whitelock, and others of his legal friends, as to the means of trying the issue at law. Encouraged by his example, thirty other freeholders of his parish, of Great Kimble, in Buckinghamshire, refused payment. Almost as soon as the opinion of the judges on the legality of ship-money was recorded, the crown lawyers were ordered by the king to proceed in the court of exchequer against Hampden, as the chief defaulter. The point in law was argued in Michaelmas term, 1637, on the part of Hampden by Oliver St. John and Robert Holborne—on the part of the crown by the attorney-general, Sir John Bankes, of Corfe Castle, and the solicitor-general, Sir Edward Littleton. The cause began on the 6th of November, and lasted to the 18th of December. All the judges were present, and particularly argued this great point on the bench. According to the courtiers, this was a miserable stir about twenty paltry shillings—for this, and no more, was the sum demanded from Hampden;—but the men who loved their country looked to it as the manly assertion of a great and holy principle, as the weightiest cause that could be decided between the sovereign and the people. The crown lawyers insisted on ancient precedents from the Saxon times downwards, and they dilated upon the fairness and lightness of the impost and the pittance demanded from the wealthy Mr. Hampden. It was urged, that if he were too highly assessed he might call the sheriff in question. "But," they continued, "the sheriff of Bucks is rather to be fined for setting him at so low a rate as twenty shillings. We know what house Mr. Hampden is of, and his estate, too. For anything we know, it might as well be twenty pounds."† On the other hand, Hampden's council maintained that the law and constitution of England had sufficiently provided for the defence of the kingdom without the novelty of ship-money. There were, for example, the military tenures, which bound a considerable part of the kingdom to military service at the charge of the possessors of estates; there were the Cinque Ports and other towns, some of them not maritime, held by an analogous tenure, and bound to furnish ships or men; there were the aids and subsidies voted by parliament; there were the king's certain revenues, the fruits of tenure, the profits of various minor prerogatives, and other means and resources bestowed by the constitution on the sovereign, and which were all applicable to the public service and defence of the realm; and there were, moreover, the customs levied on merchandise, which, it appeared, ought to be more especially applicable to maritime purposes,* and which, as all men knew, had been augmented far beyond ancient usage. "Of the legality hereof," said St. John, "I intend not to speak; for in case his majesty may impose upon merchandise what himself pleaseth, there will be less cause to tax the inland counties; and in case he cannot do it, it will be strongly presumed that he can much less tax them." St. John went on to urge the usefulness and power of parliaments as summoned by the old sovereigns in times of danger. The kings of England, St. John observed, in moments of danger, had ever had recourse to their parliaments, and the aids demanded by them and granted by parliament were most numerous. If they had assumed the right of judging of the danger and providing for it of their own right by exacting money from the subject, this could hardly have been the case, it being "rare in a subject, and more so in a prince, to ask and take as a gift that which he might and ought to have of right, and that, too, without so much as a salvo or declaration of his right." The very asking of benevolences and loans proved that the crown possessed no general right of taxation. If it had possessed such a right it would have taxed and not borrowed. To borrow with promise to repay, or (as in the case of benevolences) to beg alms, as it were, from their subjects, was not the practice of absolute sovereigns, but of princes bound and limited by a constitution. The loans of former times had in some cases been repaid expressly to clear the king's conscience—*ad exonerandum conscientiam.* And that very arbitrary prince, Henry VIII., who felt it inconvenient to repay what he had borrowed, could not sit down with a comfortable mind till he had obtained from parliament acts to release him from the obligation. Hampden's advocates relied upon Magna Charta, and especially upon the Confirmatio Chartarum of Edward I., which clearly abrogated for ever all taxation without consent of parliament; and they made still more account of the famous statute *de Tallagio non Concedendo* of Edward III. That warlike sovereign had often infringed this right of the subject, but the parliament never ceased to remonstrate, and, in the end, the conqueror of

* Clarendon, Life.

† State Trials.

* St. John quoted authorities to prove that the grant of customs was principally for the protection of merchants at sea against the enemies of the realm, and against pirates, the common enemies of all nations; that these, and likewise the impositions, were for that purpose: that the aids and subsidies, and likewise the tonnage and poundage, before they were granted for life, were not only for the protection of merchants, and the ordinary defence of the sea, but also for the defence thereof in times of extraordinary dangers and of invasion from enemies, as appeared by several grants of them in the Parliament Rolls.

France was obliged to conform to the law. In the second year of Richard II., when the realm was in imminent danger of a formidable invasion from France, the privy council called together the peers and other great men, who freely lent their own money, but declared that they could not provide a sufficient remedy without charging the Commons, which could not be done out of parliament, and therefore advised the immediate summoning of a parliament. This precedent was strong against the plea of peril and necessity on which the defenders of ship-money wished to make it appear that they relied. But St. John and Holborne met that specious plea more directly. They stated broadly the overwhelming force of actual war and invasion which had power to silence for the time of danger even the sacred voice of the law: they admitted that, in an invasion, or the immediate prospect of one, the rights of private individuals must yield to the safety of the whole; that the sovereign, and even each man in respect of his neighbour, might then do many things that would be illegal at other seasons. Such had been the case in 1588, when the liberties and religion of the people were put in jeopardy by the Spanish Armada. But *now* there was no danger; England was at peace with all the world, and the piracies of a few Turkish Corsairs and the insolence of some rival states could not be reckoned among those instant perils for which a parliament would provide too late. But, after all, their great and unanswerable argument was founded, not upon precedents and rolls of ancient times, "when all things concerning the king's prerogative and the subjects' liberties were upon uncertainties,"* but upon the Petition of Right, which was not yet ten years old; and, as it has been well remarked, Charles himself was fully aware of the restrictions which that statute imposed when he so unwillingly but solemnly gave his assent to it and passed it into a law. By this assent he renounced all gifts, loans, benevolences, taxes, or any such-like charge without common consent by act of parliament. This was his own deed—his own contract—let the proceedings of his predecessors be what they might. It swept away all contrary precedents,—it stood armed at all points against any such imposition as ship-money,—its voice was so loud and clear that the meanest intellect could comprehend it. But the court lawyers thought to overlay it with words—to bury it under the weight of the late attorney-general's musty records. "I shall insist," said Sir John Bankes, "upon precedents, and herein I shall desire you to take notice that these writs have not issued out at the first upon any sudden advice, but that there was a great search made, first by my predecessor Mr. Noy, a man of great learning and profound judgment; other searches made by the king's counsel, and some others; and a great number of records were considered of, and maturely, before these writs issued; so nothing was done upon the sudden." As for invasion or imminent peril, he did not venture to assert that there was any such thing, but he said "that these writs were sent out, not in case of *Hannibal ad portas*, or an enemy discovered, or sudden invasion, but in case of rumours of dangers, and in that a danger might happen." He quoted instances—all very old ones—and cavilled on the more modern and intelligible statutes. But this was not enough to serve their purposes, and so Banks and his colleagues unblushingly took their stand on the position that the monarchy of England was an absolute monarchy, that the power of Charles was above all law, and statutes, and parliamentary devices. "This power," exclaimed the attorney-general, "is not any ways derived from the people, but reserved unto the king, where positive laws first began. For the king of England, he is an absolute monarch; nothing can be given to an absolute prince but what is inherent in his person. He can do no wrong. He is the sole judge, and we ought not to question him. Where the law trusts we ought not to distrust." The acts of parliament, he observed, contained no express words to take away so high a prerogative; and the king's prerogative, even in lesser matters, is always saved, where express words do not restrain it. When Charles instructed or allowed his crown lawyers to talk in this strain, he ought to have been prepared to back them with a regular army of a hundred thousand men. But Bankes was just and moderate compared to some of the judges. "This imposition," said Justice Crawley, "appertains to the king originally, and to the successor, *ipso facto*, if he be a sovereign, in right of his sovereignty from the crown. You cannot have a king without these royal rights: no, not by act of parliament." Holborne had pleaded the constitutional doctrine and practice, that the sovereign could take nothing from the people without consent of their representatives. "Mr. Holborne is utterly mistaken therein," exclaimed Justice Berkley. "The *law* knows no such king-yoking policy! The *law* is itself *an old and trusty servant of the king's*; it is *his* instrument or means, which he useth to govern his people by. I never read nor heard that *Lex* was *Rex*; but it is common and most true that *Rex* is *Lex*." Finch, the foster-father of Noy's offspring,—Finch who had brought it up to this virile state,—said that there could be no doubt entertained touching the lawfulness of ship-money; or indeed of any other act of the king. "Acts of Parliament," said he, "are void to bind the king not to command the subjects, their persons, and goods, and I say, their money too; for no acts of parliament make any difference." According to a courtly writer, who saw nothing wrong in these despotic pretensions, monarchy and liberty were permitted to plead at the same bar; but if it were so, it must be confessed that liberty was in many respects allowed small freedom of speech. Holborne had used that obvious argument, that, as good and just kings were not always succeeded by princes of the like nature, so it was incumbent on the

* A lucid expression of St. John's.

people not to resign any of their rights, or over-increase the sovereign power, for fear of an evil successor. My Lord Chief Justice Finch here said, "It belongs not to the bar to talk of future governments; it is not agreeable to duty to have you bandy what is the hope of succeeding princes, when the king hath a blessed issue so hopeful to succeed him in his crown and virtues." "My lord," said Holborne, "for that whereof I speak I look far off, many ages off—five hundred years hence." And yet *all* the judges were not so prompt and resolute as the court wished. Even Finch and Crawley thought it decorous to prolong the discussion, and the business was dragged through the three following terms. In Hilary Term, 1638, there was an appearance of unanimity; but by Easter Term the judges differed, and Croke boldly concluded against ship-money. Croke had signed the answer to the king's question with the rest, but it was out of a fear of consequences. The loss of place was then generally attended by such persecutions as might daunt a man not constitutionally timid. The judge saw a prison for himself, poverty and want for his family, if he resisted the royal will; but his high-minded wife, who was equally aware of this danger, encouraged him to encounter it. She "was," says Whitelock, "a a very good and pious woman, and told her husband upon this occasion, that she hoped he would do nothing against his conscience, for fear of any danger or prejudice to him or his family; and that she would be contented to suffer want or any misery with him, rather than be an occasion for him to do or say anything against his judgment and conscience."* So long as there were English wives and mothers of this brave sort, the liberties of the country were not to be despaired of. Justice Hutton joined Croke, and when Justice Jones treated the matter somewhat doubtingly, deciding for the king, but with the condition that no portion of the ship-money should ever go to the privy purse, he manfully denied the legality of the tax, and advised that judgment should be given for Hampden. But, in Trinity Term, on the 11th day of June, 1638, the attorney-general—as the sentence of the majority of the judges was still for the king—moved for judgment to be entered against Mr. Hampden; and, on the following day, judgment was entered in the Court of Exchequer.† The opposition, however, that had been made by two of the judges went to deepen the impression already made by the trial. The government could no longer get money from the sheriffs of counties,—every where men took heart. "Hampden," says Clarendon, "by the choice of the king's counsel, had brought his cause to be first heard and argued; and with that judgment it was intended that the whole right of the matter should be concluded, and all other cases overruled."* Thus, the Lord Say, who had refused ship-money, and excited a spirited opposition in Warwickshire, was denied a trial when he asked for it. But Clarendon is fain to confess that the sentence procured against Hampden did not set the question at rest; that, on the contrary, it stirred up resistance to ship-money, or, as he expresses it —"it is notoriously known, that pressure was borne with much more cheerfulness before the judgment for the king than ever it was after." Archbishop Laud seems to have thought that this was owing to justices Croke and Hutton, who, according to him, had both "gone against the king *very sourly*." In writing across the water to my lord deputy, Laud says, "The accidents which have followed upon it already are these:—first, the factions are grown very bold; secondly, the king's monies come in a great deal more slowly than they did in former years, and that to a very considerable sum. Thirdly, it puts thoughts into wise and moderate men's heads, which were better out; for they think if the judges, which are behind, do not their parts both exceeding well and thoroughly, it may much distemper this extraordinary and great service."†

The sympathising Wentworth, it appears, thought that matters might be mended by whipping Hampden, like Prynne or Lilburne. "Mr. Hampden," says he to his dear friend, the archbishop, "is a great *brother*;‡ and the very genius of that nation of people leads them always to oppose, both civilly and ecclesiastically, all that ever authority ordains for them. But, in good faith, were they rightly served, they should be whipped home into their right wits; and much beholden they should be to any that would thoroughly take pains with them in that sort." Nor did Wentworth become more lenient upon reflection; for he says again, "In truth I still wish Mr. Hampden, and others to his likeness, were well whipped into their right senses. And, if the rod be so used that it smart not, I am the more sorry."§

The court crowded a vast deal of tyranny and cruelty into the interval of time between the opening and closing of this trial, but it did not venture to scourge and mutilate the English gentleman who was now regarded as *Pater Patriæ*, and as the pilot who must steer the vessel through the tempests and rocks that threatened it.‖ At the same time Hampden's prudence and moderation, which are highly praised by all his contemporaries, of whatsoever party, prevented his giving any hold to the arbitrary council, who longed at least for an opportunity of committing him to the Tower, where his honoured and dear friend, Sir John Eliot, was wearing out in sickness the last years of his life. But no prudence, no moderation, no virtue, could at all times be a shield against such men as Wentworth and Laud, and their maste

* Memorials.

† Brampton, Chief Justice of the King's Bench, and Davenport, Chief Baron of the Exchequer, had pronounced for Hampden, but merely upon technical reasons, and had joined the majority on the principal question. Denham, another judge of the same court, was more honest; being sick in his bed, he sent in a written judgment in favour of Hampden. The court majority of seven consisted of Finch, Chief Justice of the Common Pleas, Jones, Berkley, Vernon, Crawley, Trevor, and Weston.

* Hist. † Strafford Letters. ‡ Puritan.
§ Strafford Letters. ‖ Clarendon, Hist.

Charles; and it is said that Hampden determined to leave England. Numbers of the English people with their persecuted ministers had settled in the wilderness of Connecticut, where, notwithstanding the edicts of the primate, which went forth to the ends of the world, they hoped to enjoy religious liberty. Lord Say and Lord Brooke were the original projectors of a great scheme of emigration, and they had consulted respecting it with their friend Mr. Hampden. He no doubt suspected, what has since been proved, that the government was watching its moment and studying how it best might crush him; and though we have very great doubts that he ever intended anything more than a short absence, it is stated, that Hampden, with Haselrig, and his own kinsman Oliver Cromwell, over whom he possessed great influence, and in whom, under an appearance of coarseness and extravagance, he had detected great talents and all-mastering energy, got everything ready to join the pilgrim fathers in America. Nay, it is even said in this very striking, and generally received story, that these gentlemen had actually embarked, and were lying with seven other ships filled with emigrants, in the Thames, ready to make sail, when the court, jealous of the departure of so many subjects, issued a proclamation* forbidding any more to leave England without the royal license; and followed up this proclamation with an order in council, authorising the lord treasurer to take speedy and effectual course for the stay of eight ships, now in the river of Thames, prepared to go to New England, and for "putting on land all the passengers and provisions therein intended for the voyage." This order, it is said, was executed in the very nick of time, and so Haselrig, Hampden, and Oliver Cromwell remained in England, and with them remained the evil genius of the house of Stuart. We confess that we have some doubts as to the whole of this story, which is not mentioned by Whitelock, who was a relation of Hampden, nor by Rushworth, nor indeed by any contemporary writer of that party: and we are inclined to think that the question, if not quite, has almost been set at rest by an acute and spirited biographer of our own day.*

But by this time the storm had arisen in the north. The new service book was sent out at the beginning of the year 1637, and appointed to be read in all Scotch churches from the Easter Sunday, as the only form of prayer his majesty thought fit to be used. The Scots maintained that the sovereign could not impose a Liturgy without consent of their own parliament, and their murmurs were so loud that the experiment was put off from Easter to Sunday the 23rd of July, when the Dean of Edinburgh began to read the book in St. Giles's kirk, which had been recently converted by Laud into a cathedral church. The people, fully prepared, had gathered in crowds from many parts. The arch-

* There are two proclamations to this effect in Rymer. One is dated the last day of April, 1637, and entitled,—"A proclamation against the disorderly transporting his majesty's subjects to the plantations within the parts of America." In this document his majesty complains that great numbers of his subjects have been, and are every year, carried to America, and "there settle themselves, some of them with their families and whole estates, *amongst which numbers, there are also many idle and refractory humours, whose only or principal end is, to live as much as they can without the reach of authority.*" His majesty was also anxious to keep at home such people as could pay taxes, and was "minded to restrain, for the time to come, such promiscuous and disorderly departing out of the realm, and doth therefore straightly charge and command all and every the officers and ministers of his several ports in England, Wales, and Berwick, that they do not hereafter permit, or suffer, any persons, being subsidy men, or of the value of subsidy men, to embark themselves in any the said ports, or the members thereof, for any of the said plantations, without license." The second proclamation, which is much more simple, is dated the 1st day of May, 1638.

* John Forster, esq. in his "Lives of British Statesmen." See Life of Pym. Mr. Forster shows that the embargo was speedily taken off the ships, and they left with all their passengers. Mr. Wallace had already suggested a doubt of the story, from its resting only upon the authority of one or two royalist writers. See the Continuation of Sir James Mackintosh's History of England.

St. Giles's and the Old Tron Church, Edinburgh,—in the time of Charles I. From an old Print.

bishops and bishops, the lords of session, and the magistrates were all present by command. No sooner had the dean opened the service book and begun to read out of it than the people filled the church with uproar, clapping their hands, uttering execrations and outcries, raising a hideous noise and hubbub. The Bishop of Edinburgh, who was to preach that day, stepped into the pulpit, which was immediately above the reading-desk, and tried to appease the tumult by reminding them of the holiness of the place; but this increased the storm instead of allaying it, and presently a joint-stool was thrown at the bishop's head, but diverted by the hand of one present—luckily diverted—for, though thrown by the arm of a woman, it was thrown with such vigour, that the general opinion was, that had it hit him, supposing his skull to be only of ordinary thickness, the stool must have killed the bishop. Sticks, stones, dirt followed the stool, with cries of "Down with the priest of Baal!" "A pape, a pape!" "Antichrist!" "Thrapple him!" "Stone him!" The Archbishop of St. Andrew's (Lord Chancellor), and other great persons then attempted to restore order, but they had no reverence from the multitude, who cursed them, together with the bishop and dean. Then the provost, the bailies, and others of the city authorities, came forth from their places, and with much ado and in terrible confusion cleared the church of the chief of those people that had made the tumult, and shut the church doors against them. And the dean began to read the service anew, but such were the outcries, rapping at the doors, throwing in of stones at the windows by the multitude without, who still kept crying "A pape, a pape!" "Antichrist!" "pull him down!" that the baillies of the city were again obliged to leave their places to appease the fury. At last the service and sermon were both ended, but not the people's rage: the Bishop of Edinburgh, who had preached the sermon, on leaving the church for his residence, distant not many paces, was surrounded by the multitude, cast down and nearly trodden to death. He was rescued by some friends who saw his danger, and carried home breathless. The same morning the new service was read in another church adjoining to St. Giles's, yet not without a tumult, and in the Grey Friars' church the Bishop-elect of Argyle, who began to read it, was hooted and threatened, and forced to give over after coming to the confession and absolution. Between morning and afternoon service the provost and baillies of Edinburgh were summoned before the Privy Council, who assembled at the Lord Chancellor's, and undertook to do their utmost for the peaceable reading of the prayers in the afternoon. Accordingly the churches were kept tolerably quiet by keeping out the people altogether; but after service the tumult was far greater than in the morning; and the Earl of Roxburgh, lord privy seal, who undertook to carry the bishop home from St. Giles's in his coach, was so pelted with stones, and so pressed upon by the mob, who wanted to drag out the "priest of Baal," that he was obliged to order his footmen and numerous attendants to draw their swords; and thus he and the bishop at last got into the palace of Holyrood, covered with dirt and curses.

On the following day the council issued a proclamation in detestation of this tumult, and to forbid all tumultuous meetings and concourse of people to Edinburgh, upon pain of death. The magistrates pretended to deplore the disturbances; and they stated that no persons of quality had appeared in them. In truth, the rioters had been for the most part women and children of the poorest condition. The town-council, however, thought fit to suspend the reading of the new service till his majesty's further pleasure should be known, seeing it was so dangerous to the readers.* For this they were harshly rebuked by Laud, who told them, through the Earl of Traquair, Lord Treasurer for Scotland, that his majesty took it very ill that the business concerning the establishment of the service-book had been so weakly carried, and had great reason to think himself and his government dishonoured by the late tumult in Edinburgh. "And, therefore," continues the English primate, "his majesty expects that your lordship and the rest of the honourable council set yourselves to it, that the Liturgy may be established orderly, and with peace, to repair what hath been done amiss. . . . . Of all the rest, the weakest part was the interdicting of all divine service till his majesty's pleasure was further known. And this, as also the giving warning of the publishing, his majesty, at the first reading of the letters, and report of the fact, checked it, and commanded me to write so much to my Lord of St. Andrew's, which I did; and your lordship, at the council, July 24, spake very worthily against the interdicting of the service, for that were in effect as much as to disclaim the work, or to give way to the insolency of the baser multitude, and his majesty hath commanded me to thank you for it in his name; but the disclaiming the book as any act of theirs, but as it was his majesty's command, was most unworthy: 'tis most true, the king commanded a Liturgy, and it was time they had one; they did not like to admit of ours, but thought it more reputation for them (as indeed it was) to compile one of their own; yet as near as might be they have done it well. Will they now cast down the milk they have given, because a few milkmaids have scolded unto them?"† At the same time, several of the Scottish lords, not content with denying all share in the prayer-book, quarrelled violently with the new bishops and the most stirring of the anti-presbyterian clergy. Traquair himself complained to the Marquess of Hamilton, who was at court, and still high in the royal favour, that some of the leading men among them were so violent and forward, had such a want of right understanding how to compass business of this nature and weight,

* Whitelock.—Rushworth.

† Laud's letter to Traquair, in Rushworth. Some slight alterations had been made in the Scottish Liturgy,—hence Laud said that it was their own.

that they bred the Scottish government many difficulties, and their rash and foolish expressions, and sometimes attempts both in private and public, had bred such a fear and jealousy in the hearts of many that things could not go well. The bishops, for example, had been complaining that the Scotch reformers of the former ages had taken from them many of their rents, and had robbed them of their power and jurisdiction even in the church itself; and they had been wont to say that the Scottish reformation generally must be reformed.* But Laud and Charles would listen to no complaints against the new bishops; and, urged on by them, the Scottish council issued a decree of "horning," or banishment, against all such ministers as refused to receive the New Book of Common Prayer, "out of curiosity and singularity." Alexander Henderson, minister at Leuchars; Mr. John Hamilton, minister at Newburn; and Mr. James Bruce, minister of Kingsbarns, petitioned against this harsh sentence with great good sense and moderation, and with a total and most rare abstinence from fanaticism. They told the lords of secret council that they had been willing enough to receive the said books to read them beforehand, in order to see what doctrine they contained, without which knowledge they could not adopt them; that, in the matters of God's worship, they were not bound to blind obedience to any man; that the said Book of Common prayer was neither authorised by the general assembly, the representative kirk of the kingdom, which ever since the Reformation had given directions in matters of worship, nor by any act of parliament, which had been ever thought necessary in high matters of this kind; that the liberty of the true kirk of Scotland, and the form of worship received at the Reformation, and universally practised ever since, were warranted by acts of the general assemblies and acts of parliament; that there had been great disputing, division, and trouble in Scotland, on account of some of the ceremonies contained in the new book; that they, upon a competent allowance of time, would undertake to prove it departed widely from the doctrine of the Reformation, and in points most material came near to the church of Rome, which they held to be as idolatrous and anti-Christian now as it was when their forefathers left it; and, finally, that the people of Scotland had been otherwise taught by themselves and their predecessors in the pulpit, and, therefore, it was likely they would be found averse to the sudden change, even if their pastors adopted it. Laud's

* Letter from Traquair to Hamilton, in Burnet's Memoirs of Dukes of Hamilton.

Edinburgh, as it appeared during the early part of the seventeenth century. From a Print of the period.

own bishop, the Bishop of Ross, gave a very short answer to these petitioners. He told them that, while they pretended ignorance of what was contained in the book, it appeared by their many objections and exceptions to almost all parts of it, that they were but too well read in it, albeit they had abused it pitifully. He asserted that not the general assembly, which consisted of a multitude, but the bishops, had authority to govern the church, and were in themselves the representative church of the kingdom. He assured the ministers that the service-book was neither superstitious nor idolatrous, but, on the contrary, one of the most orthodox and perfect Liturgies in the Christian church, and that therefore they must accept it, and read it, or bide their horning.* During harvest-time "men were at work and quiet;" but that being ended, many resorted to Edinburgh, notwithstanding the proclamation, and got up a general petition to the Scottish council, praying that the service-book might no further be pressed upon them. But they presently found a tremendous edict against them.

Charles, to punish the inhabitants of the good old town, sent down orders for the removing of the term, or session, and the council of government from Edinburgh to Linlithgow, the next term to Stirling, the next to Dundee, &c., together with a fresh proclamation, commanding the Presbyterians to disperse immediately, and return to their homes, under pain of being treated as wicked and rebellious subjects, and with an order for calling in and burning a seditious book, entitled 'A dispute against the English Popish Ceremonies, obtruded upon the Kirk of Scotland.' The council would have delayed the publication of the arbitrary decrees; but Charles's orders were peremptory, and they were all read at the market cross. The Earl of Traquair communicated a part of the immediate result to the Marquess of Hamilton. "The noblemen," says he, "the gentry, and commissioners from presbyteries and burghs, seemed to acquiesce herewith, and every man, in a very peaceable manner, to give obedience to the tenour of the proclamations; but the next day thereafter, the town of Edinburgh, or, as our new magistrates call it, the rascally people of Edinburgh, (although their sisters, wives, children, and near kinsmen, were the special actors,) rose in such a barbarous manner, as the like has never been seen in this kingdom, set upon the Bishop of Galloway, and with great difficulty was he rescued into the large council-house."† This Syderf, Bishop of Galloway, who was odious on many grounds, but upon none more than upon a popular rumour, that he wore a golden crucifix hid under his clothes, was almost strangled by the women, who were bent upon discovering this concealed relic; nor was he safe when he had escaped into the council-house; for a multitude, which seemed constantly to increase in number and fury, surrounded the house, crying for "the priest of Baal"—for all the traitors that were conspiring to ruin the old liberties and religion of Scotland. The terrified members of the council that happened to be in the house applied to the Edinburgh magistrates for protection: the magistrates could give them none, for they were themselves beset by the rioters, who stated that the reason of their rising against their own magistrates was, because they had promised them that they should be the last in the kingdom to be harassed about the Book of Common Prayer. At last, the gentlemen and clergymen who had come up to present the petition, and who had been opprobriously ordered out of the town, used their good offices to prevent bloodshed, and, by their influence and persuasion, rescued the bishop, the council, and the magistrates from the hands of the rioters. It was observed, however, that the friends and relations of these very magistrates were in the mob; that citizens of the best repute, with their wives and their sisters, were actively engaged, and that many well-known gentlemen openly joined the people in their cries and denunciations. It was, therefore, no longer possible to represent the disaffection as a thing of no consequence—as a mere outbreak of the lowest and poorest, who might easily be brought to reason by a little hanging and scourging. And nearly at the same time the city of Glasgow became the scene of a similar rising against the Prayer Book and episcopacy. But Charles and Laud, though warned by the Scottish ministers of the fierce and dangerous spirit of the people,—of the daily accession to their cause of men of rank and ability,—of the defenceless state of Edinburgh Castle and the other fortresses,—of the poverty of the exchequer,—were resolved to go "thorough," and that too without admitting of any delay. In fact, all the Scottish ministers of state, with the exception of the bishops, were themselves opposed to the service-book, though for a time none of them declared their dislike of it, but made their requests to the king for time and patience to appease the perilous hostility of the people. Traquair said that the Prayer Book might possibly be submitted to in seven years' time;* but Laud was furious at the mention of so long a delay, and Charles resolved to enforce it at once. Apprehending that the king meant to deprive Edinburgh for ever of its honours and advantages as the seat of government, the citizens of that ancient capital became more incensed than ever, and it was soon made to appear that Charles had committed a fatal mistake in exciting their jealousy in this particular. Before the removal of the session from Linlithgow to Stirling, the "Four Tables," or Boards, as we should now call them, were established with the acquiescence of the Scottish council, which were representative committees, consisting respectively of lords, gentlemen, ministers, and burgesses, and which were to be fixed permanently in the capital. With these Tables in Edinburgh there corresponded lesser Tables, or sub-com-

* Rushworth.

† Hardwicke State Papers.

* The Archbishop of St. Andrew's also told Laud that it would take seven years to establish the service.

mittees, in the country, a constant communication being established among them all. Above all these Tables was a general Table, which consisted of members taken from each, and which was intrusted with something very like a supreme executive power. In the course of a very few weeks these Tables were looked up to with far more respect than the paltry government, and they exercised an uncontrolled authority over the greater part of Scotland. It has been well said that a better scheme for organizing insurrection could not easily have been devised. The contrivers of it and the leading members of the permanent committee were the Lords Rothes, Balmerino, Lindsay, Lothian, Loudon, Yester, and Cranston. While the king was determined to cede nothing, the Presbyterians now almost daily advanced their demands, and pressed them with increasing pertinacity and boldness. They no longer petitioned for time, and some alterations of the Book of Common Prayer; they demanded the instant removal of the whole Liturgy, the Book of Canons, which had also been forced upon them, and of the Court of High Commission, which had been most heartily detested ever since its first establishment; they accused the bishops as the cause of all the animosities and troubles which agitated the country; they declined their authority in all matters whether civil or religious, protesting against every act of the Scottish council to which any bishop should be a party. The lord treasurer, the Earl of Traquair, was summoned up to London by Charles, who examined him sharply, and then sent him back—though his sincerity was much doubted—with still harsher and more despotic instructions. Traquair was enjoined, or bound by an oath, to keep these things secret till the very moment when they should be announced by proclamation at Stirling; but, probably through the earl himself, the contents of the proclamation were divulged immediately; upon which the Tables put themselves into a state of preparation. The members of the sub-committees were summoned from all parts to meet at Edinburgh and Stirling. To disperse them and the multitudes that flocked with them, Traquair, on the 19th of February, caused the king's proclamation to be read at Stirling, where the council was then sitting, "condemning their irregular proceedings; imputing them rather to preposterous zeal than to disaffection or disloyalty; remitting past offences to such as should obey his majesty's commands; discharging all future meetings, on pain of treason; forbidding them to repair to Stirling, or any other place, where the council and session sat, without notifying their business, and obtaining leave from the council; and ordering strangers of all ranks to quit the place within six hours after the proclamation, under the same penalty." But the herald had scarcely done reading this proclamation, when the Lords Hume and Lindsay, acting for the Tables, published, with equal solemnity, a counter-proclamation, which was then fixed to the market-cross at Stirling, and copies of it sent to be read and affixed in Edinburgh and Linlithgow. Traquair, who had foreseen the mischief, wrote to Hamilton, that his majesty must now "perceive how much all sorts and qualities of people in Scotland were commoved." "Many things," he adds, "have been complained of; . . . but the service-book, which they conceive, by this proclamation, and the king's taking the same upon himself, to be in effect of new ratified, is that which troubles them most. And truly, in my judgment, it shall be as easy to establish the missal in this kingdom as this service-book, as it is conceived."* The lord treasurer said again that he "saw not a probability of power within the kingdom" to force the book down people's throats, or restore tranquillity to the country. He also mentioned that the Earl of Marr had written "untimely" to his under-keeper of Edinburgh Castle, who had the reputation of a great Puritan, and had so given occasion to great alarms. Everything, he said, that was done or intended at court was instantly carried to the ears of the committees. The bishops and lords of the council were constantly quarrelling with, and accusing one another. "My own condition," he continues, "at this time is hard; for, as upon the one hand I am persecuted by the implacable underhand malice of some of our bishops, so am I now in no better predicament with our noblemen and others who adhere to the Presbyterian course; and I may truly say, the bishop they hate most is not more obnoxious to their hatred than I am at this time." But in less than a week the perplexed lord treasurer, who sent up the justice-clerk to London, had still more alarming intelligence to communicate. The Presbyterians, being now openly joined by the most powerful and popular noblemen of the kingdom, and even by several members of Charles's government, proceeded boldly to frame and subscribe their celebrated National Covenant, whereby they undertook to maintain, at all hazards, the old form of worship; to maintain the confession of faith subscribed by Charles's father and household and all ranks of people in 1580 and 1581, and again in 1590. The origin of the Covenant has been traced almost to the commencement of the Reformation in Scotland, or to the time of Cardinal Beaton, when the nobles, the friends of Wishart and Knox, who called themselves the Lords of the Congregation, undertook, by a solemn bond or covenant, to protect the persons and opinions of the reforming and persecuted preachers. The name was adopted from the covenants of Israel with God; and the nature of the obligation was derived from the bonds of mutual defence and maintenance peculiar to the nation; but the word covenant had a most significant and holy sense in the ears of the Scottish people, who knew that that form of association had carried their ancestors triumphantly through their struggle with Papistry. The Tables, or

* Hardwicke State Papers.

standing and well-organized committees, now summoned every Scotsman who valued his kirk to repair to the capital, there to observe a solemn fast as a fitting preparation for the renewal of the covenant. The call was obeyed everywhere, and Edinburgh was presently crowded and crammed with fiery Presbyterians, who generally travelled with good broad swords. Upon the appointed day, the 1st of March, they took undisputed possession of the High, or St. Giles's kirk, which, in their notions, had been profaned by the preaching and praying of Laud's dean and bishop. After long prayers and exhortations the new covenant was produced; the congregation rose, and nobles, gentry, clergy, and burgesses, with hands raised towards heaven, swore to its contents. This memorable deed had been prepared by Alexander Henderson, one of the four ministers whose petition had been so rudely answered by the Bishop of Ross, and by Archibald Johnston, an advocate and the great legal adviser of the party. It had also been revised by the Lords Balmerino, Loudon, and Rothes. Whatever other defects there may have been in the composition, there was no want of power. It was, indeed, most skilfully adapted for acting upon a proud, a devout, and enthusiastic people, who were about equally proud of their national independence and their national kirk. It began with a clear and nervous profession of faith, and a solemn abjuration of the usurped authority "of that Roman Antichrist (the pope) upon the scriptures of God, upon the kirk of Scotland, the civil magistrate, and consciences of men; all his tyrannous laws made upon indifferent things against our Christian liberty; his erroneous doctrine against the sufficiency of the written word, the perfection of the law, the office of Christ, and his blessed evangel; his corrupted doctrine concerning original sin, our natural inability and rebellion to God's law, our justification by faith only, our imperfect sanctification and obedience to the law, the nature, number, and use of the holy sacraments; his five bastard sacraments, with all his rites, ceremonies, and false doctrine added to the ministration of the true sacraments without the word of God; his cruel judgments against infants departing without the sacrament; his absolute necessity of baptism; his blasphemous opinion of transubstantiation, or real presence of Christ's body in the elements, and receiving of the same by the wicked, or bodies of men; his dispensations, with solemn oaths, perjuries, and degrees of marriage forbidden in the word; his cruelty against the innocent divorced; his devilish mass; his blasphemous priesthood; his profane sacrifice for the sins of the dead and the quick; his canonization of men, calling upon angels or saints departed, worshipping of imagery, relics, and crosses; dedicating of kirks, altars, days, vows to creatures; his purgatory, prayers for the dead, praying or speaking in a strange language; with his processions and blasphemous litany, and multitude of advocates or mediators; his manifold orders; auricular confession; his desperate and uncertain repentance; his general and doubtsome faith; his satisfactions of men for their sins; his justification by works, *opus operatum*, works of supererogation, merits, pardons, peregrinations, and stations; his holy water, baptizing of bells, conjuring of spirits, crossing, saining, anointing, conjuring, hallowing, of God's good creatures, with the superstitious opinion joined therewith; his worldly monarchy, and wicked hierarchy; his three solemn vows, with all his shavelings of sundry sorts; his erroneous and bloody decrees made at Trent, with all the subscribers and approvers of that cruel and bloody band conjured against the kirk of God." "And, finally," said the covenant, "we detest all his vain allegories, rites, signs, and traditions, brought in the kirk without or against the word of God, and doctrine of this true reformed kirk." They went on to say that they would continue in the obedience of the doctrine and discipline of their own kirk, and would defend the same according to their vocation and power all the days of their lives, "under the pains contained in the law, and danger both of body and soul in the day of God's fearful judgment;" that they were not moved to their resistance by any worldly respect, but through the persuasions of their consciences, and the knowledge of God's true religion, which some were minded to corrupt and subvert secretly till time might serve for their becoming open enemies and persecutors of the same; that they perceived that the quietness and stability of their kirk depended upon the safety and good behaviour of the king's majesty, whose person and authority they would defend with their goods, bodies, and lives, so long as he defended Christ and the liberties of their country, upheld justice and punished iniquity. A variety of Scottish acts of parliament and acts of council were next recited to justify their pretensions and their intolerance of the old religion, or of any approach to its ceremonies, which they called "the monuments and dregs of by-gone idolatry." "We, noblemen, barons, gentlemen, burgesses, ministers, and commons," continued this famous document, "considering the danger of the true reformed religion, of the king's honour, and of the public peace of the kingdom, by the manifold innovations and evils generally contained and particularly mentioned in our late supplications, complaints, and protestations, do hereby profess, and before God, his angels, and the world, solemnly declare, that with our whole hearts we agree and resolve all the days of our life constantly to adhere unto, and to defend, the foresaid true religion, and, forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the kirk, or civil places and power of kirkmen, till they be tried and allowed in free assemblies, and in parliaments, to labour by all means lawful to recover the purity and liberty of the gospel, as it was established and professed be-

fore the foresaid novations. . . . . And we promise and swear by the great name of the Lord our God to continue in the profession and obedience of the foresaid religion." . . . . They again most solemnly averred that they had no intention or desire to attempt anything that might turn to the diminution of the king's greatness and authority, which they maintained would be sensibly increased by their proceedings. But, at the same time, they resolutely expressed their determination to carry their object, and to bide by one another; so that whatsoever should be done to the least of them for that cause should be taken as done to all in general, and to every one of them in particular. Continuing in the same high strain, they said, "And we shall neither directly nor indirectly suffer ourselves to be divided or withdrawn by whatsoever suggestion, combination, allurement, or tenor, from this blessed and loyal conjunction, nor shall cast in any let or impediment that may stay or hinder any such resolution as by common consent shall be found to conduce for so good ends; but, on the contrary, shall, by all lawful means, labour to further and promote the same. And if any such dangerous and divisive motion be made to us by word or writ, we and every one of us shall either suppress it, or (if need be) shall incontinently make the same known, that it may be timeously obviated. Neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries from their craft and malice would put upon us, seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and posterity. And, because we cannot look for a blessing from God upon our proceedings, except with our profession and subscription we join such a life and conversation as beseemeth Christians who have renewed their covenant with God, we therefore faithfully promise for ourselves, our followers, and all other under us, both in public, in our particular families, and personal carriage, to endeavour to keep ourselves within the bounds of Christian liberty, and to be good examples to others of all godliness, soberness, and righteousness, and of every duty we owe to God and man. And that this our union and conjunction may be observed without violation, we call the living God, the searcher of our hearts, to witness, who knoweth this to be our sincere desire and unfeigned resolution, as we shall answer to Jesus Christ, in the great day, and under the pain of God's everlasting wrath, and of infamy, and of loss of all honour and respect in this world; most humbly beseeching the Lord to strengthen us by his holy spirit for this end, and to bless our desires and proceedings with a happy success, that religion and righteousness may flourish in the land, to the glory of God, the honour of our king, and peace and comfort of us all."*

A few creatures of the court saw in all this mighty enthusiasm nothing more serious than a brief fanatic outbreak, and they assured Charles, who ought to have remembered the history of his grandmother and of his great-grandmother, that it would be easily dashed and dissipated. This was miserably to misunderstand the character of the Scottish people. The lord treasurer knew his countrymen better. On the 5th of March, writing from Stirling to the Marquess of Hamilton, he says, "It is now high time for your lordship to represent to his majesty the height of evils are like to fall upon us, if he shall not be pleased to free the subjects of the fears they have conceived of innovation of religion; and that it is not to be expected from this, that it will withstand, far less repress, the fury. The bond, whereof the justice-clerk hath the double, is subscribed by many; and all qualities of people, from all towns of the kingdom, are coming in daily to subscribe."* But the business was too well organised to permit the subscription to the covenant to depend upon men's making long journeys to the capital: copies of the deed itself were dispatched to the different counties in the west and north, the popular preachers were all warned, a fire of pulpit-batteries was opened from John o' Groat's House to the Cheviot hills—from Aberdeen to Tobermory, and the Covenant was spoken in its thunder. The people were roused and excited to the utmost; all ranks, all ages hailed the pledge of liberty and salvation, and the covenant was signed on the Sabbath in every parish with shouts, tears of joy, or contrition and hearty embraces. It was a fine subject for the more eloquent of the ministers—now no longer dumb or tongue-tied by the priests of Baal; and some of them compared it in its progress to Elijah's cloud—a little cloud at first, arising out of the sea, like a man's hand, but which swelled and spread itself till the heaven was black with clouds and wind.† Traquair pointed out the only means of averting the storm. "If," says his lordship, "his majesty would be pleased to free them, or give them an assurance that no novelty of religion shall be brought upon them, it is like the most part of the wisest sort will be quiet; but, without this, there is no obedience to be expected in this part of the world; and, in my judgment, no assurance can be given them hereof, but by freeing them of the Service-book and Book of Canons. If the king, for the good of his own honour and service, may be moved to anything in this kind, I wish earnestly your lordship should not spare your pains in coming home, and undertaking to do his majesty's service; but, except something of this kind be granted, I know not what further can be done than to oppose force to force; wherein, whoever gain, his majesty shall be a loser."‡

But still Charles and Laud disregarded the

* Rushworth.

* Hardwicke State Papers.

† The town of Aberdeen alone was withheld from subscribing, by the influence of the university and the power of the Marquis of Huntley, or rather the non-covenanters were more numerous in that place than elsewhere.

‡ Hardwicke State Papers.

warning, and were determined to impose the Common Prayer-book upon the people of Scotland by force of arms. The great meeting of the Covenanters at Edinburgh dissolved tranquilly; but they left commissioners behind them, and established such intelligence among themselves and with all parts of the country, that they could meet and come together at the shortest notice. "For anything I can learn," writes Traquair, "they intend to prepare themselves by all possible means for the worst, but will not stir except they be pressed with the practice of those things they complain upon." The Covenanters knew their strength and the mighty power they had in the sympathies of the Puritans in the south; and they began to assert that they were as well friended in England as the king himself.* Wherever they encountered opposition from any Scottish subjects, they threatened them with their high displeasure and the curse of the true kirk; nor did they always limit themselves to threats, particularly when any of Laud's ministers (his bishops had all run away) fell into their hands. There were fierce riots at Lanark and other towns. In some places men were thrown into prison, or put in the stocks for refusing to sign. In the west country, where Presbyterianism was the warmest, they would give no traveller or passenger either meat, drink, or lodging for his money, until he first gave them assurance that he was an adherent to the covenant. They raised large sums by voluntary contribution for the maintenance of their commissioners, secretaries, clerks, and couriers; they took a minute list of all such as were either adverse or lukewarm, not forgetting, at the same time, to make estimate of their property, in forethought of sequestrations and forfeiture. "Before the end of April," says a favourable historian, "he was scarce accounted one of the reformed religion that had not subscribed to this covenant. And the church and state were divided into two names of Covenanters, and Non-covenanters; the Non-covenanters consisting, first, of Papists, whose number was thought small in Scotland, scarce exceeding six hundred; secondly, some statesmen in office and favour at that time; thirdly, some who, though they were of the reformed religion, were greatly affected to the ceremonies of England, and Book of Common Prayer."† •

Traquair repeatedly urged that his majesty should hear some of his Scottish ministers and servants before making up his mind, or "concluding fully" as to what course he ought to take at this crisis; but without hearing any such—nay, without advising with his English council, or with any English servant of government except his fatal Laud—Charles himself drew up a commission for the Marquess of Hamilton, who was ordered to proceed with all haste to reduce that "rascally people" to order. Hamilton was hereby instructed to read the royal proclamation which he bore to the lords of the Scottish council, previously to publishing it, and to exact, if he chose, a solemn oath from each member of that council to do his best to execute the proclamation.* If any body should protest against this royal proclamation, he was to treat him as a rebel, and apprehend him, *if possible*. He was to give a bold negative to any petitions that might be presented by the Covenanters, both in respect of the matter, and as coming from an unacknowledged and illegal association. He was not to press for the exact execution of Laud's church orders for the present, but he was to take good care not to promise their abrogation. He was to allow the Scots six weeks to renounce the covenant, and, if he found cause, *less*. "You shall declare," continues the king, "that, if there be no sufficient strength within the kingdom to force the refractory to obedience, power shall come from England, and that myself will come in person with them, being resolved to hazard my life, rather than to suffer authority to be contemned. You may likewise declare (if you find cause) that, as we never did, so by God's grace we never will, stop the course of justice by any private directions of ours, but will leave our lords of session and other judges to administer justice, as they will be answerable to God and us. If you cannot (by the means prescribed by us) bring back the refractory and seditious to due obedience, we do not only give you authority, but command all hostile acts whatsoever to be used against them, they having deserved to be used no otherwise by us but as a rebellious people: for the doing thereof, we will not only save you harmless, but account it as acceptable service done us."† Having received his instructions and commission, Hamilton took leave of the king, who ordered him to write often to himself and the Archbishop of Canterbury, he being the only English person intrusted with the secrets of the Scottish affairs. On the 3rd of June Hamilton arrived at Berwick, where the Earl of Roxburgh met him, and told him how small were his hopes of success; that the Scottish people would assuredly not give up the covenant; that they insisted on the abolition of episcopacy; and that, if they were not satisfied in this respect, and by the immediate calling of a general assembly and parliament, they would call an assembly themselves. The marquess, when he came to Berwick, had expected to find a great company of noblemen and others to receive him and attend him as the king's high commissioner; and he had especially counted upon his own kindred and vassals, or tenantry; but all failed him, except "some very few who had not subscribed the covenant, and they inconsiderable: for the Tables of the Cove-

* Anonymous letter in Dalrymple's Memorials, dated 16th April 1638.

† Thomas May (secretary for the parliament), History of the Parliament of England.

* One of the great provocations was the removal of the courts, &c. from the capital; yet Charles says,—"We give you power to cause the council to sit in whatsoever place you shall find most convenient for our service, Edinburgh only excepted, and to change the meeting thereof as often as occasion shall require." In another clause he says, "Whenever the town of Edinburgh shall depart from the Covenant, and petition for our favour, *then* we will that you bring back the council and session to it."

† Rushworth.

nanters required that none who had taken the covenant should give any attendance upon the marquess."* With a heavy heart, Hamilton went on to Dalkeith, where he was received by the lords of the secret council, by some of the lords of session, and troops of the nobility and gentry who had not subscribed. Shortly after his arrival at Dalkeith, the citizens of Edinburgh requested that he would be pleased to repair to the king's palace of Holyrood House, where they might more conveniently communicate with him and receive his grace's directions. But he knew that the citizens were in warlike array round the castle to prevent his throwing in troops and ammunition; and he represented that it would not be agreeable to the king's honour that he, his majesty's commissioner with the council, should reside at Holyrood, situated at one end of the city, when the castle seated at the other end was blocked up with guards. The citizens undertook that this guard should be removed, and the Covenanters in Edinburgh kept quiet. Thereupon the marquess consented to lodge at Holyrood. On his way from Dalkeith, about two or three miles from Edinburgh, he was met by the whole body of the nobility and gentry of the Covenanters that were residents of the capital and neighbourhood, who were all mounted on horseback, and consisted of several thousands—more calculated, no doubt, to overawe than to testify respect. And as the marquess drew still nearer to Edinburgh, he saw a small hill blackened all over with Geneva cloaks—for five hundred Presbyterian ministers, on foot, had there taken their post, and had appointed "the strongest in voice and austerest in countenance to make him a short welcome;" but this the marquess avoided.† ·

As soon as Hamilton was settled at Holyrood, he asked the Covenanters what would satisfy them and induce them to renounce their league. They answered, nothing but a general assembly and a parliament, and instantly clapped new guards upon Edinburgh Castle, and multiplied the guards and watches of the city. At the same time the preachers advised the people to take heed of crafty propositions; and when the marquess proposed hearing divine service in the king's chapel, they sent to tell him that he must not read the English service-book; and they nailed up the organ, which they considered as an abomination unto the Lord.‡ A few days after they wrote a letter to the marquess, admonishing him and every one of the council to subscribe their blessed covenant, as they hoped to be esteemed Christians and patriots.§ They declared that the Scottish people would as soon renounce their baptism as their covenant, which had already secured them the favour of heaven and a regeneration in righteousness. Hamilton wisely declined publishing Charles's proclamation, and advised his master to be prepared either to grant them all their demands, or to hasten down his fleet with an army in it, to put soldiers into Berwick and Carlisle, and to follow in person with an army royal. On the 15th of June the marquess received the following answer from the king:—"I expect not anything can reduce that people to obedience but force only. In the mean time your care must be how to dissolve the multitude, and, if it be possible, to possess yourself of my castles of Edinburgh and Stirling, which I do not expect; and to this end I give you leave to flatter them with what hopes you please, so you engage not me against my grounds, and in particular that you consent neither to the calling of parliament nor general assembly, until the covenant be disavowed and given up, your chief end being now to win time until I be ready to suppress them. But when I consider that now not only my crown, but my reputation for ever, lies at stake, I must rather suffer the first, that time will help, than this last, which is irreparable. This I have written to no other end than to show you I will rather die than yield to those impertinent and damnable demands, as you rightly call them; for it is all one as to yield to be no king in a very short time. . . . . As the affairs are now, I do not expect that you should declare the adherers to the covenant traitors, until, as I have already said, you have heard from me that my fleet hath set sail for Scotland, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your grounds."

By honest means Charles meant any means that did not openly commit his own character. The Presbyterian ministers, understanding that the covenant must be given up, or no treaty made, caused their pulpits to ring with exhortations of firm adherence to the great national bond, and again all declared that they would never quit the covenant except with their lives. They presented their petition to the marquess, calling for an immediate redress of their grievances, telling him that they would no longer be put off by delays, and desiring him to propose the matter to the whole Scottish council. Hamilton, obeying the spirit at least, if not the letter, of the king's instructions to temporise and delude, promised them that he would call both a general assembly and a parliament for the redress of all grievances. It appears, however, that the Covenanters were aware of the plot contrived by the king, or were suspicious of all his intentions, for they went away dissatisfied, putting no trust in Hamilton's fair promises. The marquess, on the other hand, had found that most, if not all, the lords of the council were inclined to the granting of what the Covenanters demanded; and so he durst not summon the council, lest they should have sided with the Covenanters. He informed his master of all this,

* Rushworth.

† Id.—Baillie's Letters.

‡ The ministers whom Wentworth had so tyrannically driven out of Ulster were now taking their revenge, and informing the people of Scotland of the crafty propositions and broken promises of Charles's government in Ireland. "The pulpits," says Traquair, "are daily filled with those ministers, who were lately put out of Ireland, who, with some of their own, and some such others as come from other places of this kingdom, preach nothing but foolish seditious doctrine."—*Hardwicke State Papers.*

§ See the letter of the ministers in Rushworth.

and implored him not to proceed in his warlike preparations too openly. Charles, in reply, told him that he would take his advice and stop public preparations, but "in a silent way" he would not cease, so that he might be ready upon the least advertisement. The Covenanters presented to the marquess an "explanation of the bond of mutual defence," in which they again most solemnly protested that they meant not to derogate from the king's authority or to disobey and rebel against his majesty's laws. "All our proceeding," said they, "by petitioning, protesting, covenanting, and whatsoever other way, was and is only for the maintaining of the true religion by us professed; and with express reservation of our obedience to his most sacred majesty, most humbly beseeching his majesty so to esteem and accept of us, that he will be graciously pleased to call a national assembly and parliament, for removing the fears we have, not without cause (as we think), conceived of introducing in this church another form of worship than what we have been accustomed with; as likewise for satisfying our just grievances, and the setting of a constant and solid order to be kept in all time coming, as well in the civil as ecclesiastical government: which, if we shall by the intercession of your grace obtain, we faithfully promise (according to our bounden duties) to continue in his majesty's obedience, and at our utmost powers to procure the same during our lives."* The marquess transmitted their paper to Charles, together with fresh desponding accounts of his own: but the answer he received was as high and absolute as ever. "As concerning the explanation of their damnable covenant," said the king, "whether it be with or without explanation, I have no more power in Scotland than as a Duke of Venice, which I will rather die than suffer: yet I commend the giving ear to the explanation, or anything else to win time, which now I see is one of your chiefest cares, wherefore I need not recommend it to you. And for their calling a parliament or assembly without me, I should not much be sorry, for it would the more loudly declare them traitors, and the more justify my actions: therefore, in my mind, my declaration should not be long delayed; but this is a bare opinion, and no command."†

If Hamilton is to be praised, it must be for his loyalty, and not for his patriotism: he told the Covenanters that he should leave them in order to wait upon his majesty, to explain their desires, and to return to them again within three weeks or a month. But the true reason of his going was to gain so much time, and to see in what state of forwardness were the king's warlike preparations. Previously to his departure, on the 4th of July, he presented the royal proclamation, which he had brought with him, to the Scottish council, who signed it upon omission of the command to abandon the covenant. Thereupon it was sent to the market-cross and there read aloud; but it was met instantly by a long and powerfully written protest drawn up in the name of the noblemen, barons, gentlemen, burghs, and commons. This was followed by another explanation of their covenant, which was given to Hamilton to be put into the king's hands. When the marquess came to court, he gave Charles a full account of the "strength and rage of the Covenanters," together with the "unconstancy" of many members of the Scottish council; and he proposed to his majesty, as a middle course, to renew the confession of faith which had been ratified by the Scottish parliament in 1567. Charles immediately sent back the marquess with enlarged instructions. He was to try, by all means, to make the Scottish council sign the said confession of faith, and thereby, as the court chose to argue, give up the covenant; but he was not publicly to put the proposition to vote in the council except he was quite sure to carry the point: he was to summon a general assembly, but to take good care that the sitting of the assembly should not be before the 1st of November: he was to labour that the bishops might have votes in the assembly, and that the moderator thereof might be a bishop: he was to cajole them about the Articles of Perth, giving them to believe that they were held as indifferent: if he found it expedient, he might even publish the order for discharging the use of the Service Book, Book of Canons, and the practice of the High Commission. "You are to protest," continued the instructions, "against the abolishing of bishops, and to give way to as few restrictions of their power as you can; and as for the bishops not being capable of civil places, you must labour what you can to keep them free. . . . As for the bishops' precedence, you are not to admit them of the assembly to meddle therewith, it being no point of religion, and totally in the crown. . . You are to advise the bishops to forbear sitting at the council, till better and more favourable times for them." These better times were to be brought about by fire and sword; but Charles was not as yet ready, and therefore he concluded thus: "Notwithstanding all these instructions, or any other accident that may happen (still laboring to keep up our honour so far as possibly you can), you are by no means to permit a present rupture to happen, but to yield anything, though unreasonable, rather than now to break."* Besides these instructions, Charles gave Hamilton orders that the bishops and the commissioners, or proctors, named by them, should be held necessary members of the general assembly; that all ministers turned out since these stirs began should be restored; and that all ministers admitted without the bishop's licence should be prevented from exercising their functions.

But while the marquess was busy at court in arranging these matters the Covenanters in Scotland were not idle, but pressed might and main for more subscriptions to the league. "And because the north were for the most part against the covenant, some noblemen and ministers went on the 23rd of

Rushworth.' † Id.

* Rushworth.

July (being that day twelvemonth the stool was thrown at the bishop's head) to Aberdeen, hoping to convince the doctors there of the lawfulness of the covenant. But the doctors violently argued against the same, because it was a combination without warrant or authority. And the Covenanters gave out to the said doctors at Aberdeen that the lord commissioner was satisfied with the covenant upon the offer of that explication (which is formerly mentioned); but, at the commissioner's return, he declared the contrary."* It is well known that the Covenanters, notwithstanding their pretensions to godliness, began, at a very early stage, to be almost as regardless of their word, when an advantage was to be gained by breaking it, as the king himself was of his promises, but in the present case it may be doubted whether Hamilton had not deceived them by professions of admiration of their holy league. Upon his return to Holyrood House, on the 10th of August, he found things in a much worse posture than he had left them in; for, a few days before, it had been enacted, at a convention of burghs, that none should be magistrates or occupy any municipal offices whatsoever unless they had taken the covenant; and the Covenanters had unanimously resolved that bishops should have no vote in the general assembly,—that Episcopacy should be abolished,—the Articles of Perth condemned, and that all men, under pain of the curse of the kirk of Scotland, should sign the covenant. Hamilton knew not what to do, but he resolved at all hazards not to call a general assembly until he had again been to London in person to represent to his majesty the extreme hazard he was like to run. Three days after his arrival at Edinburgh, the confident Covenanters waited upon him to demand an answer to the explanation and petition they had forwarded by him to the court. He declared that the king's answer was full of grace and goodness,—that his majesty promised that he would leave nothing undone that could be expected from a just prince to save the nation from ruin,—that as soon as order and government were re-established as before these combustions, and obedience made to the crown, both an assembly and a parliament should be convoked. He never could have expected that men, distinguished by their sagacity and their distrust of professions, should be satisfied with vague promises like these. The Covenanters negotiated eight or nine days, and then the marquess craved again the space of twenty days to go to court and bring another answer from his majesty. Hamilton's object, as was understood by the Covenanters, was to gain more time, but before he began his journey he thought fit to consult with the Earls of Traquair, Roxburgh, and Southesk, and even to join his signature with theirs to certain articles of advice to be offered to the king. In this paper Charles was most earnestly urged to revoke those innovations in religion and law which alone, without any disloyalty, had moved his subjects to their present courses. Hamilton left Edinburgh on the 25th of August: on the 10th of September he received fresh instructions from his master, who, it was said, was resolved to try "the utmost of yielding" for the recovery of his subjects' affections. In fact, Charles, who had been so averse to the slightest concession, now gave up everything to the Scots, empowering Hamilton, by proclamation or otherwise as he should see cause, to declare that his majesty did absolutely revoke the Service Book, the Book of Canons, the Five Articles of Perth, and the High Commission. By other clauses of his instructions the bishops were given up to the vengeance of the laws,—the Episcopal government was declared to be limited by the laws of the Scottish church and kingdom as already established,—and the prelates were no longer to hold any political posts. On his return towards Edinburgh, Hamilton met in Yorkshire the fugitive Scottish bishops, to whom he signified his majesty's pleasure, telling them that, though the king would maintain Episcopacy, he was content that their power should be limited, and that they should no longer hold civil offices. At this the bishops were thrown into a fury, and spoke with great vehemency; but the Archbishop of St. Andrews was the most moderate of any of them, and seemed to be willing to take 2500*l.* from the king as composition for quitting his place of chancellor. On the 17th of September, Hamilton was again at Holyrood, and, on the 21st, he received the Covenanters, and told them that the king had granted them all that they desired, and that, by his gracious permission, a free assembly and a parliament were to be called immediately. They were, or appeared to be, satisfied, until the marquess mentioned that they must sign the old Confession of Faith as adopted by King James in 1580 and 1590, which they looked upon as an artifice to set aside their new bond of the covenant. And then, upon reflection, their suspicions were excited by the amplitude of the king's concessions. If Charles had intended to keep his promises he would hardly have promised so much; and at this time, or more probably some weeks earlier, the Covenanters obtained certain intelligence that he was secretly engaged in raising an army against them, not scrupling to say among his few confidants that he should never enjoy peace of mind till he had reduced them to obedience, and again set up the bishops in their places. It was indeed impossible so to conceal what was going on in one part of the island that the Scots should get no inkling of it: this impossibility of secrecy would have existed even if the English nation had entered fully into the quarrel of their sovereign, but, as things stood, nearly every Englishman that was groaning under the church tyranny, or held a change of the established religion to be demanded by the word of God, might consider himself bound to put the Scots on their guard. It was not without reason that the Cove-

* Rushworth.

nanters had asserted that they were as well befriended in England as the king himself. Their leaders were in close correspondence with several of the leading English patriots—practical men—men of business, who were not likely to neglect anything which tended to strengthen them for their contest. And besides, there were several of the Scottish counsellors and courtiers about the king who were suspected both of Presbyterianism and venality.*

On the 22nd of September, Hamilton caused the proclamation to be read at the Market-cross, in which the Liturgy, the High Commission, &c., were given up and declared to be void and null; but, as it contained the condition of signing the old Confession of Faith, which was interpreted as implying the abandonment of their recent engagement, the Covenanters instantly protested against it. The protest, like all the papers issued by that party, was wonderfully effective and powerfully worded. It said, that it was meant by this new subscription that their late covenant and confession might be quite absorbed and buried in oblivion,—that whereas it had been intended and sworn to be an everlasting covenant, never to be forgotten, it should be never more remembered,—that the new one would be cried up, and the other drowned in the noise thereof. "This new subscription," continued the protest, "instead of performing our vows, would be a real testimony and confession before the world that we have been transgressors in making rash vows; that we repent ourselves of our former zeal and forwardness against the particulars expressed, first, in our supplications, complaints, and protestations, and next, abjured in our covenant; that we in our judgment prefer the general confession unto this, which necessarily was now made more special; and that we are now, under the fair pretext and honest cover of a new oath, recanting and undoing that which, upon so mature deliberation, we have been doing before. This, besides all other evils, were to make way and open a door to the re-entry of the particulars abjured, and to repent ourselves of our chiefest consolations, and to lie both against God and our own souls. It hath been often objected that our confession of faith and covenant was unlawful, because it wanted the warrant of public authority; and it hath been answered by us, that we were not destitute of the warrant, civil and ecclesiastical, which authorised the former covenant. And, although we could have wished that his majesty had added both his subscription and authority unto it, yet the less constraint from authority and the more liberty, the less hypocrisy and more sincerity hath appeared. But by this new subscription, urged by authority, we both condemn our former subscription as unlawful, because alleged to be done without authority, and precondemn also the like laudable course in the like necessity to be taken by posterity." The protest pointed out to the jealous eyes of the Scots that, by subscribing the Confession as now urged, they, according to the royal proclamation, would acquiesce in that declaration to his majesty's absolute will, and submit to accept of a pardon from him, which pardon had need to be ratified in parliament; and this, they said, was turning their glory into shame, by confessing their guiltiness where God had made them guiltless, and by the fire of his spirit had accepted of their services,—was a departing from the commandment of God, the practice of the godly in former times, and the worthy and laudable example of their religious progenitors. Charles himself had signed the new bond, though it contained many clauses altogether repugnant to Arminianism, and it was subscribed at Edinburgh by Hamilton, Traquair, Marr, Murray, Haddington, Lauderdale, Southesk, Napier, Carmichael, and all the rest of the lords of secret council. On the same day the marquess proclaimed his majesty's pleasure that a free and general assembly should be indicted, kept, and holden at Glasgow on the 21st of November; and, immediately after this, proclamation was made for a parliament to meet at Edinburgh upon the 15th of May, 1639. And a day or two after these proclamations, the lords of the council published an act approving the king's discharge of the Service Book, Book of Canons, &c., and requiring all his majesty's subjects to subscribe the Confession of Faith as now offered to them. The ministers, several of the municipal bodies, and the people, hastened to make joyful acclamations, and to thank his majesty and their lordships for putting down those abominations; but as for subscription to the Confession, they would not hear of it. At first some persons offered to sign the Confession, but they were deterred by their ministers, who represented that all that was now done or promised by the king was only done to gain time,—that he was preparing worse usage than ever, and that, withal, it would be perjury for such as had taken the covenant to sign the king's confession.

The marquess, seeing that it would be impossible to prevent a rupture at Glasgow, advised Charles to hasten his warlike preparations. The Scottish bishops, though not averse to the hastening on of a war of religion, pressed Hamilton to put off the meeting of the general assembly. The marquess acquainted the king with their desire. Charles, in reply, told him that he should soon receive a particular answer from my Lord of Canterbury to all his propositions touching the assembly, and then continued: "As for the opinions of the clergy to prorogue this assembly, his majesty utterly disliked them, for that it would more hurt his reputation by not keeping it than their mad

* Soon after this we find a friend to Charles's government saying, "And because there be divers Scots Covenanters about court, who give intelligence (both by the ordinary, and posters, and journiers for Scotland), a course should be taken that the letters may be opened; and that the governor of Berwick may give order for some strict searching and examining the Scots travellers; for many that go up and down England with Scots linen, &c., scatter and sow errors, divisions, and dissensions in the hearts of his majesty's subjects, which should be prevented: and the Covenanters about court should be discharged."—*Hardwicke State Papers.*

acts could prejudice his service; wherefore he commanded the marquess to hold the day; but (as the marquess writ), if he can break them by proving nullities in their proceedings, nothing better. Lastly, concerning assessors, his majesty likes their names, and (as the marquess writ) he must not suffer his majesty to lose his privilege."* In another letter Charles spoke still more openly of the scheme he had arranged with Hamilton for sowing discord among the members of the assembly, and defeating their acts by protests. "As for the general assembly," writes the king, "though I can expect no good from it, yet I hope you may hinder much of the ill; first by putting divisions amongst them concerning the legality of their elections, then by protesting against their tumultuary proceedings." But in the leaders of the covenant Charles had to deal with enemies as wary or cunning as himself; and by this time, at the latest, the Scots were convinced that the questions at issue must be settled rather by a campaign than by an assembly. Notwithstanding the waylaying of the posts, and the carrying of all letters to Secretary Coke, their friends in England contrived now and then to send them important advices. One of these, in relating the warlike preparations of Charles, gives an account of the sympathy of his English subjects. "There be preparation," says this anonymous correspondent, "for 20,000 men, of swords, guns, &c., 40 pieces of ordnance, and 40 carriages. The Earl Marshal of England is to go into the north, there to secure those parts, where Berwick, Carlisle, and Newcastle are to be fortified; but it is thought they will not get 200 men for their 20,000 arms in this cause. You will not believe how heartily the cause is nigh to succeed amongst the nobility, gentry, and commonalty. The nobility have some of them laboured to get a society who might petition the king for removal of such grievances as they labour under, but there cannot be gotten above two of the nobility that will join in this business; you may guess who they are:† so as they conceive it but folly of themselves to push, whereas the rest have declared they will not join in it; but, however, they are resolved not to abide here, being indeed under such a light as must suffer extinguishment if it abide in this so dampish an air. I hear it the unanimous consent of many leading persons, that they hope to find an America in Scotland; and all designs foreign receive a stoppage until it be seen wherein yours will determine. If a liberty can be had with you, there will be hardly found receipt for those who will thrust themselves amongst you, such who are men of eminent rank and great estates, and those who, I dare say, will spend, a few of them, in the discharge of their ordinary affairs, more money yearly nor [than] is now to be spared in the kingdom: I could number forty or fifty of them that will allot 100,000*l.* yearly for their expense; many there be of the like sort I know not of, but such as I have spoken with have often wished that you be sure in the close of your agreement that you make petition that there may be free traffic preserved betwixt yourselves and the other subjects of the king's dominions; you to come, drive trade, cohabit with them, and they to do the like with you, without any hindrance, as subjects of the same government and members of the same body ought to do. You, by this manner, will get their estates and persons amongst you, and they will take none of your gospel away, although they communicate with you. Pray consider of this; it is of much concernment both to yourselves and others here, who cannot expect, from any appearance of the least motion thitherward, that there is hope of so much as any relaxation of the course begun, and unhappily brought forward in these parts. That you may taste a little of our condition, I have sent you two of your own Scots Bibles, your New Testament only, wherein they have placed such abominable pictures, that horrible impiety stares through them: these come forth by public authority; do you show them to such as you think meet; I send to each of you one of them." This skilful correspondent went on to inform the Scots, that Wentworth had made large offers of assistance to the king from Ireland, —some said an army of 16,000 men,—but he doubted the lord deputy's ability, seeing that that kingdom was itself in an unquiet state. The Earl of Antrim had been presented to the king as one having great power in Ireland, and the leading of a strong and numerous sept of the Mac Donnells, which were now serving under the Lord of Lorn, the son of Argyle; that Lorn was going into Ireland, to make what party he could there, and then into the Highlands of Argyle; and that shot for ordnance had been newly cast, and flat-bottomed boats prepared for the landing of men on the coast of Scotland. He says, "Wise men here do think that the king is resolved to hold you in all fair and promising ways of treaty, until he hath sufficiently fitted himself by provisions both of arms and men, and then you may look for no other language but what comes from the mouth of the cannon: be assured, if the king can bring it to this pass, he will, but most likely he will not be able: yet how far rewards, pensions, and the like, may prevail, either to separate you amongst yourselves, or otherways to hire a foreigner to come upon you (if his domestic subjects will not be drawn to it), it is hard to say; good wisdom, therefore, to be at a point quickly, whilst God preserves union amongst you."*

With mingled warnings and threats like these continually ringing in their ears, with their sharp political sagacity, their confidence in their own strength and the king's weakness, it could hardly be expected from the Scots that they should pursue a conciliating or compromising course. Although Charles had dismissed the bishops from the offices of the state, he had left them in the church; and

* Rushworth.

† Lords Saye and Brooke are probably the peers here meant.]

* Hailes, Memorials.

the Covenanters held that episcopacy was incompatible with the existence of liberal institutions and the true worship of God,—a sentiment which was echoed beyond the Tweed. At the end of October the Earl of Rothes, in the name of the Covenanters, demanded a warrant for citing the bishops to appear as criminals before the general assembly at Glasgow. Hamilton replied that the law was open for citing all such as were either within the kingdom or without; but he declined giving the warrant, as being a thing without precedent; and it was enough, he said, that he did not protect them against trial. Upon this repulse the Covenanters addressed themselves to the presbytery of Edinburgh, who took upon them to issue warrants against the bishops. It would have been in vain to look for apostolical poverty, simplicity, and purity among these prelates,—some of them, we believe, had led rather a free life,—but the uncharitableness, the whole fury of political and religious partisanship, was let loose in the summons; and the bishops were cited as being notoriously guilty of heresy, simony, perjury, incest, adultery, fornication, Sabbath-breaking, &c.; and the presbytery ordered all this to be read in the Collegiate Church of Edinburgh immediately after Communion, and then to be read in every church in Scotland, which was done accordingly, to the edification of the people, who believed no crime too dark for "the priests of Baal."*

As one of the signs of his returning favour, Charles restored the session or term to his good town of Edinburgh. Hamilton, having dealt with all the lords of the session beforehand, urged them to sign the King's Confession of Faith: two of these judges absented themselves, four positively refused, but at length nine of the fifteen signed; and from that moment they durst hardly walk the streets, for fear of being torn to pieces by the people. Charles remitted to the marquess the minutest instructions as to his deportment at the assembly, and perused and revised the opening speech which he was to deliver. Hamilton required the king's advocate to prepare himself to prove that episcopacy was according to the laws of Scotland; but the advocate answered that his conscience would not permit any such thing; that he judged episcopacy to be contrary both to the laws of Scotland and the laws of the church, and also to God's own word; and thereupon the advocate was "prevailed upon" not to attend the general assembly at all. On the 17th of November, the marquess arrived at Glasgow in a quiet and peaceable manner, none of his train carrying with them any prohibited arms. He there found letters and sundry protests from the bishops, who implored him to keep them secret, and to present them *seasonably*, before they or their cause should suffer any wrong from the assembly. The city of Glasgow being filled and thronged with all sorts of people, on the day appointed by the king's proclamation (the 21st of November, 1638), the general assembly began by listening to a very long sermon which occupied the whole forenoon. In the afternoon they would have proceeded to the choosing of a moderator, but Hamilton, who, as king's commissioner, was seated upon a chair "raised eminent above the rest," told them that there was something to do previously, and that was the reading of his commission, that it might be understood by what authority he sat there. The commission, in Latin, was accordingly read, and then the assembly would have again proceeded to the choice of their moderator; but the marquess again interrupted them, and desired that his majesty's letter to the general assembly should first be read; and this letter, which bore the date of the 29th of October, was read accordingly. It was very short. Charles told them that he was not ignorant that the best of his actions had been mistaken by many of his subjects in his ancient kingdom, as if he had intended innovation in religion and laws; yet, considering it to be the special duty of a Christian king to advance God's glory and the true religion, forgetting what was past, he had seriously taken into his princely consideration such particulars as might settle religion and satisfy all his good subjects of the sincerity of his intentions, and had therefore indicted this present free general assembly, appointing the marquess to attend the same, to whom he required them to give that true and due respect and obedience as if he himself were personally present.* When this reading was done, Hamilton stood up and made his opening speech. He told the assembly that the making of long harangues was not suitable either to his education or profession,—that there had been talking enough already,—that it was now time for acting. We blush for the unfortunate victim of loyalty, who knew all his master's insincerity, and who had advised or prescribed part of his conduct, when we find him pursuing his address in the following strain:—"For the professions which have been made by our sacred sovereign (whom God long preserve over us), I am come hither, by his command, to make them good to his whole people, whom, to his grief, he hath found to have been poisoned (by whom I know not well, but God forgive them) with misconceits of his intentions concerning the religion professed in this church and kingdom. But, to rectify all such misconceptions of his subjects, his majesty's desire is, that, before this assembly proceed to anything else, his subjects may receive an ample and clear satisfaction in these points, wherein his majesty's gracious intentions have been misdoubted or glanced at by the malevolent aspects of such as are afraid that his majesty's good subjects should see his clear mind through any other glasses or spectacles than those they have tempered and fitted for them. These sinistrous aspersions, dispersed by surmises, have been especially two. First, as if there had been in his majesty, if not some intentions, yet at least

* Rushworth.

* Rushworth.

some inclination, to give way, if not to alterations, yet to some innovations in the religion professed in, and established by the laws of this church and kingdom. I am confident that no man can harbour or retain any such thought in his breast any more, when his majesty hath commanded that Confession of Faith, which you call the negative, to be subscribed by all his subjects whatsoever, and hath been graciously pleased to put the execution of this, his royal command, in your own hands. The next false, and indeed foul and devilish surmise, wherewith his good subjects have been misled, is, that nothing promised in his majesty's last most gracious proclamation (though most ungraciously received) was ever intended to be performed, nay, not the assembly itself; but that only time was to be gained, till his majesty, by arms, might oppress this, his own native kingdom; than which report hell itself could not have raised a blacker and falser. For that part which concerneth the report of the intention of not holding the assembly, this day and place, as was first promised and proclaimed, thanks be to God, confuteth that calumny abundantly; for the other, making good what his majesty did promise in his last gracious proclamation, his majesty hath commanded me thus to express his heart to all his good subjects. He hath seriously considered all the grievances of his subjects, which have been presented to him by all and several of their petitions, remonstrances, and supplications exhibited unto himself, his commissioner, and lords of his secret council, and hath graciously granted them all; and as he hath already granted as far as could be by proclamation, so he doth now desire that his subjects may be assured of them by acts of this general assembly, and afterwards by acts of parliament respective."*

He told them, moreover, that his majesty not only desired, but commanded, that everything he had promised should first be taken in hand by the assembly and enacted, and that afterwards other things which his subjects might desire should be thought upon; so that it might be known to God and the whole world, and particularly to all his good subjects, how careful his majesty was to perform all his gracious promises. The noble marquess knew that while he was making these solemn assertions his master was preparing gunpowder and ball for his good subjects; and so also knew many of those whom he addressed. The assembly then proceeded to elect their moderator, but Hamilton stopped them with a protest, that their act should neither prejudice the king's prerogative nor the laws of the kingdom, nor bar the king from taking legal exceptions against the person elected or the irregularity of his election. After this delay they chose Alexander Henderson, minister of Leuchars, in Fife, who in many essentials was the John Knox of the day. Hamilton would here have read his declinator or protest against their authority, but they proceeded to the election of a clerk-register. The person chosen was Archibald Johnston, clerk of their Tables at Edinburgh. Hamilton protested against his election, but the assembly adhered to their choice; and Johnston, after making a short speech, declaring that he was unworthy of the charge, yet would not be wanting to do his best for "the defence of *the prerogative* of the Son of God," began to perform the duties of clerk. On the following day Hamilton entered a fresh protest against the return of lay elders to the assembly. Charles had reflected deeply upon the jealousies likely to arise between laymen and clergy; and, as lay elders, who, at the Reformation, had attended all general assemblies, had been displaced by his father, he thought to make their election on the present occasion appear like an innovation. But the Lords of the Tables, who had organised this mighty resistance, were resolved not to trust entirely to the spirit and courage of the preachers; and, besides, they were not very anxious that the tyranny of the presbytery should be substituted for the tyranny of episcopacy. They had, therefore, taken care to preserve that part of the original constitution of the reformed national church, by which the laity were associated with the clergy in its government. Hereupon the proctor, or commissioner for the bishops, declined the jurisdiction of the assembly, as not being a purely ecclesiastical body. Regardless of this declinator, the assembly proceeded to open their accusation, the moderator Henderson, in a short speech, deploring the obstinacy of the bishops' hearts, who had betrayed no sign of remorse and sorrow for their wicked courses. Hamilton, after insisting on the reading of their protest, called the charges a libel against the bishops, an infamous and scurrilous libel. On this, one of the clerks of session thundered out a verbal protestation that they would pursue these charges against the bishops so long as they had lives and fortunes. Thereupon Hamilton protested in his turn, and discharged the bishops' proctor from giving appearance for the bishops before the assembly; and, finding the utter impossibility of shielding those prelates from the prosecution, he determined to dissolve the assembly on the very next day. In the course of this same day he wrote a memorable letter to the king, cursing his country for its non-compliance with his majesty's will. The sincerity of Hamilton has been called in question, but we think upon insufficient grounds. The fact is, he was afterwards hated and calumniated by the royalists, who thought that he had done too little; and he was hunted to the scaffold by the parliamentarians and the Presbyterians, who felt that he had done too much.

"Most sacred Sovereign," says the marquess, "when I consider the many great and most extraordinary favours which your majesty hath been pleased to confer upon me, if you were not my sovereign, gratitude would oblige me to labour faithfully, and that to the uttermost of my power, to manifest my thankfulness. Yet so unfortunate have I been in this unlucky country, that, though I

* Rushworth.

did prefer your service before all worldly considerations, nay, even strained my conscience in some points, by subscribing the negative confession, yet all hath been to small purpose; for I have missed my end in not being able to make your majesty as considerable a party as will be able to curb the insolency of this rebellious nation, without assistance from England, and greater charge to your majesty than this miserable country is worth. As I shall answer to God at the last day, I have done my best, though the success has proven so bad as I think myself of all men living most miserable, in finding that I have been so useless a servant to him to whom I owe so much. And, seeing this may perhaps be the last letter that ever I shall have the happiness to write to your majesty, I shall, therefore, in it discharge my duty so far as freely to express my thoughts in such things as I do conceive concerneth your service. And because I will be sure that it should not miscarry, I have sent it by this faithful servant of your majesty's, whom I have found to be so trusty as he may be employed by you, even to go against his nearest friends and dearest kindred. Upon the whole matter your majesty has been grossly abused by my lords of the clergy, by bringing in those things in this church not in the ordinary and legal way. For the truth is, this action of theirs is not justifiable by the laws of this kingdom; their pride was great, but their folly greater; for, if they had gone right about this work, nothing was more easy than to have effected what was aimed at. As for the persons of the men, it will prove of small use to have them characterised out by me, their condition being such as they cannot be too much pitied; yet, lest I should lay upon them a heavier imputation, by saying nothing, than I intend, therefore I shall crave leave to say this much. It will be found that some of them have not been of the best lives, as St. Andrew's, Brechin, Argyle, Aberdeen; too many of them inclined to simony; yet, for my Lord of Ross, the most hated of all, and generally by all, there are few personal faults laid to his charge, more than ambition, which I cannot account a fault, so it be in lawful things. But, Sir, to leave them, and come to those whom I conceive it is more necessary you should know, your officers and counsellors, of whom I shall write without spleen or favour, as I shall answer to Him at the last day to whom I must give an account (I know not how soon) of all my actions." He then proceeds to draw characters of these officers and counsellors, which are not without point. The Lord Treasurer Traquair is set down as having great ambition and a labouring after popularity, which had prejudiced his majesty's service. My Lord Privy Seal Roxburgh, who had been so well known to his majesty's father, *of blessed memory*, had declared himself for episcopal government; but Hamilton likes not his limitations; yet the king, he observes, must make use of him, for he was a powerful man in the country. The Marquess of Huntley was much misliked, "traduced not only to be popishly inclined, but even a direct Roman Catholic; nay, they spared not to tax him with personal faults:" "but howsoever," continues Hamilton, "this I am sure of, since my coming here, he hath proved a faithful servant to you; and I am confident will be of greater use, when your majesty shall take arms in your hand." The Earl of Argyle, whom Charles had recently offended in a wilful and absurd manner, was the only man cried up in Scotland as a true patriot, a loyal subject, a faithful counsellor, and, above all, rightly set for the preservation of the purity of religion. With a correct estimate of Argyle's character and means, Hamilton goes on to say, "he must be well looked to; for it fears me he will prove the dangerousest man in this state: he is so far from favouring episcopal government, that, with all his soul, he wishes it totally abolished." The Earl of Perth was taxed with being a Roman Catholic, but Hamilton declares that he had a loyal heart, and was no great politician, nor of much power out of the Highlands, but, as he might contribute to the curbing of Argyle, he ought to be encouraged. Tullibardine he took to be honest, a man of abilities, and a true hater of Argyle. The Earls of Wigton and Kinghorn were gone clearly the wrong way: Haddington had too much the humour of the times, but he had sworn to Hamilton that he would fight for the king, and never ask what his quarrel was; yet Hamilton greatly feared that few of his friends would go along with him in the quarrel in defence of episcopacy. Lauderdale was a man of no great power, but truly honest and most rightly set. Southesk had shown himself forwardly stout: he was a man of great power, rich, and had been extremely beloved; but was now as much hated by all the Scots. Therefore he deserved his majesty's favour; and Hamilton, who had studied at court, thought that none would be fitter to be made Lord Chancellor of Scotland. Kinnoul, Finlater, Linlithgow, and Dalzell were true, but not very powerful; "and, as for the rest of the council," continues Hamilton, "they are either of no power to serve you, or totally set the Covenanters' way. . . . . Now, for the Covenanters, I shall only say this in general,—they may all be placed in one roll as they now stand. But certainly, Sir, those that have both broached the business, and still hold it aloft, are Rothes, Balmerino, Lindsay, Lothian, Loudoun, Yester, Cranston. There are many others as forward in show; *amongst whom none more vainly foolish than* MONTROSE.* But the above-mentioned are the main contrivers. The gentry, burghs, and ministers have their ringleaders too. It will be too long to set down all their names. Those who I conceive to be most inclined, the clerk-register (who is a faithful servant to the crown), if I miscarry, will give you information of them; yet, I fear him, poor man, more than myself. But they

* In reading this expression we are to remember Hamilton's own character, which was reserved and severe, and altogether opposite to that of the fiery, impetuous Montrose.

are obvious and known to all. This is all that I will say concerning the persons of the men in this kingdom; wishing, Sir, in my heart, those whom I misdoubt, I may be deceived by their future carriage; and that their loyalty may appear, which will blot out of your majesty's memory what my duty and fidelity to you has caused me to write thus of them. It is more than probable that these people have somewhat else in their thoughts than religion. But that must serve for a cloak to rebellion, wherein for a time they may prevail; but, to make them miserable, and to bring them again to a dutiful obedience, I am confident your majesty will not find it a work of long time, nor of great difficulty, as they have foolishly fancied to themselves. The way to effect which, in my opinion, is briefly thus. Their greatest strength consists in the burghs; and their being is by trade; whereof a few ships of your majesty's, well disposed, will easily bar them. Their chiefest trade is in the eastern seas and to Holland, with coal and salt, and importing of victual, and other commodities from thence; whereof if they be but one year stopped, an age cannot recover them; yet so blinded they are, that this they will not see. This alone, without farther charge to your majesty, your frontiers being well guarded, will work your end. This care should be taken, that when particular burghs can be made sensible of their past errors, and willing to return to their allegiance, they be not only then not barred from trade, but received into your majesty's favour and protection."* He proceeds to tell the king that this would certainly so irritate the Covenanters, that all those who stood for his majesty would be in great and imminent danger; but this he thought might be provided for, at least in the north, by appointing the Marquess of Huntley his majesty's lieutenant there, with full power to raise as many troops as he should think fit. South of the Forth the danger would be still greater; but there also the king might appoint his lieutenant with the same powers of raising troops and carrying on war. He observes that the presence of a commissioner or lord deputy in Scotland was indispensable; "where," he continues, "you will find a man I cannot possibly say, unless your majesty send the Duke of Lennox: as for the Marquess of Huntley, certainly he may be trusted by you, but whether fitly or no, I cannot say. If I keep my life (*though next hell I hate this place*), if you think me worthy of employment, I shall not weary till the government be again set right; and then I will forswear this country. As for your majesty's castle of Edinburgh, it was a most shameful thing it should have been so neglected. I cannot promise that it shall be defended, yet I hope that they shall not take it but by an hostile act. Some few men I have stolen in, but, as yet, cannot get one musket put there, nor one yard of match. I have trusted, for a time, the same man that was in it, and perhaps your majesty will think this strange that I have done so; yet necessity forced me to it. For thither Ruthven would not go without arms and ammunition; and, indeed, he is not to be blamed therefore: but, Sir, I have that in working, that, if I can accomplish, may, for a time, secure that place. And for my trusting that man, I can only say this, that if he deceive me, we were in no worse condition than when it was in Lord Marr's hands; safe only for the giving him 2000*l.*, which, if lost by the default of him whom I have trusted, your majesty shall not be burdened by the payment of this money, for I deserve to lose it for my confidence. He is no Covenanter, and hath solemnly sworn to me to lose his life before he quit it. As for Dunbritton [Dumbarton], the way is easy to put as many men there as you please, with victual and ammunition; from Ireland they must come, and at the castle they must land: one hundred men will be sufficient, provided with ammunition and victual for three months; and the sooner this be done the better. Thus, Sir, your majesty hath the humble opinion of what I conceive of the affairs of the kingdom. What I have said I humbly submit to your majesty. I have now only this one suit to your majesty, that if my sons live they may be bred in England, and made happy by service in the court; and if they prove not loyal to the crown, my curse be on them. I wish my daughters be nevermarried in Scotland. I humbly recommend my brother to your favour.*"

The morning after writing this very un-Scottish letter to the king, Hamilton summoned the lords of the council and told them, with very little periphrasis, that he was necessitated to dissolve the assembly, and then tried hard to make them all concur with him as to the necessity. The Earl of Argyle asked if he, the lord commissioner, was to desire the Scottish council's approbation of what he intended, or not? The marquess replied that his instructions from his master were clear and positive, and therefore it was not in his power to permit any debate as to what he should do or not do, but he only desired their concurrence and advice as to the manner of doing it. After two hours of discourse, which elicited no clear advice from any member of the council, he proceeded to the church where the assembly sat. There he remained for some time a silent witness of their debates; but when they were about to put it to the vote, whether that assembly was not free and perfect, notwithstanding the bishops' protest, knowing well how the vote would run, he suddenly rose up, and, in a speech

* Hamilton gives the king his notions as to the best method of managing this blockade:—"In my opinion, your ships would be best ordered thus—eight or ten to lie in the Firth. There should be some three or four plying to and again betwixt the Firth and Aberdeen, so long as the season of the year will permit them to keep the seas; and when they are not longer able they may retire into the Firth, in which there are several places in which they may ride in all weathers. Those ships which lie in the Irish seas will be sufficient to bar all trade on the west of Scotland. The fittingest places are between Arran and the coast of Galloway. When the weather is foul there is an excellent road in Galloway called Lochyen, and another in Arran, called Lamlash, or the Holy Island, where they may ride in safety. That is all I shall say concerning the barring them of trade."

* Hardwicke State Papers.

of great length and considerable eloquence—not wholly destitute of home-truths—in his majesty's name, dissolved them, and forbade their further proceedings, under pain of treason. Henderson, the moderator, and the Earl of Rothes, told him that they were sorry he was going to leave them, but their consciences bore them witness they had done nothing amiss, and therefore they would not desert the work of God; albeit, "in its due line and subordination they acknowledged their duty of obedience to the king." Hamilton then hastened back to the council. The Earl of Argyle told him in plain language that he would take the covenant and recognise the assembly; but most of the council pretended to be satisfied with the conduct of the marquess; and yet he durst not offer to their signature the proclamation for dissolving the assembly, for fear of a refusal, "not having tried them all in it beforehand." The next morning, however, he got them all to sign it, except Argyle, and then sent it to be read at the market-cross at Glasgow. But again the Covenanters were ready with their protest, which was read and affixed immediately after it. "The Protestation of the general assembly of the church of Scotland," as the document was called, stated that his grace, his sacred majesty's commissioner, had never allowed any freedom to the assembly, competent to it, to the word of God, to the acts and practice of this church, or to his majesty's summons; but had laboured to restrain the same by protesting against all the acts made therein, and against the constitution thereof by such members as by all law, reason, and custom had ever been admitted to their free assemblies. After a deal of assertion and reasoning of the same kind, the protesters declared that if the commissioner, his grace, should depart and leave this church and kingdom in the present disorder, it was both lawful and necessary, notwithstanding his dissolution, for the assembly to continue to sit till they had tried, judged, and censured all bygone evils; that, accordingly, they would continue to sit; and that their assembly was and should be esteemed and obeyed as a most lawful, full, and free general assembly of the kingdom, and that all acts, sentences, censures, &c., passed by it should be obeyed by all the subjects of the kingdom, and all the members of the true church.

Hamilton now urged the king to complete his preparations. Laud, however, in a letter, dated the 7th of December, told him that "the jealousies of giving the Covenanters umbrage too soon had made preparations so late," but that he, the archbishop, had called, and was daily calling upon his majesty to make more haste. Laud was furious against the assembly. "Never," he says, "were there more gross absurdities, nor half so many, in so short a time committed in any public meeting; and, for a national assembly, never did the church of Christ see the like." After thanking his grace for the care he had taken of the persons of two bishops whom he had secretly conveyed to Hamilton Castle, and condoling with him on his own great peril from the inexpressible fury of the Scottish people, Laud adds, "But I trust in God he will preserve you, and by your great patience, wisdom, and industry, set his majesty's affairs in a right posture once again; which, if I might live to see, I would be glad to sing my *Nunc dimittis*."*

Meanwhile the assembly continued its prosecution of the bishops. Upon the departure of Hamilton, the Earl of Argyle openly declared himself their head, and sat constantly with them in the assembly, not as a member, but as their chief director. In brief time they condemned all the Arminian tenets whatsoever,—declared episcopal government to be abolished for ever,—and passed many other acts of equally sweeping character. Not satisfied with merely depriving the bishops, they excommunicated the greater part of them, together with the few preachers that adhered to them, and all their fautors or abettors. The downfall of episcopacy, in a political sense, was acceptable to every patriot in Scotland, for Charles and his father had contrived to centre nearly the whole power of the parliament in the bishops. For example, eight of them were what were called Lords of the Articles, having power to choose eight of the nobility whom they knew to be most "addicted to his majesty," and these sixteen had the power of choosing all the rest, so that all depended upon the bishops as the bishops depended upon the king.† It was on this ground, perhaps, more than upon any other, that the nobility made their decided stand against prelacy. In spite of Hamilton's real or affected dread of assassination, the Covenanters quietly allowed him to return to England, whither he went to direct the hostile preparations against them. Charles thundered out fresh proclamations, annulling all the proceedings of the assembly, which were met, as usual, by counter-protests. Nor were the Covenanters slower than the king in their military preparations. As early as the month of July they had made a magazine of pikes, halberts, and muskets. Early in December it was known that one Barnes, a merchant of Edinburgh, had brought some 6000 muskets out of Holland: the ship which carried these arms was stopped by the government of the United Provinces; but the King of France, the loving brother of Charles's queen, got the vessel freed and sent to a French port, as if the muskets were for his own use, and, from the French port, ship and arms were forwarded to Leith. "It is strange," says the reporter of these facts, "if his majesty of France, or any prince, should further the arming of subjects against their prince."‡ But, if strange, it was not rare, and Cardinal Richelieu, who felt like a spider every line or thread of the political web woven over

* Rushworth.—In his letter Laud says, quaintly, that Mr. Alexander Henderson, "who went all this while for a quiet and well-spirited man, hath showed himself a most violent and passionate man, and a moderator without moderation."

† Lord Hailes, Memorials.

‡ Hailes.

Europe, had strong reasons for finding Charles employment at home. It is indeed proved that, from a very early stage of these troubles, he cautiously but eagerly offered some of the Scots assistance. But their best strength was in the zeal of their own preachers and the steady determination of their own hearts, which would have been most noble and glorious but for the admixture of fanaticism and intolerance, and no small proportion of cant and hypocrisy. The artillery of the kirk was louder than that of armies. One minister of repute declared that all Scotsmen who had not subscribed the covenant were atheists; another in his sermon wished that he and all the bishops were at sea together in a rotten boat, for he could be content to lose his own life so that the priests of Baal should perish; another preached that, as their author, God, was never diverted from his chosen people until the seven sons of Saul were hanged up before the Lord in Gideon, so the wrath of God would never depart from the Scots till their twice seven bishops were hanged up before the Lord there; another declared that the bloodiest and sharpest war was to be endured rather than the least error in doctrine and discipline. They refused the communion to such as had not subscribed their covenant, nor would they permit baptism to be administered by any but ministers of their own body. At the same time the supreme Table, or committee in Edinburgh, issued its instructions to the provincial Tables and presbyteries, all so thoroughly organized that the business was transacted with more than the regularity of an old government; every man of an age to bear arms was taught the use of them, drilled, and trained to the duties of a soldier; the Scottish officers, whom poverty or love of adventure, or the religious enthusiasm, had carried abroad to fight for the Dutch, for the Protestants of Germany, for the glorious Swede—the men who had grown grey in arms, who had witnessed and contributed to the dazzling victories of the Lion of the North—hastened back to their native hills and gave all the weight of their military experience to the popular party. The article in which Scotland had ever been most deficient was money; but on the present occasion, excited by their preachers, the citizens of Edinburgh and other towns gave in voluntary donations; the nobility in many instances sent their plate to be coined; the merchants settled in foreign countries, particularly in France and Holland, remitted specie, or ammunition, or arms. The worldly wise among them suggested that aid might be obtained from the Lutheran princes of Germany,—from the kings of France and Spain; but the preachers and the godly declared that it would be refusing the protection of Heaven, and leaning to the broken reed of Egypt, to accept assistance from heretics and Roman Catholics. Still, however, some of the leaders thought that some French money would do no harm to the cause, and it was secretly arranged with Richelieu that the French ambassador at London should pay 100,000 crowns to General Leslie, whom they had appointed their commander-in-chief.

A.D. 1639.—And in what state were the finances and the other means of the king? We are told very clearly by the Earl of Northumberland, in a letter addressed to Wentworth, and dated in the month of January:—"I assure your lordship, to my understanding, with sorrow I speak it, we are altogether in as ill a posture to invade others or to defend ourselves as we were a twelvemonth since, which is more than any man can imagine that is not an eye-witness of it. The discontents here at home do rather increase than lessen, there being no course taken to give any kind of satisfaction. The king's coffers were never emptier than at this time, and to us that have the honour to be near about him, no way is yet known how he will find means either to maintain or begin a war without the help of his people. . . . In a word, I fear the ways we run will not prevent the evils that threaten us.*" Cottington before this had told Wentworth—"We are almost certain it will come to a war, and that a defensive one on our side, and how we shall defend ourselves without money is not under my cap. My lord, assure yourself they do believe they shall make a conquest of us, and that an easy one; they speak loud, yea, even they that are here, and do despise us beyond measure. No course is taken for levying of money, the king will not hear of a parliament, and he is told by a committee of learned men that there is no other way." By the beginning of the year Charles had named his captains and general-officers, had issued orders to the lords-lieutenants to muster the trained bands of their several counties, had borrowed money from all that would lend, had suspended the payment of all pensions and allowances. On the 15th of February he addressed a letter to the nobility, telling them that the late disorders in Scotland, begun upon pretence of religion, but raised by factious spirits and fomented by some few treacherous, ill-affected persons, whose aim was, by troubling the peace of that kingdom, to work their own particular ends and shake off all monarchical government, was now grown to such a height that he had reason to take into his consideration the defence and safety of his kingdom of England; that therefore, upon consultation with his privy council (he did not even name a parliament), he had resolved to repair in his own royal person to the northern parts of this his kingdom, to resist any invasion that might happen. After mentioning the directions he had given for the levying of a considerable army to attend him in this expedition, he added, "And withal [we] hereby do require you to attend our royal person and standard at our city of York, on the 1st day of April next ensuing, with such equipage and such forces as your birth, honour, and interest in the commonalty doth oblige you to, &c. And we do, and have reason to expect from you a performance

* Strafford Letters.

ereof, and these our letters shall be as sufficient and effectual a warrant and discharge unto you to put yourself and such as shall attend you, into arms and order as aforesaid, as if you were authorized thereunto under our great seal of England."* He made an attempt through the agency of Colonel Gage to procure a foreign army of 6000 foot and 400 horse from the archduke, in return for which he engaged to permit the raising annually in Ireland recruits for the armies of Spain; but this negotiation failed because the archduke could not spare so many disciplined troops. He called upon the judges and lawyers† and servants of the crown to contribute to the expenses of the war out of their salaries; and he required from many of the gentry payments to excuse their personal attendance in the campaign. The clergy of the establishment were tolerably liberal,—in some places exceedingly so,—‡ for they considered the war, which some irreverently called a war about lawn sleeves, a holy war; and they felt that it involved the not unimportant question, whether they or the Puritans should hold the livings and the supremacy of England. The name of every clergyman who refused or was unable to contribute was especially certified and returned to Archbishop Laud. And while Laud and the king called upon the clergy and all good Protestants, the queen called upon all the English Catholics. "We," said Henrietta Maria, in a sort of public proclamation to those of her religion, in which the regal style was assumed in all its forms, "have so good a belief in the loyalty and affection of his majesty's Catholic subjects as we doubt not but upon this occasion that hath called his majesty into the northern parts, for the defence of his honour and dominions, they will express themselves so affected as we have always represented them to his majesty. So in this common consent, which hath appeared in the nobility, judges, gentry, and others, to forward his majesty's service by their persons and estates, we have made no difficulty to answer for the same correspondency in his Catholic subjects as Catholics, notwithstanding they all had already concurred to this his majesty's service, according to the qualities whereof they are, when others of the same quality were called upon; for we believe that it became us, who have been so often interested in the solicitation of their benefits, to show ourselves now in the persuasion of their gratitudes. . . . We have thought fit (to the end that this our desire may be the more public and the more authorized) hereby to give you commission and direction to distribute copies under your hand of this testification thereof unto those that have met in London by our direction about this business, and unto the several collectors of every county. And as we presume the sum they will raise will not be unworthy our presenting to the king, so shall we be very sensible of it, as a particular respect to ourselves, and will endeavour, in the most efficacious manner we can, to improve the merit of it, and to remove any apprehension of prejudices that any (who shall employ themselves towards the success of this business) may conceive by this; and be assured that we will secure them from all such objected inconveniences. And we are very confident that this our first recommendation will be so complied withal as may not only afford us particular satisfaction, but also facilitation towards their own advantages."* How soon this circular was known to the Puritans does not appear, but it was probably discovered by them immediately. Nothing could be more calculated to increase their indignation and fury, and their old jealousies of the queen. We have already shown how the religious intolerance of the Puritans prevented the Catholics from becoming patriots. The latter were exceedingly well inclined to assist the king against the Scots, and, disregarding the danger they thereby incurred, they held a public meeting in London for the purpose of recommending all their brethren to subscribe. The pope's nuncio presided at this meeting, and thus more than ever gave a papistical character to the war.

Charles, though himself a born Scot, seems to have thought it would be no difficult matter to revive those national jealousies and animosities which, for so many centuries, had kept the countries near the borders wet with blood: but he was mistaken,—the religious feeling triumphed over the national one; and every Englishman that disliked Laud and Arminianism looked upon every Covenanter as a friend, as a brother confessor, as a brother in Christ. In vain were royal proclamations issued to show that the Scots were traitors, rebels,—that their object was to uproot monarchy,—to insult, invade, and plunder the good and plentiful land of England. The secret correspondence established between the Covenanters and the English patriots became closer and more active than ever: the Scots had friends and agents in London, in all the counties, in the army, and in the very court: their counter proclamations were circulated throughout England; their proceedings in the general assembly, in council, and in the field, were all reported in the minutest detail to patient and sympathising auditors.† The

* Rushworth.

† The contribution of the doctors of civil law at Doctors' Commons, as appeared by several notes under Sir John Lambe's own hand, found among his writings, amounted to 671*l.* 13*s.* 4*d.* paid in.

‡ The clergy at Bedford were found to be "willing to contribute as much as was propounded. "The poorest that gave anything at all gave no less than 3*s.* 10*d.* in the pound, without deducting of tenths: the most gave 4*s.*, some 5*s.*, some 6*s.* in the pound." "I doubt not," says Dr. John Pocklington, who communicates this intelligence to Sir John Lambe, "but the clergy of England will teach the ministers of Scotland duty and obedience; and if their laity will be taught the like by ours, his majesty, I hope, will have a royal and joyful progress into Scotland, which God grant." The worthy Doctor, however, did not neglect this occasion of pressing for his own advancement in the church, and that also of his old acquaintance and very good friend Dr. Micklethwait, if it might please God that he might be better accommodated. "No parsonage of England," he says, "could fit me better than Sandy; it is of good value, it would draw me out of this corner, where my stirring for church rights makes me less acceptable with some great hands."—*Rushworth.*

* Rushworth.

† "Their remonstrances, declarations, and pamphlets were dispersed, and their emissaries and agents insinuated into the company

silenced ministers—silent no longer—proclaimed that the Scots had begun the good fight; and that it was the duty of every English subject that loved liberty and the true religion, to make common cause with them, instead of opposing them. Nor were Charles's endeavours to sow dissensions among the Scottish nobles who had taken the covenant attended with much more success. Even English gold lost its value in their eyes when put in the scale with religion; and it must be remembered Charles had not much gold to give. We possess many remarkable papers, both of a public and private nature, in which the Presbyterian ministers exhort the nobility to firmness and unanimity, and the nobles exhort one another to constancy in this great cause; but, perhaps, though many of them are written with extraordinary power and eloquence, none is more remarkable than the exhortatory letter from the Laird of Wariston to Lord Johnston. It appears that the Lord Johnston had been somewhat lukewarm in the cause,—had shunned "either to meat or meal" with the Covenanters after frequent invitations; and it was apprehended that, as he was going to court, he might be won upon to swear to the king's confession of faith. "If," says Wariston, "you take this oath, then you renounce the covenant with God; you draw down his vengeance visibly upon you, your house and your name, good fame, yourself, and your posterity, with that stigmatizing blot and blunder of a traitor to your religion, the kirk, the liberty and freedom of this kingdom; you will be infamous in all stories, and contemned both at home and abroad, whereof I am very confident you abhor the very thought worse nor [than] death. Mistake not my forewarning you of these consequences, as if I believed your lordship would fall in them, for I protest I am not capable, as yet, of such an imagination: but you know my licence and liberty to be free, in this business, with all I love and respect; and therefore I would seriously, from the earnest desire of my heart to your welfare and good name, advise your lordship not to make this voyage, in this way, after such dryness with the lords, and such suspicions amongst the people. But if really your lordship's particular enforceth you, then rather do nobly, as my noble Lord of Montrose has done; who, having received a letter from the king himself to go up with diligence to his court, convened some of the nobility, showed unto them both his particular affairs and the king's command, and that according to his covenant of following the common resolution, and eschewing all appearances of divisive motion, nobly hath resolved to follow their counsel, and has gone home to his own house, and will not go to court at all. . . . . I do faithfully counsel you, and really forewarn you, as in the presence of the great God, before whom your lordship and I will both answer, that, as you love your own soul, your name, your state, your country and religion, you neither by word, oath, nor writ undertake either to assist the king in this his course against your fellow Covenanters, whom, by your solemn oath, you are obliged to maintain; or else to lie by, and not to assist them in the defence of their religion and liberty against foreign and intestine invasion, which you are bound before God to do, and entered in; and if you do either by commission or omission (which are alike before God and in the Covenant) thus prejudice yourself, remember a true and faithful, albeit a plain and outspoken friend forewarned and foretold your lordship that Christ will be seen to crush and trample under his foot more visibly those that thus betray him nor [than] these that aye have opposed him, especially seeing that their desertion gives courage, life, being, and rejuvation; and that you will find it so, in your own sensible experience, here and hereafter, when even this forewarning of you shall stand up in judgment betwixt you and me, as the discharge of my duty of a trusty friend, and as the aggravation of your conviction. My lord, again let me say, be not offended with this my freedom on the one part, seeing I am really engaged by oft answering for you, as I will yet continue, till you break under, and so break my credit with them; so, on the other, let them not deceive you either with pretence of reason; for I, who am the weakest of the thousands of Israel, offer me, upon my head, to justify, in writ or print, all our proceedings in assembly and parliament, from the principles of our late, our old acts of parliament, from the records of parliament, from all processes of parliament, in all our historians, from the books of council, assembly, and session, which are all the best warrants of our actions in this kingdom, if either in writ or print they will set down their objections. Your lordship knows I am no braggadocio. . . . . And albeit all the lords of Fife, Lothian, and the West, would concur in defection with these in the North and the South, I make not question but the great God, the patron of this work, will trample them down, and erect over their bellies the trophies of his victory. God has said it, and he will perform it. Antichrist shall fall, and Christ rise; none shall hold the one up or the other down. It shall be seen, even it shall be seen in this world, that the Lord will fight for his people, and rather work miracles before he desert them, and suffer his work to be destroyed. Neither let us be deceived with vain brags of English faces—we saw what they were before; they will not really ever be so great again; and albeit they were, took not God both heart and hand from them? Neither be deluded with their suggestions, that this nobleman will fall away, and that man will turn unto the king; that has been aye their policy, to draw the party himself away. In the mean time, let every one of us be sure of himself, and warn and encourage one another; and God, who knit

of all who were in any way discontented or galled at the proceedings of the state of England. The gentlemen who had been imprisoned for the loan, or distrained for the ship-money, or otherwise disobliged, had applications made to them from the Covenanters, and secretly favoured and assisted their designs; so did many others, especially those inclined to the Presbyterian government, or whom the public proceedings had anywise distasted."—*Whitelock.*

our hearts and our hands together, will be found to keep the knot he fastened with his own hand. Neither be deceived with great hopes there; *non habent*, neither is this a time for giving. They may well love the treason, they will never love the traitor, but even in their own hearts they will abhor, unrespect, contemn, and condemn them; as, on the other part, I am persuaded God will be seen ever even in this to perform his promise, *honorantes me honorabo*, and will build their houses, who hazard themselves and their house for the building of his house."*

It was the burning zeal and eloquence of men like these that kept the covenant together, and that impelled the people to daring and extreme acts. Without awaiting the attack of the king, they fell upon every castle and stronghold he possessed in Scotland, and took them all with the exception of Caerlaverock. As early as the month of March, before Charles had begun his journey to York, General Leslie, with a thousand musqueteers, surprised and took Edinburgh Castle without losing a single man. On the next day Dunbarton Castle, the second, or rather, in strength, the first fortress of the kingdom, was delivered over to the provost of the town, a zealous Covenanter; and the castle of Dalkeith, wherein were lodged the regalia, together with a store of ammunition and arms, was surrendered by Traquair, the lord treasurer, "who was no soldier nor expert in military capitulations," and who was in this, as in everything else, left alone, without the help either of countenance or advice; "few or none daring so much as appear to give advice in anything that might seem against the Covenanters."† The people, who were chiefly led in this enterprise by the earls of Rothes and Balmerino, seized the crown, sceptre, and sword, and carried them away in great joy and triumph,—Traquair admits, with all the reverence they could show,—and deposited them in Edinburgh Castle. The Marquess of Huntley, who had undertaken to secure all the North for the king, had risen in arms; but 7000 men collected from the counties near the Tay, and commanded by Leslie and Montrose, soon overthrew him. Leslie forced the covenant upon the University of Aberdeen, and returned to Edinburgh, carrying Huntley with him as an hostage. The Marquess of Hamilton was sent into the Frith of Forth with a considerable fleet and 5000 land troops. He had engaged to take Leith, the port of Edinburgh; but the Covenanters, well aware of his coming, had prepared him a hot reception. The fortifications of Leith had been much neglected: now volunteers of all ranks hurried to repair them; men of the noblest birth worked like masons on the bastions, and ladies assisted them in carrying materials. When Hamilton appeared, Leith was safe, and so was the capital, at least on that side. He reconnoitered both sides of the Frith, but saw no hopes of effecting a landing anywhere, for 20,000 armed men were distributed along the coasts, the sea-ports and inlets were protected by batteries, and he was soon fain to land his troops, which had already become very sickly and very mutinous, on the Isle of May and the other islets in the Frith, where there were no inhabitants, no enemies to encounter, but Solan geese and other sea-fowl. Here, again, great pains have been taken to prove that Hamilton was betraying the king. It is said, for example, that he was holding a secret correspondence with the Covenanters,—that he received a visit from his mother, herself a rigid Covenanter, which caused the rest to believe that the son of such a mother would do them no harm. But it appears to us that Hamilton, who had never shown any great military talent, and who was leading a small and wretched force, which had been pressed and carried on board a ship as soon as caught, was really not in a condition to do much more than he did. Even my lord deputy Wentworth had been unable to do what he had engaged for,—nay, he could not even spare, in time, 500 musqueteers. He was terrified at the notion of his majesty's going in person into Scotland, and he strongly advised Charles to secure Berwick and Carlisle with strong garrisons, to exercise his raw troops in the use of arms, to cover his English frontier, and by all means to avoid fighting this year. But there were cases in which Charles would not be advised even by Wentworth: he had resolved to chastise immediately his rebellious subjects; and on the 27th of March, the anniversary of his coronation, he began his journey northward, travelling in a coach with the Duke of Lennox and the Earl of Holland. On the 30th he arrived at York, where the nobility attended with their armed retinues according to his summons, and where Sir Thomas Widderington, the recorder, delivered to him a most fulsome speech, telling him that he had established his throne upon two columns of diamond, namely, piety and justice—the one of which gave him to God, the other to men,—and that all his subjects were most happy between the two columns.* "This king's good-nature," says a somewhat ill-natured historian, "never more appeared than in his necessities; so that when he came to York, by proclamation he recalled thirty-one monopolies and patents, formerly granted by him, he not before understanding how grievous they were to his subjects."† Whitelock says that these grants and patents which Charles had formerly passed, to the great grievance of his people, were mostly in favour

* Dalrymple, Memorials.

† See Traquair's letter to the king, in Rushworth.

* Here follows a little more of Widderington's panegyric:—"Most gracious and dread Sovereign, be graciously pleased to pardon this stay, that we, the least and meanest motes in the firmament of your majesty's government, should thus dare to cause you (our bright and glorious sun) to stand: give us leave, who are the members of this ancient and decayed city, to make known unto your majesty (even our sun itself) where the sun now stands. . . . . The births, lives, and deaths of emperors, are not so much for the honour of York, as that King Charles was once Duke of York. Your very royal aspect surmounts our former glory, and scatters our later clouds. . . . The beams and lightnings of those eminent virtues, sublime gifts and illuminations, wherewith you are endowed, do cast so forcible reflections upon the eyes of all men, that you fill, not only this city, this kingdom, but the whole universe with splendour."—*Rushworth.*

† R. Coke.

of Scotchmen. He also at York exacted an oath from all the nobility and officers about him, whether Scotch or English, that they would be faithful and obedient, that they abhorred all rebellions, and more especially such as rose out of religion and that they had not and would never have any correspondence or intelligence with the rebellious Covenanters. This oath was taken by all except the Lords Save and Brook, who positively refused in the king's own presence, to make any such protestation, offensive to the common liberty. Charles thought it best to dismiss them, and to require them to return to their homes.* On the 29th of April the king took his farewell of York, telling the recorder and the municipal authorities in set speech, that he had never found the like true love from the city of London, to which he had given so many marks of his favour. At Durham he was welcomed by the bishop, who feasted his majesty for some time. At Newcastle he was most magnificently entertained by the mayor and magistrates. At every resting-place he was joined by a certain number of horse and foot, levied in those parts; but the progress was more illustrious than the march; and the soldiers were the least part of the army, and least consulted with. From the time he advanced to the right bank of the Tweed, and encamped with his army in an open field near Berwick, some days were spent in reviews and parades, and altercations and quarrels among the leaders. He had chosen to make the Earl of Arundel, the bashaw, his general—"a man," says Clarendon, "who was thought to be made choice of for his negative qualities. He did not love the Scots; he did not love the Puritans; which qualifications were allayed by another negative—he did not much love any body else; but he was fit to keep the state of it; and his rank was such that no man would decline the serving under him."† The lieutenant-general was the Earl of Essex, one of the most popular men in the kingdom and the darling of the soldiery. The Earl of Holland, "a man fitter for a show than a field," was general of the horse. The latter force was estimated at 3260, the infantry at 19,614, without counting the foot companies under Hamilton, or the two garrisons at Berwick and Carlisle, and there was an abundant supply of warlike stores and a good train of artillery. To the eye all this formed an imposing force, but there was disaffection and contrariety of opinion at head-quarters, and the majority of the men were altogether averse to the war and to the system which had produced it. On the other side the Scots were unanimous, and Leslie, as a commander, was certainly superior to any of the English generals. Having secured the country behind them, he boldly advanced to the Borders, and on the 30th of May he took up a position within a few miles of Charles's camp. Thence, that the English people might have no jealousy of an invasion, he issued proclamations, repeating that the Scots had no intention of doing harm,—had every wish to do good,—that they implored the good opinion of their brethren in England, and that, for the present, they would not cross the frontier line of their own country. At first, when Leslie arrived at Dunglas, and Monroe at Kelso, they scarcely had between them 8000 men, but they were reinforced every day, the preachers being the best of recruiting serjeants. They called upon every true Scot, in the name of God and his country, to seek the enemies of their king, as well as of themselves, the prelates, and papists; they denounced the curse of Meroz against all who came not to the help of the Lord and his champions. They had chosen for the motto on their new banners, "For Christ's crown and the Covenant;" and as Charles hesitated and wavered, they were allowed time to collect 20,000 men under this ensign. Leslie drilled them, and the ministers preached to them, and there was a wonderful singing of psalms, and praying, and reading of scripture, particularly those chapters which detailed the miraculous victories of God's chosen people. All this time communications, both public and secret, were carried on between the two camps, and several Scottish lords left the king, promising to use their best endeavours to show the Covenanters the wickedness of their ways. At last, on Monday, the 3rd of June, the Earl of Holland, "that ill-chosen general of the English horse," crossed the Tweed near Twisell,—once famed for a more heroic warfare,—* to fall upon the division of the Scots that lay at Kelso. He took with him nearly all the cavalry and 3000 foot, but he left the infantry three miles behind him. When he reached Maxwellheugh, a height above Kelso, he perceived what he considered or affected to consider a very great army, advantageously posted. The Scots threw out 150 horse and 5000 or 6000 foot to bar his farther progress. Holland thereupon sent them a trumpet, commanding them to retreat, and not cross the Borders, which they had promised not to do by proclamation. They asked whose trumpet this was? The man said, my Lord Holland's. Then, said the Covenanters, he had better begone; and so my Lord Holland made his retreat, and waited upon his majesty to give this account.† In fact, during this march and counter-march, the English soldiers, who behaved as they had never done before, scarcely drew a sword or fired a musket or a carbine. Charles now began to perceive that the nobility and gentry of England were not inclined to invade Scotland at all, and a morning or two after he was alarmed for his own camp by the closer approach of Leslie. He then complained bitterly of the rebels being allowed to march and encamp within sight of him, and he have no notice of it, till the body of their army gave the alarm. The Lord-General Arundel blamed the scout-master; the scout-master blamed the soldiers that were

* Clarendon, Hist.

† Hist.

* See the account of the battle of Flodden Field, ii. 327, and Scott's "Marmion."

† Letter of Sir Henry Vane (senior) to Hamilton, in Rushworth

sent out as scouts, and brought in no intelligence. Charles, in a hurry, threw up some works to cover his camp, intending, with the advice of many of his council, to keep himself there upon the defensive; but, already the men were complaining that the biscuit was mouldy, and drink altogether wanting; that they could get nothing out of Scotland except a few lambs. On the 6th of June a Covenant trumpet, and the Earl of Dunfermline, arrived at the Royal camp, with a humble petition to his Majesty, entreating him to appoint some few, of the many worthy men of the kingdom of England, to meet with some few of them, (the Scottish leaders,) that they might the better know their humble desires, and make known his Majesty's pleasure, so that all mistakings might be speedily removed, and the two kingdoms kept in peace and happiness. Before this, the Covenanters had addressed separate letters to the three English generals, Arundel, Essex, and Holland. Clarendon says, that "the Earl of Essex, who was a punctual man in point of honour, received the address superciliously enough, sent it to the king without returning any answer, or holding any conference, or performing the least ceremony with or towards the messengers."* But, according to the same narrator and to other authorities of different parties, Arundel, and, still more, Holland, gave a very different reception to the letters they received, and forthwith became pressing advocates for an immediate accommodation with the Covenanters. To Dunfermline's petition Charles at first gave an answer, signed by Secretary Coke: the Lords of the Covenant returned it, humbly entreating that his Majesty would sign the answer to their petition with his own hand, for, although they themselves did not mistrust his Majesty's word, signified to them by the Secretary, yet the people and army would not suffer their deputies to come without his Majesty's own hand and warrant. Charles then signed the paper, and on the 11th of June, the deputies of the Covenanters arrived at the Royal camp, where they were received in the Lord-General's tent by the English commissioners whom Charles had selected to treat with them. The Scottish deputies were the Earls of Rothes and Dunfermline, the Lord Loudon, and Sir William Douglas, Sheriff of Teviotdale, to whom were afterwards added, sorely against the King's inclination, the leading minister, Alexander Henderson, late moderator of the General Assembly, and Mr. Archibald Johnston, the clerk register; the King's commissioners were the Earls of Essex, Holland, Salisbury, and Berkshire, Sir Henry Vane, and Mr. Secretary Coke. But when they were ready to begin their conference, Charles came unexpectedly among them, took his seat, and told the Scottish deputies that he was informed that they complained they could not be heard; that, therefore, he was now come to hear what they would say, and to take the negociation upon himself. The Earl of Rothes, speaking for the Covenanters, said, that they only wished to be secured in their religion and liberty. Lord Loudon began to offer an apology for their brisk manner of proceeding, but Charles interrupted him, and told him that he would admit of no excuse or apology for what was past; but if they came to implore for pardon, they should set down their desires in writing, and in writing they should receive his answer. In the course of the negociation, several attempts were made at overreaching the Scots, but the Covenanters, without any pretension to the meekness of the dove, had certainly the wisdom of the serpent. Hamilton arrived at the camp, and hastened, it is said, the conclusion of the treaty, which was signed by Charles, on the 18th of June, and published, with a royal declaration, in the Covenanters' camp, on the 20th. The articles agreed upon were few, and some of them loosely expressed. The King, though he could not condescend to ratify and approve the acts of what he called the pretended General Assembly, was pleased to confirm whatsoever his Commissioner had granted and promised, and to leave all matters ecclesiastical to be determined by the assembly of the kirk, and all matters civil by the parliament and other inferior judicatures. The assemblies of the kirk were to be kept once a year, or as often as might be agreed upon by the general assembly; and for settling the general distractions of the kingdom, it was appointed, that a free general assembly should meet at Edinburgh, on the 6th day of August, and that the parliament for ratifying what should be concluded in the said assembly, and for settling such other things as might conduce to the peace and good of the kingdom, should be held at Edinburgh, on the 20th day of August, and that therein an act of oblivion should be passed. It was agreed that the troops, on both sides, should be recalled and disbanded; that his Majesty's castles, forts, ammunitions of all sorts, and royal honours, should be delivered up to the King, who, thereupon, was to withdraw his fleet and cruisers, and deliver up whatever Scottish goods and ships, or whatever else, had been taken from them. The King stipulated that there should be no meetings, treatings, consultations, or convocations of the lieges, but such as were warranted by act of Parliament; and he agreed to restore to all his good subjects of Scotland their liberties, privileges, &c. &c. Not a word was said by the King touching the abolition of episcopacy. By his express orders the term bishop was never introduced. He still clung to Laud and the hierarchy; and, as usual, he was anxious to say as little as possible in a pacification, which he made with the most unpleasant of feelings, and which he was fully determined to break as soon as possible. The Covenanters more than suspected his meaning and intentions, and both parties openly betrayed their mutual distrust before the ink was dry on the parchment: the two armies, however, were disbanded by the 24th of June, when his majesty took up his quarters in the town of Berwick. He summoned fourteen of the prin-

* Hist.

cipal Covenanters to attend him, but they declined the dangerous honour, fearing the Tower of London. They sent however the Earls of Lothian, Loudon, and Montrose, the last of whom appears to have been lost to the Covenant and gained by the king from that moment. While at Berwick, Charles decided about the high commissioner to be sent into Scotland to open the parliament, &c., for he was anxious to get back to the South, where he had left many fiery spirits, and Wentworth had again warned him, after "so total a defection as had appeared in that people," not to go to them himself; or, to use my lord-deputy's expression, "not to trust his own sacred person among the Scots over early, if at all." It is said, that his majesty greatly pressed the Marquess of Hamilton to go upon that employment once more, and that the marquess implored to be excused. After the affair of Dalkeith and his easy losing or surrendering the regalia, it could hardly have been expected that Traquair should be named commissioner, yet he was the man appointed to succeed Hamilton, and represent the king. Charles then took post at Berwick, and rode to London in four days, arriving there on the 1st of August.

Traquair's instructions passed the seal on the 6th of August, when he was immediately dispatched to meet the general assembly at Edinburgh. That convocation opened on the 12th of August, every member of it having previously bound himself by an oath to support the acts of the late assembly at Glasgow. Traquair's instructions from the King were very artfully conceived, but it was scarcely possible that they should have much effect upon such a body of men as these Covenanters. Charles had written to the dispersed and afflicted Scottish bishops, to assure them that it should be his chief care to establish their church aright, and repair their losses, and to advise them to enter into a formal protest against the proceedings of this assembly and parliament, which he promised "to take into consideration, as a prince sensible of his own interest and honour, joined with the *equity* of their desires."* But in his instructions to Traquair, he consented that episcopacy should be utterly abolished in Scotland, for satisfaction of the people, provided that the act of abolition should be so conceived and worded, that episcopacy should not be called a point of popery, or contrary to God's law, or the Protestant religion, but merely contrary to the constitution of the church of Scotland. "And," continued the King, who was eager to secure for himself the parliamentary influence of the church at least, "in case episcopacy be abolished at this Assembly, you are to labour that we may have the power of choosing of so many ministers as may represent the fourteen bishops in Parliament; or, if that cannot be, that fourteen others, whom *we* shall present, be agreed to, with a power to choose the lords of the Articles." The bishops, or at least seven of them, signed a protest, and got it presented to the lord commissioner by a mean person, as the king had desired. They called the Covenanters refractory, schismatical, and perjured men, having no office in the church of God, who had filthily resiled, and so made themselves to the present and future ages most infamous, &c. "And this, our protestation," they said, "we humbly desire may be presented to his majesty, whom we do humbly supplicate, according to the practice of christian emperors in ancient time, to convene the clergy of his whole dominions, for remedying of the present schism and division, unto whose judgment and determination we promise to submit ourselves and all our proceedings." It was well that this petition was not to be read in the assembly, but kept quiet between Traquair, the bishops, and the king! The Covenanters, however, wanted no fresh provocation to go lustily to work. Without naming the Glasgow assembly, they adopted and confirmed all its acts, whether against the bishops, service-book, book of penance, or high commission; and all that Charles thought it expedient to do at the moment was to stickle about words. Thus he was very averse that, in treating of episcopacy, they should be allowed to use the words "unlawful and abjured." Traquair, as commissioner, gave the royal assent to the acts, and signed the Covenant, which was now retained as a legitimate national bond, being somewhat softened in its tone, and made more palatable by the introduction of certain reservations of the royal authority. One Scottish bishop, George Graham, who called himself "some time pretended bishop of Orkney," abjured episcopacy; and his deed was recorded on the journals of the general assembly, "*in eternam memoriam.*"

Having done its work, and received Traquair's promise that its acts should be confirmed in parliament, the assembly was quietly dissolved, and the members of it returned to their homes, accompanied by the applauses and blessings of the people, who fondly fancied that they were freed of bishops for ever, and of the present evils of war. But the king was all this while preparing measures for a new war, which he flattered himself would be conducted with better success. The Covenanters had kept

* See the king's letter "To our right trusty, and well-beloved counsellor, and reverend father in God, the Archbishop of St. Andrew's," in Rushworth. The bishops had advised him to put off the assembly and parliament. Charles said, that he must acknowledge this advice to be very reasonable, but, considering the present state of his affairs, and his recent promise in the articles of pacification, he could not, without great prejudice to his own interests, comply with it. He told them that he was "*rather necessitated* to hold the assembly and parliament at the time and place appointed;" but he had instructed Traquair to have a special care of their lordships, and those of the inferior clergy who had suffered for their duty to God, and obedience to the royal commands. He provided for the difficulty of getting their petition presented. "It may be sent," says Charles, "by any mean man, so he be trusty, and deliver it at his entering into the church; but we would not have it to be either read or argued in this meeting, where nothing but partiality is to be expected, but to be represented to us by him, the commissioner." He absolutely commanded them, on no account, to think of attending themselves. "In the interim," he says, "your best course will be to remain in our kingdom of England, till such time as you receive our further order, where we shall provide for your subsistence, though not in that measure as we could wish, yet in such a way as you shall not be in want." The bishops, therefore, stayed in England, but as close to Scotland as possible. Some were in Berwick, some in Holy Island, others at Morpeth, from which places it was easy to correspond with such few friends as they had among the Scots. The more fiery of the prelates had exclaimed against the pacification, and thought it both dishonourable and sinful in the king not to restore their order by force of arms, not reflecting that Charles had tried that process to the utmost of his power.

their agreement in giving up the fortresses; they had surrendered Edinburgh castle, and twenty other castles; and Patrick Ruthven, afterwards Earl of Brentford, the new governor for the king, was getting artillery, ammunition, arms, and men into Edinburgh castle, and repairing the breaches which time rather than war had made. Charles commanded Traquair to take in general the like care of all his houses and forts in that kingdom; and likewise to advertise all such who were affected to his service, that they might secure themselves in good time. The Scottish parliament met on the day appointed, the 20th of August, and consented that for that time Traquair, as commissioner, should name those lords of articles that had formerly been named by the bishops; but they protested that this should be no precedent for the future, and they went on roundly to remove the lords of articles totally, as a body of necessity at all times subservient to the crown. Charles knew that their project, if effected, would wholly emancipate the Scottish parliament from the shackles and trammels which had been imposed upon it, chiefly by his own father, and he had declared that he would never give up his prerogative on this point. Traquair saw no other means than the dangerous one of stopping proceedings by a prorogation, and, accordingly, he prorogued parliament to the 14th of November.* The Covenanters protested against the legality of any prorogation without consent of parliament (and in fact the principle differed from the English). They, however, rose quietly after entering this protest, and sent up a commission, headed by the lords Dunfermline and Loudon, to wait upon the king. When these deputies arrived at Whitehall they were rudely asked whether they had any warrant from the king's commissioner; and, as they had none, they were in disdain commanded home again without audience or any access to majesty. The return of these noblemen to Scotland was soon followed by the summoning of Traquair to court. This nobleman, by royal instructions, had in many respects been playing a double part; and, as invariably happens in such cases, his employers had become jealous and doubtful of his real feelings and intention. But he averted Charles's wrath from himself by producing a letter secretly addressed by several lords of the covenant to the King of France, and imploring his protection. This letter had been written before the late pacification at Berwick, and addressed "Au Roi." It bore the signatures of seven lords; but the address, which in itself was made matter of treason, was in a different hand from the body of the letter, and the thing had never been sent, evidently through the aversion of the ministers and the mass of the Covenanters. At the same time Traquair told the king that it was impossible to prevail with the Scots except by force or a total compliance; and having, as he fancied, furnished the king with grounds for justifying such a proceeding, he recommended him to take up arms again without loss of time.

The Covenanters desired permission to dispatch some of their own number for their own vindication; and, when Charles granted their request, they again sent up the earls of Loudon and Dunfermline. Loudon was instantly seized, and examined touching the letter "Au Roi." The Scottish lord said that it was written before the late agreement, and never sent; that, if he had committed any offence in signing it, he ought to be questioned for it in Scotland, and not in England: nor would he make any other answer or confession, but, insisting upon the king's safe-conduct which had been given to him for this journey, he demanded liberty to return. Charles sent him to the Tower of London.* This effectually stopped the arrival

* The parliament during its short sitting had entered upon several other unwelcome subjects. They had proposed that Scottish titles and patents of peerage should no longer be given to persons not in actual possession of estates in the country of the yearly value of 10,000 marks; that no proxies should be admitted; that every act formerly passed in favour of episcopacy should be formally repealed; and that none but native Scotchmen should ever be entrusted with the keeping of Edinburgh, Dunbarton, and Stirling castles.

* The Scottish lords resented the arrest of Loudon, as a violation of the law of nations, he having come as an ambassador, and with Charles's safe-conduct. "There were some ill instruments," says Burnet, in his Memoirs of the Dukes of Hamilton, "about the king, who advised him to proceed capitally against Loudon, which is believed went very far; but the marquess (of Hamilton) opposed this vigorously, assuring the king that, if it were done, Scotland was for ever lost." Crawford (the author of 'Ludlow no Liar'), Oldmixon, and other writers, have asserted that Charles absolutely sent an order to the Tower for the private execution of Loudon. The last-named of these authors, an over heated and somewhat prejudiced man, says,—"Sir William Balfour, governor of the Tower when Loudon was committed, some days after received a warrant from the king for the beheading that lord the next day within the Tower, for fear of any disturbance if it had been done openly on the hill. The lieutenant, who was at cards with Loudon, changed countenance, and, holding up his hands in amazement, showed his lordship the warrant; who said to him, Well, sir, you must do your duty; I only desire time to make a settlement on some younger children, and that you will let my lawyer come to me for that end; to which Balfour consented; and the lawyer carried away with him a letter to the Marquess of Hamilton, informing him of the matter, and telling him he was a Scotchman, and must answer it to his country. Balfour followed the lawyer to the marquess, whom they could not presently find, it being night; at last they found him at Lady Clayton's, and having delivered him the Lord Loudon's letter, which Balfour further explained, the marquess took Sir William with him to court, not staying for his coach, and desired admittance about a business of very great importance to his majesty. He was told the king and queen were in bed, and had given positive orders not to admit any one. The marquess in vain insisted on his own right as one of the lords of the bedchamber, and the right of the lieutenant of the Tower, especially when he had any state prisoner: upon which Sir William knocked at the king's bedchamber door, which being opened to him, he fell upon his knees, and having just mentioned the warrant, his majesty stopped him, saying, 'It shall be executed.' Upon which the marquess enters, and falling on his knees, humbly expostulated with the king concerning it. The queen expressed great displeasure at his intrusion; but the marquess, taking her up short, let her know she was a subject as well as himself, and that the business he came about was of the highest concernment to his majesty, to herself, to the whole nation, and to himself in particular. He then spoke with great earnestness to the king, and used all the arguments he could think of to dissuade him from the execution; but all to no purpose. Sir, says he, if you persist in this resolution, no Scotsman will ever draw a sword for you; or, if they would, who should command them? The king replied, Yourself. No, sir, said Hamilton, I dare never appear in Scotland afterwards. The king, nevertheless, swore twice, By God, Loudon shall die. Then the marquess, craving leave to speak one word more, said, Sir, I desire your majesty to look out for another house, for within four-and twenty hours there will not be one stone of Whitehall left upon another. This touched the king more than all the arguments of pity, justice, or distant danger. He called for the warrant, tore it, and dismissed the marquess and lieutenant somewhat sullenly. This incident being not in Bishop Burnet's Memoirs of the Duke of Hamilton, he was asked why he did not insert it, and replied, I knew it, but durst not tell it. He owns, there, that the king was advised to proceed capitally against Loudon, but Lord Hamilton opposed it. The late Duke Hamilton owned it to be true in the late queen's time, adding, I will print it if I outlive her. And this story is so well known to all the people of the first quality in North Britain, that I am not afraid to conclude from thence there was no passion so strong in King

of any more Scottish commissioners; but it was evident to both parties that they must again take the field; and the Covenanters, by more secret agents, concerted measures with the patriots and the disaffected of all classes. Secret councils were held in London, and a coalition of all the various sections of the discontented was effected. There were those who favoured presbytery, or had suffered from the high practices of the Star Chamber, the High Commission Court, the Exchequer, and other judicatures; there were the friends of the men who had been scourged, branded, and mutilated; there were also those who already inclined to a republic; and the earls of Essex, Bedford, and Holland, the Lord Saye, Mr. Hampden, Mr. Pym, and divers other lords and gentlemen of great interest and quality, "were deep in with them."

About a month after the king's return from Berwick his authority had been defied, and his flag insulted, by a foreign power, under his own guns. A great Spanish fleet was discovered beyond the Land's End by the vice-admiral of Holland. At the first sight the Spaniards appeared like the *Invincible* Armada of 1588; but, when their ships were counted, there were only seventy sail. The Dutch followed them, with seventeen good ships, into the narrow seas, keeping up a heavy fire, in order not merely to annoy their rear, but also to give warning to their high-admiral, the celebrated Van Tromp, who was lying before Dunkirk. Their signal was heard; Van Tromp came up with a few ships of the largest size; and then the Dutch, having got the weather-gage, attacked the Spaniards smartly. Sixteen Spanish ships, with 4000 land troops on board, made the coast of Flanders; the rest, under their admiral, Oquendo, sought an asylum in the Downs, and came to anchor near Dover, making sure of protection while they lay in "the King of England's chamber." Charles, at first, had not been without uneasiness as to the real destination of this Spanish fleet, thinking it might be meant for Scotland, or for his equally disaffected subjects in Ireland: he sent the Earl of Arundel to Oquendo for a sight of his commission, and the earl apparently was fully satisfied that there was no evil intention towards his master, and that the fleet, and the troops embarked in it, were really destined for Flanders, where the King of Spain was still hard pressed by the Dutch. There are several variations in the story, nearly all tending to increase the dishonour of the transaction on the part of the English government. It is confidently said, for example, that Charles, urged on by the need of money for his Scottish war, demanded from the Spanish admiral 150,000*l.* in cash as the price of his protection; and that the proposal was entertained, and an order issued by the court of Brussels, for payment of the money, when Van Tromp, who had blockaded Oquendo, and who had received so many re-inforcements that his fleet now amounted to a hundred sail, interrupted the bargain, and, disregarding the warning of the English flag, fell upon the Spaniards as they lay at anchor in the English roadstead. Charles's vice-admiral, Pennington, the man who had been engaged at the beginning of the reign in the affair against the Protestant Rochellers, lay close at hand with an inferior, yet still a considerable fleet; but he offered no opposition, apparently no remonstrance, while the Dutch cannonaded and attacked the Spaniards with fire-ships. Five tall Spanish ships, one of them a great galleon, were sunk and burned; twenty more ran ashore; and the rest left the profaned asylum, and put out to sea, followed by Van Tromp and De Witt, who allowed only ten of them to escape. So lasting was the hatred, so powerful the tradition, of the Armada, that the English people, though they had no great affection for the Dutch, witnessed the destruction of the Spanish papists with joy and exultation. But the king had to feel the bitterness of disappointed hope in losing the money, and the disgrace and dishonour (for such it was in the eyes of Europe) of permitting the fleet of a friendly power to be destroyed in his port, and in presence of his own fleet. "If," says a royalist writer, who rather absurdly attributes the whole affair to the treachery of the Earl of Northumberland, then high-admiral, "if we had been resolute, and strengthened our fleet, as those of Holland did theirs, that admiral would have considered twice before he had acted once; and a true-spirited English admiral would have reflected more on his master's, his nation's, and his own honour, than to be so unconcerned as ours was."*

But every proceeding of government was now a failure, and every failure caused fierce dissensions among the cabinet ministers and the chief officers of the crown: every one laboured to exonerate

Charles the First as the desire of arbitrary power and revenge on those whom he took to be his enemies." The origin of this story is a memorandum note written by Dr. White Kennet, then Bishop of Peterborough, in the blank leaf of a copy of Burnet's Memoirs of the Hamiltons. Kennet gives it only as a hearsay from a Mr. Frazier, Secretary of Chelsea College, and a friend of Burnet's, who is made to say that, in a company of several English peers, he (Frazier) heard one noble peer charge Burnet with having left out several things for fear of offending the court; Burnet, according to Frazier, or Dr. Kennet's report of Frazier's story, said he could not possibly put down everything he had found in the papers committed to him for the composition of his Memoirs, because some things would not bear telling; and then he gave, as an instance, this story about the order for Loudon's execution. But, in this account, there is no mention of the lawyer, the queen, the difficulty of obtaining admission into the royal chamber, and the marquess's discourse and threat differ materially. For, here, Hamilton is made to say, "Well, then, if your majesty be so determined, I'll go and get ready to ride post for Scotland to-morrow morning; for I am sure, before night, the whole city will be in an uproar, and they'll come and pull your majesty out of your palace. I'll get as far as I can, and declare to my countrymen that I had no hand in it. The king was struck at this, and bid the marquess call the lieutenant again, who coming back to the bedside, the king said, give me the warrant; and, taking it, tore it in pieces." Kennet continues,—"Hearing this story," says Mr. Frazier, "with mine own ears, I once related it to the late Duke of Hamilton, who was killed in a duel; and his grace said that he had often run over the papers from which Dr. Burnet drew out his materials, and he had them now in his custody in Scotland, and he well remembered that there was such a relation there given, and that he verily believed it to be true." We confess that we have some doubts as to the whole story—the evidence is insufficient. We can believe, however, that London, who obtained his liberty by promising to espouse the king's party in Scotland, may have been threatened in the Tower; and even that Charles, who maintained that no quality or consideration could justify the letter "Au Rot," may, in the first heat of his indignation, have thought seriously of proceeding to extremities.

* Sir Philip Warwick's Memoirs.

himself at the cost of his comrades. This is one of the saddest and surest indications of a nation's decay. Almost as soon as the pacification of Berwick was signed, all of the English party engaged in it were irritated and ashamed; and the king himself, according to Clarendon, "was very melancholic, and quickly discerned that he had lost reputation at home and abroad; and those counsellors who had been most faulty, either for want of courage or of wisdom (for at that time few of them wanted fidelity), never afterwards recovered spirit enough to do their duty, but gave themselves up to those who had so much overwitted them; every man shifting the fault from himself, and finding some friends to excuse him. And it being yet necessary that so infamous a matter should not be covered with absolute oblivion, it fell to Secretary Coke's turn (for whom nobody cared), who was then near fourscore years of age, to be made the sacrifice; and upon pretence that he had omitted the writing what he ought to have done, and inserted somewhat he ought not to have done, he was put out of his office."* Old Coke, the scapegoat, was succeeded by Sir Harry Vane, previously treasurer of the household, who, as Clarendon, Warwick, and other writers of that party maintain, became secretary of state through the queen's too powerful influence and the dark contrivance of the Marquess of Hamilton.

During his inglorious campaign, Charles was in constant correspondence with Wentworth, who had given him better advice than he would take, and who continued raising and organizing ten thousand Irish troops, for service in Scotland, even after the pacification. Not long after his return from the Tweed, "as if the oracle of Delphos had been to be consulted, he sent for his great Lord Deputy of Ireland."† Wentworth came, but "instead of being made a dictator, he found himself but one of a triumvirate," being joined with Archbishop Laud and Hamilton, neither of whom had lost one particle of the king's favour and confidence. Although he had not come very willingly, apprehending danger to himself,—and although he was hampered by Hamilton, the more timid of his colleagues, and by the queen, who could never agree with him,—Wentworth imparted a new vigour to the king's councils: he recommended a loan among the great lords and officers of the crown, and urged a war with the Covenanters, which he was to manage, and the instant issuing of writs of ship-money to the amount of 200,000*l.* With his old confidence in his own power of seducing, deceiving, or terrifying a parliament, in a blind forgetfulness of the difference between English parliaments and Irish parliaments, he ventured to recommend the calling of one. This resolution was adopted in a committee, consisting of Archbishop Laud, Bishop Juxon, the Earl of Northumberland, the Marquess of Hamilton, Cottington, Windebank, and Vane; but the chief actors after Strafford were Laud and Hamilton. Charles, upon finding the committee unanimous, put this significant question,—"If this parliament should prove as untoward as some have lately been, will you then assist me in such *extraordinary ways* as in that extremity shall be thought fit?" They all promised to assist him, and then Charles reluctantly agreed that a parliament should be called. But Wentworth thought it would be well to try an Irish parliament beforehand; and Charles consented that there should be an Irish parliament also. To reward his past services, and to give him additional weight and splendour, the king now bestowed on him that earldom for which he had so long been sighing, and, instead of lord deputy, named him Lord Lieutenant of Ireland. On the 12th of January, 1640, Wentworth became Earl of Strafford; on the 17th of March he obtained from the trembling Irish parliament a grant of four subsidies, with a promise of two more, if they should be found necessary; and by the middle of April, in spite of a distressing and most painful malady, he was back at court, to show Charles how to manage his English House of Commons and his Scottish Covenanters. Before his arrival, his majesty, sitting in council, communicated the great contentment he had received by the proceedings of his subjects of the kingdom of Ireland, assembled in parliament, and, for their lordships' information, he made Secretary Windebank read the letters he had newly received from his lord-lieutenant in council there, together with the declaration of the Irish House of Commons, touching the grant of the four subsidies without cavils or conditions, the unanimous expression of their loyal affection to his majesty's service and person, and their humble acknowledgement of the great favours and blessings they enjoyed through his majesty's gracious and happy government.* When Windebank had done reading, Charles told the lords of the council that the

* Hist.

† *Warwick.*—"Great was the expectation of all the English, what might be the effect of his coming over; great was the opinion which men in general had conceived of his ability and parts; looking at him as the only hinge upon which the State was now likely to turn. But very different and various were the conjectures of gentlemen at that time, in their ordinary discourses (for I will relate the truth), what use this great statesman could make of his ability and favour. Some (as they wished) did seem to hope, when they considered his first right principles, that whatsoever he had acted since his greatness, was to ingratiate himself perfectly with the king; that, so at last by his wisdom and favour, he might happily prevail both upon the king's judgment and affection, and carry him from those evil counsels which he had long been nurtured in, to such ways as should render him most honourable and happy; that the earl was so wise as to understand what most became a wise man, and what would make greatness beloved and permanent. But others durst not hope so much from him, when they considered his government in Ireland, and the ambition of the man: they feared that neither his virtue was great enough to venture his own fortunes, by opposing any evil counsels about the king, nor his favour great enough to prevail in overruling; that he was sent for only to complete that bad work, which others of less brain than he had begun. Which he would sooner venture to do, than to make himself the author of a new and good one; seeing it hath been observed that few statesmen have ever opposed princes, but rather seconded and assisted them in their bad inclinations."—*May, Parl. Hist.*

* The king took this course by the advice of Strafford himself, who appealed to the Irish votes and letters as a confutation of the slanderous accusations of his enemies, that he had become "a most hated person—indeed, a busier bashaw, or anything that might be worse;" and he requested his master to give all the publicity possible to these recent proceedings, as an encouragement and intimidation for England and Scotland.

Irish Upper House had shown themselves equally exemplary and loyal, and that he hoped others would follow these good examples. Their lordships were filled with joy, and his majesty, by their advice, ordered that the letters from Ireland should be entered in the council register, to remain there, as a record to all posterity; and that copies of the loyal Irish declaration should on no account be refused to any that desired them. The privy council and the king proceeded to get ready all things necessary for carrying on the war against the Scots, whatever the issue of the parliament about to be called in London might prove to be; and it is curious to observe letters directed to the several counties, for the providing of horses and carts for carriage of the train of artillery, and other documents of a like warlike nature, signed by the Lord Archbishop of Canterbury alone.*

At last, on the 13th day of April, 1640, an English parliament assembled at Westminster. The king opened the session, with a very brief speech, in which, however, he admitted (what every body knew) that nothing but necessity had induced him to call them together. Then Sir John Finch, formerly Speaker of the Commons, but now lord keeper, delivered a very long speech, in which he endeavoured, above all things, to convince them that the Scots had grossly insulted and injured the English nation, as well as their sovereign—"the most just, the most pious, the most gracious king that ever was, whose kingly resolutions were seated in the ark of his sacred breast." "And," continued this slavish adulator, who even at this crisis would be preaching about the divine right, and the ineffable majesty of kings, "it were a presumption of too high a nature for any Uzziah, uncalled, to touch it; yet his sacred majesty is now pleased to lay by the shining beams of majesty, as Phœbus did to Phaëton, that the distance between sovereignty and subjection should not bar you of that filial freedom of access to his person and councils; only let us beware how, with the son of Clymene, we aim not at the guiding of the chariot, as if that were the only testimony of fatherly affection, but let us ever remember, that, though the king sometimes condescends to lay by the beams and rays of majesty, he never lays by majesty itself." All that had happened through Charles's persisting in not calling together, or agreeing with, the representatives of his people,—the extorting of money by illegal means, the torturing of the subject, the disgraces sustained by the national arms at home and abroad, the flames in Scotland, which had almost severed the two kingdoms,—was so glaring, that it required all the audacity of a Finch to make the king's disuse of parliaments a subject of panegyric, and that to a parliament itself. The bronze-faced lord keeper told them that, in former times, indeed, they had been advised with for the preventing and diverting of foreign and domestic dangers; "but herein," said he, "his majesty's great wisdom and providence hath for many years eased you of that trouble; his majesty having all the while not only seen and prevented our danger, but kept up the honour and splendour of the English crown, of which at this day we find the happy experience, Almighty God having vouchsafed such success to his majesty's counsels, that our fleece was dry, when it rained blood in all the neighbour states." Everything, he maintained, had gone on happily and gloriously until some men of Belial had blown the trumpet in Scotland, and induced a rebellious multitude to take up arms against the Lord's anointed, their rightful prince, and most undoubted sovereign. He related the events of last summer's campaign, telling them that his majesty had entered into a pacification with the Scots, not through fear or weakness, but out of his piety and clemency; that, however, it had since been found by numerous acts, that that stiff-necked people, in signing the treaty, had but prevaricated with it, in order to divert the storm which hung over their heads; that it had come to his majesty's certain knowledge that they had addressed themselves to foreign states, and treated with them to deliver themselves up to their protection and power. Nothing, therefore, was left, but to reduce these sons of Belial to obedience by force of arms; and to that end an army had been raised, the charge of which would be heavy, and therefore his majesty did now at this time call this parliament, the second means, under God's blessing, to avert the calamities threatened to all his kingdoms, by the mutinous behaviour of the Scots. "*This* summer," said Finch, "must not be lost like the last, nor any minute of time unbestowed to reduce those of Scotland; lest by our delay they gain time to conclude their treaties with foreign states. His majesty, therefore, desires and expects that you will for awhile lay aside all other subjects and debates, and that you will pass an act for such and so many subsidies, as in your hearty affection to him, and your common good, you shall think fit and convenient. . . . . Such is the straitness of time, that unless the subsidies be forthwith passed, it is not possible for him to put in order such things as must be prepared before so great an army can take the field; and, indeed, had not his majesty, upon the credit of his servants, and security out of his own estate, taken up and issued between 300,000*l.* and 400,000*l.*, it had not been possible for his majesty to have provided those things to begin with, which were necessary for so great an enterprise." He went on to tell them, "that, to avoid all unpleasant question and dispute touching his majesty's taking of tonnage and poundage, his majesty had commanded him to declare that he had taken it only *de facto*, according to the example of former kings;" but of the odious ship-money neither lord keeper nor king said a single word. Finch concluded by telling them that they must pass a bill, granting tonnage and poundage from the commencement of his

* There are several orders, fitter to be issued by a quarter-master or a commissary-general than by a bishop, thus signed by Laud.

majesty's reign, vote the subsidies *instanter*, and accept his majesty's promise, who was most graciously pleased to give them his royal word, that afterwards he would allow them time to consider of such petitions as they might conceive to be for the good of the commonwealth, assuring them that his majesty would go along with them in redressing just grievances, like a just, a pious, and gracious king, to the end that there might be such a happy conclusion of this parliament, that it might be the cause of his meeting many more parliaments. The king himself then produced the letter of the Scottish lords to the French king, and said, "My Lords, you shall see he hath spoken nothing hyperbolically, nor nothing but what I shall make good one way or other. And because he did mention a letter, by which my subjects in Scotland did seek to draw in foreign power for aid, here is the original letter, which I shall command him to read unto you. And because it may touch a neighbour of mine, whom I will say nothing of but that which is just,—God forbid I should; for my part I think it was never accepted of by him: indeed it was a letter to the French king, but I know not that ever he had it; for, *by chance, I intercepted it* as it was going unto him, and therefore I hope you will understand me right in *that*." Charles then delivered the letter to Finch, who observed, "The superscription of the letter is this,—'Au Roi.' For the nature of this superscription, it is well known to all that know the style of France that it is never written by any Frenchman to any but their own king, and therefore, being directed 'Au Roi,' it is to their own king, for so in effect they do by that superscription acknowledge." He then read the letter as translated into English from the original French, which ran thus;—"Sir—Your majesty being the refuge and sanctuary of afflicted princes and states, we have found it necessary to send this gentleman, Mr. Colvil, by him to represent unto your majesty the candour and ingenuity as well of our actions and proceedings as of our intentions, which we desire should be engraven and written to the whole world, with the beams of the sun, as well as to your majesty. We most humbly beseech you, therefore, to give faith and credit to him, and all he shall say on our part concerning us and our affairs, being most assured of an assistance equal to your accustomed clemency heretofore, and so often showed to this nation, which will not yield to any other whatsoever the glory to be eternally your majesty's most humble, obedient, and affectionate servants. (Signed) Rothes, Montrose, Leslie, Marr, Montgomery, Loudon, Forester."* Then the king added, "Of these gentlemen, who have set their hands to this letter, here is one, and I believe you would think it very strange if I should not lay him fast; and therefore I have signed a warrant to lay him close prisoner in the Tower. My lords, I think (but that I will not say positively, because I will not say anything here but what I am sure of) I have the gentleman that should have carried the letter fast enough; but I know not, I may be mistaken."

When the king had thus spoken, the lord keeper dismissed the Commons to their own House, there to make choice of their Speaker. In the Lower House were many of the patriots, or, as the king had styled them, "the vipers," that had so disturbed his equanimity in the last parliament; but one of the greatest and highest-minded was not there. Of those who had been cast into prison, all had been liberated upon bail, after a detention of about eighteen months, with the single exception of the bold and eloquent Sir John Eliot, the man whom Charles most hated or feared. When he had lain four years in the Tower, the patriot's health began to decline rapidly, and his friends prevailed upon him to petition the king. "Sir," said Eliot, "your judges have committed me to prison here in your Tower of London, where, by reason of the quality of the air, I am fallen into a dangerous disease. I humbly beseech your majesty you will command your judges to set me at liberty, that, for recovery of my health, I may take some fresh air," &c. To this petition, which was presented by the hand of the lieutenant of the Tower, Charles's only answer was,—"It is not humble enough." Then Eliot sent another petition by his own son, expressing his hearty sorrow for having displeased his majesty, and humbly beseeching him once again to command the judges to set him at liberty; and when he had recovered his health he might return back to his prison, there to undergo such punishment as God had allotted him. The lieutenant of the Tower took offence at his sending the petition by another hand than his, which, by right of office, delivered all petitions of his prisoners; but the high functionary told him, that if he would humble himself before his majesty, acknowledging his fault, he would deliver another petition for him. Sir John, thanking him for his friendly advice, told him that

* Besides this letter, it is possible that Charles knew, at least in part, the other negociations between the Covenanters and the French court. Lord Hailes (Memorials) has published a letter from General Leslie and the Earl of Rothes to the French king, and also instructions from the Covenanters in Scotland to their messenger to Louis. The letter, it appears, was not sent, because the rest of the Covenanting leaders refused to sign or sanction it. There are several striking passages in the instructions, but nothing very treasonable. The messenger was instructed to assure the French court, that their intentions were no ways against monarchical government,—that they were most loyally disposed towards his sacred majesty King Charles, whose person and authority they would maintain with their lives and fortunes. "Seeing," said the Covenanters," that we have many times supplicated his majesty and have not prevailed, therefore we entreat the king of France to intercede and mediate with our sovereign to lay down his arms, intended and raised against us, and to suffer this his ancient and native kingdom to enjoy her religion and liberties; . . . the true state of the question betwixt the king and this kirk and kingdom being, whether this shall continue a free kirk and kingdom, to be ruled by the laws of both, or now, in the absence of our sovereign from us, whether we shall in effect, contrary to both, be enslaved to the passions of a foreign prelate, the Bishop of Canterbury and his supporters, whom he sends here to govern by their will and pleasure; and whether this ancient kingdom shall be like a conquered province, as Ireland under subjection to England, to receive what laws, civil or ecclesiastical, in religion or policy, they please to prescribe, and when, upon our refusal of this slavery, a foreign army threatens and invades us, whether the whole body of a kirk and kingdom shall lay down their necks to the sword, or their consciences to the yoke, or cast up a buckler of defence."

his spirits had grown feeble and faint,—that when he recovered his former vigour he might think about it. Cottington, Wentworth and others exulted over the intelligence that Sir John was very like to die,—and die he did, a prisoner in the Tower, on the 27th of November, 1632! But Charles's revenge was not satisfied by mournful decay, a perishing by inches, nor by death itself. One of his victim's sons petitioned his majesty that he would be pleased to permit the body of their father to be carried into Cornwall, there to be buried, in his native soil, among his ancestors. Charles wrote at the foot of the petition, "Let Sir John Eliot's body be buried in the church of that parish where he died;" and accordingly it was thrust into an obscure corner of the Tower church.* Sir Edward Coke had gone to his grave about two years after Eliot, full of years and honours, having effaced the recollection of his early career by his manly struggles on the patriotic side. He also, in a manner, had been persecuted to the death. When he was lying on his death-bed, Secretary Windebank went with an order of council to search his house for seditious papers, and carried off his Commentary on Lyttleton, an autobiography, and many other manuscripts, among which was his will. None of these papers were restored till the Long Parliament, in 1641, made an order that they should be delivered to his heir; and then several of them, with his last will, were missing, and were never heard of more. It has been said and proved that, on the whole, this present House of Commons was well disposed towards the king's service, and as little influenced by their many wrongs as any man of ordinary judgment could expect; yet there were undoubtedly many faithful, affectionate, and bold hearts that burned and flamed with the memory of the wrongs done to Eliot. And foremost among these was his bosom friend Hampden, who had taken his seat for the town of Buckingham. The most conspicuous of the other old members were Denzil Hollis, Maynard, Oliver St. John, Pym, Strode, Corriton, Hayman, Haselrig, and Oliver Cromwell, who now sat for the town of Cambridge.

The Commons chose for their Speaker Mr. Serjeant Glanvil, who was presented to his majesty seated on his throne in the House of Lords, where he made a very humble and pedantic speech, talking about the learned age wherein they lived, the most peaceful and flourishing government, and the House of Commons being not merely the representative body, but the abstracted quintessence of the whole commonalty of this noble realm of England. Charles was silent, but my Lord Keeper Finch told Glanvil that his speech was full of flowers of wit, of flowers of eloquence, and flowers of judgment, and that his majesty had listened to it with a gracious ear and a princely attention. This was a curious prelude to the loud music that followed. The Commons, who knew what the king's word was worth, resolved not to take it, or to depart from their old practice of making the redress, or at least the discussion, of grievances precede their votes of supply. They took up the questions of religion, privileges of parliament, abuse of justice, and the infringement of the common liberties of the land, and, as formerly, they settled committees for examining these high matters. Some of them had suggested the petitioning of parliament against the impost of ship-money; several petitions from the counties were consequently received, and the practice of petitioning, a progress in constitutional liberty, began to be common. Arthur Capel delivered in the first petition, which was from the freeholders of the county of Hertford, complaining of ship-money, monopolies, the Star Chamber, the High Commission Court, &c. The first who stood up boldly to speak upon it was Harbottle Grimston. "In these great cases of danger," said Grimston, "we ought to do like skilful physicians, that are not led in their judgments so much by outward expressions of a disease as by the inward symptoms and causes of it. . . . The case is this,—the charter of our liberties, called *Magna Charta*, was granted unto us by King John, which was but a renovation and restitution of the ancient laws of this kingdom. This charter was afterwards, in the succession of several ages, confirmed unto us above thirty several times; and in the third year of his majesty's reign that now is, we had more than a confirmation of it, for we had an act declaratory passed; and then, to put it out of all question and dispute for the future, his majesty, by his gracious answer, *Soit droit fait comme est desiré*, invested it with the title of Petition of Right. What expositions contrary to that law of right have some men given to the undermining of the liberty of the subjects with new invented subtle distinctions, and assuming to themselves a power (I know not where they had it), out of parliament, to supersede, annihilate, and make void the laws of the kingdom! The commonwealth hath been miserably torn and massacred, and all property and liberty shaken, the church distracted, the gospel and professors of it persecuted, and the whole nation overrun with swarms of projecting canker-worms and caterpillars, the worst of all the Egyptian plagues." Harbottle Grimston was followed by Sir Benjamin Rudyard, who congratulated the House on their being called together:—"We are here," he said, "by the blessing of God and our king. Parliaments have of late days become unfortunate; it is our duty, by our good temper and carriage, to restore them to their ancient lustre. . . . A parliament is the bed of reconciliation between king and people, and therefore it is fit for us to lay aside all exasperations, and carry ourselves with humility." And it must be confessed that, though firm and decided, their whole tone and carriage was humble and respectful. "Princes," continued Rudyard, "are and will be as jealous of their prerogative as the people of

* Harl. MSS.—Forster's Lives of British Statesmen.—Lord Nugent's Memorials of Hampden.

their liberties, though both are then best when kept within their several bounds. Levying of money without consent of the people is a great disturbance to the subject, and so will be the scarcity of the king's revenues, unless they be supplied. But before the ending of this parliament (the untimely breaking whereof would be the breaking of us) I doubt not but his majesty's revenue may be so settled that he may live plentifully at home and abroad. . . . In former parliaments the carriage of some hath been so haughty as though parliaments would last always, and the carriage of others as if there would be never any again; and therefore a moderation, if we love ourselves, is requisite. . . . Men and brethren, what shall we do? If it were for my life, I would desire nothing more than that we proceed with moderation, that so we may have many happy parliaments, and that no dismal events may happen to any; for when parliaments are gone, we are lost." The House on the following day (April 17th) fell again upon the subject of grievances in general, in consequence of petitions brought in by the members for Essex, Suffolk, and other counties; and upon that day the learned and laborious Pym delivered a speech of extraordinary length and still more extraordinary ability. "The first of grievances," said he, "are those which, during this interval of eleven years, have been directed against the liberties and privileges of parliament. . . I will show that the permission of them is as prejudicial to his majesty as to the commonwealth. I will show what way they may be remedied, and in all these I shall take care to maintain the great prerogative of royalty, which is, that the king can do no wrong." And throughout his discourse, he steadily kept the line which separates the king from his ministers, urging the responsibility of the latter. On the next day, the 18th, many members spoke, and the house voted that the proceedings remaining upon record in the King's Bench and Court of Star Chamber against Sir John Eliot, Mr. Hollis, and the other imprisoned members of the parliament of 1628 should be sent for and referred to a committee. They also ordered that the records in the case of ship-money, which concerned Mr. Hampden, should be brought into the House. On Monday the 20th, after examining the conduct of Sir John Finch in the last parliament, they resolved that it was a breach of privilege for the Speaker not to obey the commands of the House; and that it appeared the Speaker, Finch, did adjourn the House by command of the king, without consent of the House, which also was a breach of privilege, and one that ought to be presented to his majesty. The very next day Charles, irritated as much as ever with the most moderate mention of the word grievance, summoned both Houses before him in the Banqueting Hall. He did not speak himself, but stood by, while my Lord Keeper Finch schooled the Commons. Finch told them that they ought to remember the causes of calling this parliament, which were for obtaining of assistance and supplies of money; that such and so great were his majesty's necessities that if they did not vote the supplies speedily they might as well not vote them at all.* "When you have voted," said he, "his majesty will give you scope and liberty to present your just grievances, and then he will hear them, with a gracious ear." He paused; and then adverted, for the first time, to the irritating question of ship-money. "Herein," said he, "his majesty hath commanded me to declare thus much unto you: first, his majesty never had it in his royal heart to make an annual revenue of it, nor ever had a thought to make the least benefit or profit of it; but whatsoever he did or intended in it, was for the common good of you all; for the honour, glory, and splendour of this nation; and that every one of us should be made sharers and partakers in the benefits, fruits, and successes of it, of which otherwise you would have felt the woes. He hath been so far from making the least benefit of it, that he hath expended great sums of money out of his own coffers, to work with to those necessary ends I have named unto you. The accompts of such monies so received have been brought to the council-table, the monies delivered to Sir William Russell, the treasurer of the navy; and by them all it may appear, whether there hath been a fulness and clearness of truth in the disbursements thereof, for the good and safety of the kingdom." He said that his majesty was once resolved not to send out shipping-writs this year, but he was forced to do it for their good and for his own honour, it being necessary for him to reduce his disaffected subjects of Scotland, and to guard against neighbouring princes, who were all preparing great fleets. "Another reason," said he, "for shipping-writs this year, is, that those of Algiers are grown to that insolency, that they are provided of a fleet of sixty sail of ships, and have taken divers English ones, particularly one called the Rebecca of London (well known to the merchants upon the Exchange), taken upon the coast of Spain, worth at the least 260,000*l.*; and therefore the writs having gone out upon those weighty reasons *before it was possible the parliament could give any supply to provide for those things*, his majesty cannot this year forbear it: but he doth expect your concurrence in the levying of it for the future." Once more the lord keeper recommended to their admiration, and their imitation, the conduct of Wentworth's brow-beaten Irish parliaments. "Of all his kingdoms," said he, "this of England ought to be the nearest and dearest unto the king; yet for his kingdom of Ireland, the last parliament before this, the very second day of the parliament they gave him six subsidies; they relied upon his gracious word, and the success was, that before the end of that parliament they had all they did desire granted." (The truth being, as the reader will remember, that as soon as the money was voted, Wentworth

* "For," said the lord keeper, "the army is now marching, and doth stand his majesty in at least 100,000*l.* a-month."

and Charles broke all their promises, and refused to entertain the question of grievances.)* This last parliament there, it is well known unto you all, what a cheerful supply they have given unto his majesty, for their hearts went with it; and let it not be apprehended that subsidies there are of small value; there is not a subsidy that is granted but is worth 50,000*l.* or 60,000*l.* at the least:† consider that kingdom how small proportion it holdeth with this of England; and you will find, that it is as considerable a gift as hath been given in many years. It hath wrought this effect—that certainly his majesty will make it apparent to all the world, what a good construction, and how graciously he doth esteem and interpret this act of theirs."‡

But the Commons would not be cajoled; and, on the following day, when Finch's speech in the Banqueting House came to be discussed, Edmund Waller, the poet, a member of the House, and of many succeeding parliaments, eloquently claimed precedence of grievances over supplies. "Look back," said Waller, "upon the best parliaments, and still you shall find that the last acts passed are for the gifts of subsidies on the people's part, and general pardons on the king's part: even the wisest kings have first acquainted their parliaments with their designs, and the reasons thereof; and *then* demanded the assistance, both of their counsels and purses . . . . Nor shall we ever discharge the trust of those that sent us hither, or make them believe that they contribute to their own defence and safety, unless his majesty be pleased first to restore them to the propriety in their own goods and lawful liberties, whereof they esteem themselves now out of possession. One need not tell you that the propriety of goods is the mother of courage, and the nurse of industry; it makes us valiant in war, and good husbands in peace. The experience I have of former parliaments, and my present observation of the care the country has had to choose persons of worth and courage, make me think this House, like the Spartans, whose forward valour required some softer music to allay and quiet their spirits, too much moved with the sound of martial instruments. 'Tis not the fear of imprisonment, or (if need be) of death itself, that can keep a true-hearted Englishman from the care to leave this part of his inheritance as entire to posterity, as he received it from his ancestors." Waller said, that the person of no king was ever more beloved, and yet no people were ever less satisfied with the present ways of levying money; that neither the admiration of his majesty's natural inclination to justice and clemency, nor the *pretended* consent of the judges, could make them willingly submit to this late tax of ship-money; that his majesty's wants were not so great, but that they might find means to supply him, nor their desires so unreasonable, but that his majesty might satisfy them; that experience ought to teach his majesty how little that money prospered that was gotten without the concurrent good-will of his people; that never had more money been taken from the subject, yet never more want in the Exchequer; that though the king had gotten little, the subjects had lost all. "But," continued the orator, "his majesty shall hear the truth from us, and we shall make appear the errors of divines, who would persuade us that a monarch must be absolute, and that he may do all things *ad libitum*. . . . . I am sorry these men take no more care to gain our belief of those things which they tell us for our soul's health, while we know them so manifestly in the wrong in that which concerns the liberties and privileges of the subjects of England. But they gain preferment, and then it is no matter though they neither believe themselves, nor are believed by others. But since they are so ready to let loose the consciences of their kings, we are the more carefully to provide for our protection against this pulpit law, by declaring and reinforcing the municipal laws of this kingdom." This discourse, in the keen feeling of Charles and Laud, must have made the crown and mitre totter on their heads. In the afternoon the Commons sent up to desire a conference with the Lords; but their messengers found the door of the Lords closed against them. On the following day the Lords sent a message to excuse their refusal, upon the grounds of having had weighty business on hand, and his majesty present among them. In fact, Charles had gone down to the House of Lords and taken them by surprise, in order to induce them to interfere about the monies; and it appears that the Commons had sent to request the conference at the moment they did, in order to show that they were aware of this visit. On Saturday the Lords desired a conference with the Commons, and, on the Monday following, Mr. Herbert, the queen's solicitor-general, reported the matter of the conference, which was mainly about the quickening speech which the king had delivered during his sudden visit to the Lords. This speech was a studied laudation of the Peers, and an angry rebuke of the Commons. Charles gave the Lords to understand that the necessity of his affairs would bear no delay; that he must have the subsidies; that he thought that, in civility and good manners, it was fit for him to be trusted first; that the Commons' considering their grievances before his wants was putting the cart before the horse; that the war was begun; that the men of Scotland had pitched their tents at Dunse, and threatened an invasion in Northumberland, having already taken prisoners some English troopers. Then followed the old promises and assurances about religion, tonnage and poundage, and ship-money. And now the Lords told the Commons, that, having the word of a king—and, as some of their lordships were pleased to say, not only of a king, but a *gentleman*—they would no

* See Ante, pp. 169 and 170.

† Notwithstanding this bold assertion, it may be doubted if an Irish subsidy was usually worth more than the tenth part of the sum here mentioned.

‡ Parl. Hist.—Rushworth.

more be guilty of distrusting him, than they would be capable of the highest undutifulness towards him. And upon all these considerations, though their lordships would not meddle with matters of subsidy, which belonged properly and naturally to the Commons,—no, not so much as to give advice herein,—yet, being members of one body, subjects of the same king, and equally concerned in the nation's safety, in their duty to his majesty, and in their natural love to their country, themselves, and their posterity, they had declared and voted in their own House that they held it most necessary and fit that the matter of supply should have precedence of every other matter or consideration whatsoever. The Commons, after long debate, resolved, that herein the Lords had violated the privileges of their House; and they immediately referred the matter to a committee, which declared that the Lords' voting about supplies was a most grievous breach of privilege.* They then demanded another conference, and having obtained it, they insisted, not only that the Lords should never meddle with matter of supplies, but also that they should not take notice of anything debated by the Commons, until they themselves should declare the same to their Lordships—a rule, they said, which the Commons would always observe with their Lordships' proceedings. The Lords protested, not without signs of fear, that they had no intention whatever of invading any of the privileges of the Commons; but the court soon determined again to put the Upper House in a false position.

Upon Thursday, the 30th of April, the Lower House resolved itself into a grand committee concerning ship-money, upon a full report made of that business by Mr. Maynard; and the records where the judges' opinions were entered were ordered to be sent for. In the very midst of this debate—and of course expressly to stop it—the Lords sent to demand another conference. The majority of the members seemed unwilling to be diverted from the debate; and upon a division, in a very full house, 257 voted *against*, and 148 *for* a present conference. This division showed the temper of the House, and the relative strength of parties. The conference was put off till the morrow, and they proceeded with the grand business of ship-money. On the following day the Lord Keeper Finch, at the conference, told the Commons again that their Lordships well knew and infinitely respected the privileges of their House; that they had only stepped forward out of affection to his majesty, and consideration of the great evils and calamities that were hanging over their heads; that his majesty, on his late visit to their Lordships' House, had taken notice of somewhat that had been voted in the Commons' House concerning religion, property, and liberty of parliament, whereby his majesty considered the matter of his supplies set aside, which he had so often desired might have precedence; that his majesty had then expressed his royal intentions about ship-money, which he found so much stood upon; and had desired their Lordships, as persons nearest to him in honour, and most concerned in the safety and prosperity of his kingdom, to use their counsel and persuasion to incline the Commons to give him a speedy answer and resolution in the matter of supply. Finch then endeavoured to shew that the Lords were bound to gratify the king, and that their voting the precedency of supply was no infringement of the Commons' privilege. "Their advice therein," said he, "they do not, nor ever did, hold derogatory to yours, or exceeding the privileges of their own House; for, as you frequently impart your grievances to them, so it is all the reason in the world they should communicate their fears and foresights of dangers to you, their lordships being a body that moveth in an orb nearer unto the royal throne than you do, and thereby the likelier to communicate in the councils and secrets of state; and, for their persons and fortunes, at least as considerable in point of danger." The whole of this speech had a most mischievous effect, and, notwithstanding its disclaimers, the Commons suspected that all their other privileges were to be swallowed up, and they made wholly subservient to the peers.* More resolute than ever in their purpose of not voting the money till they had obtained a redress of grievances, and even a formal reparation from the lords, they continued in committee. On Saturday, the 2nd of May, Charles sent Sir Henry Vane, now secretary of state as well as treasurer of the household, to tell them that the danger of the nation would be greatly increased if more time were lost; that he had received no answer at all from them, though he had already told the House that delay would be as destructive as a denial; that he once more desired an immediate answer concerning his supplies, he being resolved, on his part, to make good all his promises made by himself or by the lord keeper. The House debated upon this message till the then unusually late hour of six in the evening, but came to no resolution. Secretary Vane, Clarendon says, treacherously, and without the king's orders (*which is very impro-*

* "Though the parliament had not sate above six or seven days, and had managed all their debates, and their whole behaviour, with wonderful order and sobriety, the court was impatient that no advance was yet made towards a supply: which was foreseen would take up much time, whensoever they went about it, though never so cordially; and therefore they prevailed with the House of Peers, *which was more entirely at the king's disposal*, that they would demand a conference with the House of Commons, and then propose to them, by way of advice, that they would begin with giving the king a supply, in regard of the urgency and even necessity of his affairs, and afterwards proceed upon the grievances, or anything else they thought fit; and the House of Peers accordingly did give their advice to this purpose at a conference. This conference was no sooner reported in the House of Commons, than their whole temper seemed to be shaken. It was the undoubted fundamental privilege of the Commons in parliament, that all supplies should have their rise and beginning from them; this had never been infringed or violated, or so much as questioned in the worst times; and that now, after so long intermission of parliaments, that all privileges might be forgotten, the House of Peers should begin with an action their ancestors never attempted, administered too much cause of jealousy of somewhat else that was intended; and so, with an unanimous consent, they declared it to be so high a breach of privilege, that they could not proceed upon any other matter until they first received satisfaction and reparation from the House of Peers."—*Clarendon, Hist.*

* Clarendon, Hist.

bable, and seems to be disproved by attending circumstances), assured the Commons that the king would accept of nothing less from them than an immediate granting of twelve subsidies. Many of the members observed that, if they were thus to purchase a release from an imposition very unjustly laid upon the kingdom, they should in a manner confess it had been a just tax. Some said that twelve subsidies would be more than the whole stock in money of the kingdom amounted to, and founded their opposition on the exorbitance of the demand. As to the king's constant assertions about the great danger of the nation, there was hardly a man in the House of Commons that believed them—there were many who looked to the Scotch Covenanters as their best friends. These men had represented, both in the House and out of it, that the English people had no reason to pay for a war which was never caused or desired by them, and that the people would undoubtedly pay with more willingness as many subsidies to prevent that unhappy war. "Among all the gentlemen of the House of Commons who spoke to that purpose, the Lord George Digby, son to the Earl of Bristol (a young nobleman of extraordinary abilities), was eminent for a speech there, wherein complaining that the House was required to give present answer concerning supplies to the king, to engage himself in a war, and that a civil war; for, said he, so I must needs call it, seeing we are of the same religion and under the same king."*

The day after the delivery of Vane's first message was a Sunday, but on Monday (the 4th of May) the king sent Sir Henry to the House of Commons with a second message, which was delivered in these words:—"Whereas, upon Saturday last, his majesty was pleased to send a message to this House desiring you to give a present answer concerning his supply; to which, as yet, his majesty hath had no other answer but that, upon this day, you will again take it into further consideration: therefore his majesty, the better to facilitate your resolutions this day, hath thought fit to let you know that, of his grace and favour, he is pleased (upon your granting twelve subsidies to be presently passed, and to be paid in three years, with a proviso that it shall not determine the sessions), not only for the present to forbear the further levying of any ship-money, but will also give way to the utter abolishing of it by any course that yourselves shall like best. And for your grievances his majesty will (according to his royal promise) give you as much time as may be now, and the next Michaelmas; and he expects a present and positive answer upon which he may rely, his affairs being in such a condition as can endure no longer delay."

The Commons went again into a committee of the whole House to consider his majesty's messages; and the serjeant was sent to the several bars in Westminster Hall to summon the absent members to come in to the service of the House. But though they spent the whole day till six at night in busy debate, they came to no resolution, and separated with desiring Sir Henry Vane to acquaint his majesty that they would resume the question at eight o'clock on the following morning. On that morning, at an earlier hour than eight, the king, for very obvious purposes, sent Secretary Windebank to the House of Serjeant Glanvil, the Speaker, who lived in Chancery-lane, with a command to bring him to Whitehall. The Commons met at the appointed hour, and were alarmed at the non-appearance of their Speaker; and, while they were discoursing with one another, James Maxwell, gentleman usher, came with the black rod to let them know that his majesty was in the House of Lords, and expected their coming thither. Charles, in effect, by the advice of Laud and of all his council, with the exception of the earls of Northumberland and Holland, had resolved upon an immediate dissolution; for Vane and the Solicitor General Herbert, on the preceding evening, had told him that the Commons, if permitted to sit again, would pass such a vote against ship-money as would blast not only that revenue (we should have thought it had been blasted enough already), but also other branches of the king's receipts.* Left without their Speaker, whom Charles, no doubt to Glanvil's own satisfaction, had made fast in the palace, the Commons could neither vote nor protest as a House; and so they rose quietly, and followed black rod to the House of Lords. When they appeared at the bar, Charles pronounced their sentence of dissolution in a speech of some length. As on a former occasion, he praised the Upper House at the expense of the Lower one, telling the lords that it was neither their fault nor his that this parliament had not come to a happy end; and, praising their Lordships' willing ear and great affection, he bade them remember the commands he had given at the opening of this parliament, and then complained of the Commons not taking his promises in exchange for instant subsidies. "I know," said he, "that they have insisted very much on grievances: I will not say but there may be some, though I will confidently affirm that there are not by many degrees so many as the public voice doth make them. Wherefore I desire you to take notice, now especially at this time, that out of parliament I shall be as ready (if not more willing) to hear and redress any such grievances as in parliament." This time, however, he did not call the opposition "vipers." "I will not," he said, "lay this fault on the whole House of Commons; I will not judge so uncharitably of those whom, for the most part, I take to be loyal and well-affected subjects; but it hath been the malicious cunning of some few

May, Hist. of the Parl.

* Clarendon, Hist. The noble historian adds,—"What followed in the next parliament, within less than a year, made it believed that Sir Henry Vane acted that part maliciously, and to bring all into confusion; he being known to have an implacable hatred against the Earl of Strafford, Lieutenant of Ireland, whose destruction was then upon the anvil."

seditiously affected men that hath been the cause of this misunderstanding." He then thanked the Lords for the care they had had of his honour and affairs; desired them to go on and assist him in the maintaining of his government and that regal power that was truly his; and he concluded with saying, "As for the liberty of the people, that they now so much startle at, know, my lords, that no king in the world shall be more careful in the propriety of their goods, liberty of their persons, and true religion, than I shall. And now, my lord keeper, do as I have commanded you." Then Finch stood up, and added, "My lords, and you, the gentlemen of the House of Commons, the king's majesty doth dissolve this parliament." This, the last dissolution which Charles was to make, took place on the 5th of May, 1640. Even in the eyes of the king's friends he had committed a most lamentable mistake. According to Clarendon, "there could not a greater damp have seized upon the spirits of the whole nation than this dissolution caused, and men had much of the misery in view which shortly after fell out. It could never be hoped that more sober and dispassionate men would ever meet together in that place, or fewer who brought ill purposes with them; nor could any man imagine what offence they had given which put the king upon that resolution." But, in truth, though it suited Clarendon, in reference to the circumstances of his own course, to profess this wonderful ignorance, the offence given by parliament was as clear at the time when it happened as the sun at noon-day. The Commons, who held ship-money to be the great crime of Charles's administration, and the judgment against Mr. Hampden the infamy of those who pronounced it, were resolute that the tax should be annihilated, the judgment formally reversed, and the judges brought to punishment; that that right of taxation, which had been claimed as an absolute prerogative so inherent in the crown that no act of parliament could take it away, should be blasted for once and for ever, to the confusion of king, court divines, and court lawyers; and Charles was a prince to peril his crown rather than submit to these things. But, besides, there was ground of offence enough in the Commons persisting in pressing the questions of grievance before supply, in their refusing to take the king's tarnished word for their monies; and this, in effect, was the grand cause of quarrel from the first of his parliaments to the last.

Clarendon tells us that, within an hour after the dissolving of this parliament, he met Mr. St. John, "who had naturally a great cloud in his face, and very seldom was known to smile," but who then had a most cheerful aspect, and, seeing him melancholy, asked what troubled him. Clarendon, then Mr. Hyde, answered, that the same that troubled him, he believed, troubled most good men; that, in such a time of confusion, so wise a parliament, which alone could have found remedy for it, was so unseasonably dismissed. The other answered, with a little warmth, that all was well, and that it must be worse before it could be better. But if his enemies rejoiced and his friends grieved at the measure, Charles himself either felt no regret or concealed it. He put forth a Declaration to all his loving subjects of the causes which moved him to dissolve the last parliament, in which he charged the Commons with venting their own malice and disaffection to the state, instead of using dutiful expressions towards his person and government; with their subtle and malignant courses, intending nothing less than to bring all government and magistracy into contempt, and all this, in spite of his own piety and goodness; with presuming to interfere in acts of his government and council, taking upon themselves to be guiders and directors in all matters both temporal and ecclesiastical; and, "as if kings were bound to give an account of their royal actions, and of their manner of government to their subjects assembled in parliament," in a very audacious and insolent way, censuring the present government, traducing his majesty's administration of justice, rendering his officers and ministers of state odious to the rest of his subjects, and not only this but his majesty's very government, which had been so just, so gracious, that never was the like in this or any other nation; with having delayed the supplies in spite of all his promises, and introducing a way of bargaining and contracting with the king, as if nothing ought to be given him by them but what he should buy and purchase of them, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his revenues;—which courses of theirs were repugnant to the duty of subjects, unfit for his majesty in honour to permit and suffer, and hazardous and dishonourable to the kingdom, as all men might easily judge. And, as if the unconstitutional practice of imprisoning members for words spoken in the House had not made bad blood enough,—as if the case of Sir John Eliot had been forgotten by the nation and those bosom friends who were morally strengthened by his martyrdom in the Tower,—Charles committed several members the very day after the dissolution. Mr. Bellasis and Sir John Hotham were sent to the Fleet Prison by a warrant signed by Laud, Strafford, Hamilton, Windebank, Goring, and sixteen other ministers or members of the council. The only offence alleged against them was their speeches. Mr. John Crew, afterwards Lord Crew, was committed to the Tower by a warrant signed by Laud, Strafford, Windebank, Goring, and six other members of the council. His offence was, the not discovering or delivering up certain petitions, papers, and complaints which he had received in parliament, being in the chair of the com-

Mr. Hallam has shown that all the principal men who headed the popular party in the long parliament were members of this—that the difference was not so much in the men as in the times; the bad administration, and bad success of 1640, as well as the dissolution of the short parliament, having greatly aggravated the public discontents in the interval that elapsed between the dissolving of this and the summoning of the next parliament.—*Const. Hist.*

Parl. Hist.—Rushworth.

mittee for the redress of religious grievances.* The house of the Lord Brooke was searched for papers, and his study and cabinets were broken open.

Previously to the meeting of parliament, Laud had summoned a convocation of the clergy, and this body continued to sit in spite of the dissolution of parliament, which was considered very illegal.† Nor would Laud, and those who acted under him in this assembly, be warned by the signs of the times and the spirit shown by the dissolved parliament: oppressors to the last, they enacted a number of new constitutions, which were all shattered at the first meeting of the Long Parliament. They ordered that every clergyman should instruct his parishioners once a-quarter in the divine right of kings and the damnable sin of resistance to authority. They added canons charged with exaggerated intolerance against Catholics, Socinians, and Separatists. By their sixth canon of this year, 1640, they required that every clergyman and graduate in the universities should take an oath that all things necessary for salvation were contained in the doctrine and discipline of the Church of England, as distinguished from Presbyterianism and Papistry. This oath was "to be taken heartily and willingly," and yet those that refused it were threatened with severe punishment. They further required all clergymen to swear not to consent to the alteration of the government of the church by archbishops, bishops, deacons, &c., as it was by law established, and by right ought to stand. From Northamptonshire, Kent, Devonshire, and other counties, spirited petitions and exceptions were sent up against these canons; the nation was in a ferment; but Charles obtained from the gratitude of Laud and his clergy in convocation a grant of six subsidies, each of four shillings in the pound, which money was expressly destined for the scourging of the stiff-necked Scots, and the uprooting of Presbyterianism.‡ But this was not money enough for such great undertakings, and Charles "fell roundly to find out all expedients for the raising of more."§ Fresh collections were made by means of the queen and Sir Kenelm Digby among the Roman Catholics; writs of ship-money were issued in greater numbers and enforced with more severity than ever, merchants and gentlemen of landed property being almost daily Star-chambered on this account; great loans were attempted to be drawn from the city of London, for which purpose the names of the richest citizens were, by royal command, returned to the council-board; and, all these extraordinary ways being insufficient, others were made use of, of a nature more unusual. Bullion was seized in the Tower, bags of pepper upon the Exchange, and sold at an under rate. A consultation was held about coining 400,000*l.* of base money; but here the merchants and other intelligent men stepped in to show the great inconveniences and perils which always attended a depreciation of the coinage, and Charles for once listened to good advice and held his hand, notwithstanding the precedent quoted by his council. Goods were bought on long credit and sold at a loss for ready money; large sums were raised in the counties where troops were quartered for the northern wars by actual violence, or horses, carts, provisions, and forage were taken from the people at the sword's point. Whenever any one stepped forward to represent these doings to his most sacred majesty, he was set down as a foe to monarchy,—as one bent upon bringing all government into contempt by exposing its officers and instruments. The mayor and sheriffs of London were dragged into the Star Chamber for slackness in levying ship-money; and Strafford observed, that things would never go right till a few fat London aldermen were hanged. Four aldermen, Soames, Atkins, Rainton, and Geere, were committed by warrant of the privy-council, because, being summoned before the board,—his majesty present in council,—they had refused to set down the names of such persons within their several and respective wards, who, in their opinions, were able to lend his majesty money for the safeguard and defence of the realm, &c. The effect of this "setting in motion all the wheels of the prerogative"† was inevitable. "It is impossible," wrote a noble lord to his friend, "that things can long continue in the condition they are now in: so general a defection in this kingdom hath not been known in the memory of any."‡ And it is generally admitted that it was now that the discontented English drew closer their bonds of friendship with the Covenanters, and that many of the king's own officers, and some of his ministers, concerted measures with Loudon, and Leslie, and other Scottish leaders. Laud's friend, Pierce, Bishop of Bath and Wells, had called this Scottish war "*bellum Episcopale*" (a war for Episcopacy), and such the English people were disposed to consider it. Indeed by this time they had set down the primate and his bishops as the main cause of all their misfortunes; and Laud's robes and sleeves—perhaps his life—were in danger from the popular fury. During the sitting of the convocation, a libel, or paper, was posted up at the Royal Exchange, inviting the London apprentices, who were rather prone to mischief, to rise and sack the archiepiscopal palace of Lambeth. The invitation was accepted, and, on the night of the 11th of May, a mob, consisting almost entirely of apprentices and youths, fell upon the said palace. But Laud had had time to garrison and fortify his residence; the rioters were not very numerous, and he "had no harm."§

May.—Rushworth.

‡ May. It was contrary to ancient usage at least.

‡ Rushworth.—May.—Hardwicke State Papers.—Nalson.

§ Clarendon, Hist.

* Queen Elizabeth had debased the coinage during her Irish wars. Sir Thomas Roe, or Rowe, made an excellent speech before Charles' privy council on the danger and absurdity of debasing the coinage. Rushworth gives it at length. "Experience has taught us," said Sir Thomas, "that the enfeebling of the coin is but a shift for a while, as drink to one in a dropsy to make him swell the more."

† Whitelock.

‡ The Earl of Northumberland, in Sydney Papers.

§ Laud, in noting the occurrence in his Diary, says,—"May 11: Monday night, at midnight, my house at Lambeth was beset with

"Since then," he says, "I have got cannons and fortified my house, and hope all may be safe; but yet libels are constantly set up in all places of note in the city."* Ten days after, this gentle representative of the apostles enters in his Diary,—"One of the chief being taken, was condemned at Southwark on Thursday *and hanged and quartered* on Saturday morning following." The victim, it appears, was a stripling, and the horrid punishment of treason was awarded to him by the court lawyers because there happened to be a drum with the mob; and the marching to beat of drum was held to be a levying of war against the king. Many others were arrested; but "some of these mutinous people came in the daytime, and broke open the White Lion Prison, and let loose their fellows, both out of that prison and the King's Bench, and the other prisoners out of the White Lion."† Clarendon says that "this infamous, scandalous, headless insurrection, quashed with the deserved death of that one varlet, was not thought to be contrived or fomented by any persons of quality," though it was afterwards discoursed of in the House of Commons by Mr. Strode, and mentioned in the first draft of the first remonstrance, as brought in by Mr. Pym, "not without a touch of approbation." According to the same authority, the primate was not the only great man threatened: "cheap, senseless libels were scattered about the city, and fixed upon gates and public remarkable places, traducing and vilifying those who were in highest trust and employment;" as if it were possible to traduce or speak too harshly of the scoundrels that were banded against the liberties of the country,—that (even in this historian's showing) were plundering the people day by day, and doing violence to their consciences. But, at this early stage, we may remark that Clarendon's facts are an antidote to his reasoning.

All this time Charles was indulging in dreams of conquest and glory; for in his eyes it was glorious to vanquish by the sword his own countrymen and subjects, the Scots—and he confidently calculated that when he should return from the Forth and the Tweed, with these blood-sprinkled laurels, he should be enabled to have his will, and reign like a real king by the Thames. Yet, if he had paused for a moment to reflect upon the spirit of both nations, upon the disaffection now manifest, which pervaded country, court, and camp in England, and on the unanimity that prevailed among the Covenanters, he must have been convinced of the utter groundlessness of these sanguine hopes. Regardless of his prerogative, the Scottish parliament met on the 2nd of June, and put forth a series of manifestos, which had more weight in England, as well as in Scotland, than all the royal proclamations. But they had not waited so long to organise their resistance: they called out their levies in March and April, and, having retained their superior officers and their skilful commanders from abroad when they disbanded their army the preceding year, they were soon in a condition to act on the offensive; for again they did not wait for attack, but struck the first blow themselves.* Leslie was appointed commander-in-chief of the army of the Covenant, and, being resolved not to move southward till he was master of Edinburgh Castle, he laid siege to that fortress; but Ruthven, the governor, a man of known courage, made an obstinate resistance. Leslie entrusted the conduct of the siege to some of his best officers, and went southward, and it was not till he was victorious on the Tyne that he learned that Ruthven, being "somewhat straitened for want of ammunition and victuals, and the falling away of the water into the rock of the castle, by the often discharging of his great guns," was constrained to capitulate, and deliver up the castle to the Covenanters. The parliament imposed a tax of a tenth upon every man's rents, and the twentieth penny of interest on loans, &c., throughout the kingdom of Scotland; and before they adjourned they appointed a standing committee of estates, to superintend the operations of the campaign, to sit in the cabinet at Edinburgh, to move with the troops, to be in the camp or wherever else their presence should be most required. They entered into a solemn bond to support the authority of parliament, to uphold the statutes recently passed, and which were asserted to be legally defective for want of the touch of the sceptre. In fact, the whole executive power of the state was fixed by this parliament in their standing committee. Having got all things ready, the Covenanters resolved to enter England with a sword in

500 persons of the rascal riotous multitude. I had notice, and strengthened the house as well as I could, and God be blessed I had no harm." Clarendon, with his usual tendency to exaggeration, says, "that the rabble of mean, unknown, dissolute persons amounted to the number of *some thousands*"—*Hist.*

* Diary.

† Laud's Diary.—Such a riot was in itself a serious offence, and the leaders of it subjected themselves to punishment, though no harm was done, beyond threatening and hard words. But it is atrocious to see the cold-blooded manner in which the head of a Christian church and the model historian of the royalists can speak of the hanging and quartering of the offender. Clarendon says that the man was a sailor, but neither he nor the archbishop relates the worst part of the story. Miss Aikin, in her interesting Memoirs of the Court of King Charles, makes up for this deficiency, and corrects some of them mistakes or wilful misrepresentations. She says:—"This person, named John Archer, was a drummer in the north; but, having obtained leave of absence immediately after the dissolution of parliament, he joined in the attack on Lambeth Palace, and was taken into custody. Being rescued from prison by his comrades, he was subsequently proclaimed as a traitor. The captain of his troop in the north, seeing the description of his person in the proclamation, wrote to the council to inform them where he was to be found. Upon this the poor drummer was arrested, and paraded through the city by a troop of train bands to the Tower. "On the Friday following," says a contemporary, "this fellow was racked in the Tower to make him confess his companions. I do fear he is a very simple fellow, and knows little or nothing, neither doth he confess anything save against himself. But it is said, there will be mercy showed to save his life; but this is more than I am yet certain of. The king's serjeants, Heath and Whitfield, took his examination on the rack last Friday." It will be recollected that, in the case of Felton, the judges had solemnly decided against the use of torture as always, and in all circumstances, contrary to the law of England. Its subsequent employment in this case was therefore an enormity destitute of all excuse, and it can scarcely be doubted that it was perpetrated by the direction of Laud himself. In all probability the execution of the wretched victim preserved the atrocious secret in few hands, or it would surely have attracted the notice of the Long Parliament. The circumstance is mentioned by no historian, but the warrant for applying the torture still exists in the State Paper Office." It has been printed by Mr. Jardine in his interesting tract on the Use of Torture in England, 8vo. 1837, pp. 108, 109.

* It should be mentioned, however, that Charles, long before this, had prohibited all trade with Scotland; that his men of-war and cruizers had been making prizes of Scottish merchantmen wherever they could find them.

one hand and a petition in the other, signifying, in the mean time, to the English people what their intentions were, and the reasons of their invasion.

Charles, Strafford, and the Earl of Northumberland thought that they had provided for the worst in making the Lord Conway general of the horse, instead of the Earl of Holland. "The war," says Clarendon, "was generally thought to be as well provided for, as after the last year's miscarriage it could be, by his (Conway's) being made general of the horse; and no man was more pleased with it than the Archbishop of Canterbury, who had contracted an extraordinary opinion of this man, and took great delight in his company, he being well able to speak in the affairs of the church, and taking care to be thought by him a very zealous defender of it; when they who knew him better, knew he had no kind of sense of religion, and thought all was alike. He was sent down with the first troops of horse and foot which were levied to the borders of Scotland, to attend the motion of the enemy, and had a strength sufficient to stop them, if they should attempt to pass the river, which was not fordable in above one or two places, there being good garrisons in Berwick and Carlisle."*

Conway was in cantonment between the Tweed and the Tyne by the end of July. According to Clarendon, who constantly accounts for failures by treachery, his lordship had assured the king that the Covenanters would be in no condition to enter England that year; but Charles could not possibly be deceived by any such assertion, supposing it to have been made: he had plenty of means for obtaining correcter information, and would hardly have trusted implicitly to letters from the Tyne for what was passing beyond the Tweed. But on the 15th of August Conway wrote to Windebank that his spies reported that the Scots were on the point of advancing into the heart of England; that they would, upon Saturday next, be before the town of Newcastle, which they said they would take, or there be broken, and that from Newcastle they intended to go into Yorkshire.† Upon the 20th of August Charles began his journey from London towards York in some haste; and on that very day Leslie dashed across the Tweed with his Covenanters.‡ Charles, on the same day, published a proclamation, declaring the Scots, and all who in any way assisted them, to be rebels and traitors, and to have incurred the penalties of high treason; yet he declared that he would forgive the Scots if they would "acknowledge their former crimes and exorbitancies, and in humble and submissive manner, like penitent delinquents, crave pardon for the past, and yield obedience for the time to come." He also declared himself generalissimo of his own army, and claimed the attendance of all the tenants o the crown, as upon a war waged by the sovereign in person. Numerically the royal army actually collected was an imposing force:—without counting the train-bands of the northern counties, or the Irish troops brought over by Strafford, or about to be sent over by the Earl of Ormond, it was 20,000 strong, and provided with 60 pieces of artillery. But it was imposing in numbers only: discipline, which can make ten men more effective than a hundred, and the hearty zeal in the cause, and attachment to the banner of their leaders, which can almost do as much, were altogether wanting. "It was a marvellous thing to observe in divers places the averseness of the common soldiers to this war. Though commanders and gentlemen of great quality, in pure obedience to the king, seemed not at all to dispute the cause or consequence of this war, the common soldiers would not be satisfied, questioning, in a mutinous manner, whether their captains were papists or not, and in many places were not appeased till they saw them receive the sacrament; laying violent hands on divers of their commanders, and killing some, uttering in bold speeches their distaste of the cause, to the astonishment of many that common people should be sensible of public interest and religion, when lords and gentlemen seemed not to be."* The Earl of Northumberland had been offered the post of commander-in-chief, under the king; but he declined the dangerous honour, on the ground of a very doubtful sickness, and it was conferred upon Strafford, who had really risen from a sick bed, and was not yet cured of a dreadful attack of his old enemy the gout. Strafford, knowing that his undisciplined levies and wavering officers would be no match for the well-drilled Scots, and the experienced captains that commanded them, had ordered Lord Conway not to attempt to dispute the open country between the Tweed and the Tyne, but at all hazards to make good his stand at Newburn, and prevent the Covenanters from crossing the latter river. But before Charles could get farther north than Northallerton, or Strafford than Darlington, Conway was in full retreat, and the Scots upon the Wear, and "that infamous, irreparable rout at Newburn had fallen out."† Upon Thursday, the 27th of August, Leslie and his Scots encamped on the left bank of the Tyne, a very short distance from Newburn, at a spot called Heddonlaw. That night they made great fires round about their camp, coals being plentiful thereabout, so that the camp

* Hist.

† Conway's letter in Rushworth.—Though addressed to Windebank, Conway's letter was more particularly for the information of Laud, as if the Archbishop of Canterbury had been minister of war or generalissimo.

‡ One part of the Scottish army crossed at a ford close to Coldstream; another part at a ford lower down the river.

* May.—That thorough-going royalist, Sir Philip Warwick, who, when the tragical drama was all over, and many more years had elapsed, could see no provocation on the part of the court, who maintained that the levying of ship-money was strictly legal, and branding and mutilation a very proper means of establishing Laud's Anglican church, gives a very indifferent character of some of the principal officers of this ill-affected army. The Lord Conway he describes, oddly, as a "man of epicurean principles, and a great devourer of books and good cheer, and who lay under some reflection since the action at the Isle of Rhé." "The rest of the chosen military men," he adds, "as Wilmot, and Goring, and Ashburnham, and O'Neal, &c., were merry lads, and none of them good willers to Strafford, but more the Lord Holland's dependents—a greater man on the queen's side, than his, which made them so froward towards him."—*Memoirs.*

† Clarendon.

seemed to be of great compass and extent. During the night they suffered any Englishmen that chose to visit them, making them welcome, and assuring them that they only came to demand justice from the king, against incendiaries—men that were a still greater curse to the English than they had been to the Scots. In the course of the following day, Conway drew up the king's army, consisting of 3000 foot, and 1500 horse, in some meadow-ground close on the south bank of the river, between Newburnhaugh and Stellahaugh, which faced two fords, passable for infantry at low water, and which were both protected by sconces or breast-work, there being four pieces of ordnance in each sconce. Conway's cavalry was drawn up in squadrons, and with the foot it covered the right bank. During the forenoon the Scots watered their horses at one side of the river, and the English at the other, without any attempt to annoy each other—without exchanging any reproachful language. The Scots brought down cannon into Newburn town, and planted some in the church at a short distance from the river's brink, and they distributed their musketeers in the church and in the houses, lanes, and hedges, to guard against any attack. For many hours the two forces looked at each other calmly, and without any apparent anxiety to engage. The old fury of the Scots, the ancient animosities of the English, had no longer an existence; if it had been otherwise, no treachery, no management could have kept them from falling upon each other. At last a Scottish officer, well mounted, wearing a black feather in his hat, came out of one of the thatched houses in Newburn to water his horse in the river Tyne, as his countrymen had been doing all that day; and an English soldier, seeing this officer fix his eye on the English trenches, fired at him, whether in earnest, or to scare him, was not known, but the shot took effect, and the officer with the black feather fell wounded off his horse. Thereupon the Scottish musketeers opened a fire across the river upon the English, and Leslie ordered his artillery to play. Some of his guns are said to have been merely of leather, capable only of some ten or twelve rounds, but he had other regular pieces of ordnance, and his guns were served by men who had learned the use of them under the Lion of the North, or in the sieges and campaigns of the Dutch; whereas the English soldiers were unacquainted with their cannon.* The Scots played upon the English breast-works, and the king's army played upon Newburn church, till it grew to be near low water, by which time the Scottish artillery had made a breach in the greater sconce, where Colonel Lunsford commanded. The colonel had great difficulty to keep his men to their post, for several had been killed, and many wounded, and when they saw a captain, a lieutenant, and some other officers slain, they began to murmur that they had been put upon double duty, and had stood there all night and all day, without being relieved from Newcastle. Lunsford again prevailed with them not to desert their position, but presently a well-directed shot hit the work in the midst, fell among the men and killed some more of them; and then the rest threw down their arms and ran out of the fort. Leslie, from the rising hill above Newburn, plainly perceived this evacuation, and it being then low water, he commanded his own body-guard—a troop of twenty-six horse, and *all Scotch lawyers*—to pass the ford, which they did with great spirit, and having reconnoitered the other sconce, they rode back without coming to close quarters. Still keeping up his fire, he at length made the English foot to waver, and finally compelled them to abandon that work also. Then Leslie played hard with nine pieces of cannon upon the king's horse, drawn up in the meadow, and so galled them that they fell into disorder, which was greatly increased when the Scottish lawyers charged again with a body of cavalry under Sir Thomas Hope, and two Scottish regiments of foot, commanded by the Lords Lindsay and Loudon, waded through the river. Presently Leslie threw more troops, both horse and foot, on the right bank, and then Colonel Lunsford drew off all his cannon, and a retreat was sounded by the English trumpets. Only one gallant attempt was made at resistance: Commissary Wilmot, son to the Lord Wilmot, Sir John Digby, a Catholic recusant, and Daniel O'Neal, an Irish officer, charged the Scots, and drove some of them back into the river, but, not being seconded, they were recharged, surrounded, and taken prisoners, with their men.* Leslie treated these three officers nobly in his camp, and afterwards gave them their liberty freely to return to the king's army. After this short struggle, the English fled in the greatest disorder to Newcastle. Nor did they consider themselves safe there, for the Lord Conway called a council of war, and it was resolved, at twelve o'clock at night, that the town was not tenable,† and that the whole army, with the train of artillery and stores, which had been there collected, should fall back instantly upon Durham. In the whole battle—if battle it may be called—there fell not above sixty Englishmen: it was evident that they had no mind to fight the Scots in this quarrel. But, at the same time, it may be observed, that there were circumstances sufficient to account for their defeat, with-

* See "The Lord Conway's relation concerning the passages in the late northern expedition in 1640," as published by Lord Hailes (*Memorials*), from the original manuscript preserved in the British Museum, Harl. MSS. See also Conway's clear and spirited letter of exculpation to Secretary Windebank in *Hardwicke State Papers*.

* "The truth is," says Secretary Vane, in a letter to Windebank, our horse did not behave themselves well, for many of them ran away, and did not second those that were first charged."—*Hardwicke State Papers*.

† "By all their consents, it was agreed the town should be quitted because it was not tenable, being altogether unfortified on the bishopric's side, and the fortifications on the other side were very inconsiderable To stay there would but increase the loss; it would not save anything. The gaining of two or three days could not much strengthen the town, there being not any place that could be made defensible in that time, and the loss of our men would greatly lessen the king's army; and this was agreeable to that which was thought fit at court; for, with all speed, orders were dispatched by several ways to command the bringing of the army from Newcastle."—*Rushworth*. This laborious writer was on the spot at the time.

out reference either to their lukewarmness or the treachery of their leaders. Conway had only some 4000 troops of the rawest kind. Leslie had from 20,000 to 22,000; and though his cavalry was weak, his infantry was excellent. Besides, the river Tyne was fordable at eight or ten places, a little above or a little below those two points guarded by the sconces or breastwork, the only works erected on the river. To defend that line against such a force and so skilful a general as Leslie, Strafford, at least, ought to have been up with all the force he was leading.*

By five o'clock on the following morning, August the 29th, Newcastle was evacuated, and all that part of the English army in full retreat. For a time it appears the Scots could scarcely believe their good fortune, or that so important a town could be abandoned without a blow; but, in the afternoon, Douglas, sheriff of Teviotdale, rode up with a trumpet and a small troop of horse to the gates of Newcastle, which, after some parley, were thrown open to him. The following day, being Sunday, Douglas and fifteen Scottish lords dined with the mayor, Sir Peter Riddle, drank a health to the king, and heard three sermons preached by their own divines. On Monday Leslie pitched his tents on Gateside Hill, half a mile south of Newcastle, whence he issued orders for supplies of bread and beer, for which he paid partly in money and partly in bills. He permitted no man to take a crust of bread without paying for it; and his troops were kept in an admirable state of discipline by his own drilling and vigilance, and by the constant prayers and sermons of their preachers. Conway did not consider Durham more tenable than Newcastle: he pursued his retreat to Darlington, where he met the fiery Strafford, who, however, was fain to turn with him, and fall still farther back to Northallerton, where the standard of Charles was floating.† Leslie soon quitted Newcastle, and was marching after them, it was said, as fast as he could: so, having hastily reviewed their forces, and found them greatly diminished by desertion, the king, Strafford, and Conway all moved together from Northallerton, and fell back upon the city of York, with the intention of intrenching close under the walls of that town, and sending back their cavalry into Richmond or Cleveland, to guard the river Tees and keep the Scots from making incursions into Yorkshire. Leslie took Durham as he had taken Newcastle; and the Scots entered without opposition into Shields, Teignmouth, and other places. Without losing twenty men they became masters of nearly the whole of the four northern counties of England. But though the road to York seemed open to them, though the disaffection of the inhabitants was well known, they paused upon the left bank of the Tees. On the 11th of September, when the Londoners were already greatly dismayed by the notion that they should get no more coals from Newcastle, his majesty took a view of his army under the walls of York, and found that it still consisted of 16,000 foot and 2000 horse, besides the trained bands of Yorkshire. "Braver bodies of men, and better clad," wrote Sir Henry Vane to Secretary Windebank, "have I not seen anywhere. . . . . For the horse, they are such as no man that sees them, by their outward appearance, but will judge them able to stand and encounter with any whatsoever. Sure I am that I have seen far meaner in the King of Sweden's army do strange and great execution; and, by the report of all, they are far better than those they are to encounter, being but little nags most of them, and few or none at all armed but with lances and Scots pistols, of which I cannot learn they are above 1600. So, if God sends us hearts and hands . . . and so as you do provide us monies in time, I do not see (though it must be confessed they have made but too far and prosperous advance already into this kingdom) but that, God being with his majesty's army, success will follow."*

But, to say nothing of God's blessing, which *his* preachers said he had, heart and money were both wanting; and the unwelcome conviction induced Charles to turn a ready ear to those who urged the necessity of temporising with the Scots. He condescended to receive as envoy and negotiator the Lord Lanark, secretary of state for Scotland, and brother to the Marquess of Hamilton, who presented the petition of the Covenanters to his majesty. Lamenting their many sufferings in time past, they told Charles that extreme necessity had constrained them for their relief, and obtaining their humble and just desires, to come into England, where, in all their march, they had lived upon their own means, victuals, and goods brought along with them; neither troubling the peace of the kingdom of England, nor hurting any of his majesty's subjects; having carried themselves in a most peaceable manner till they were pressed by strength of arms to put such English forces out of the way as did, against their own consciences, oppose their peaceable passage at Newburn-upon-Tyne, bringing their own blood upon their own heads. They expressed their anxiety to prevent the like inconveniences, or greater, for the future; assured his majesty that, as most humble and loyal servants, they did persist in that most humble

* Leslie, moreover, had the advantage of ground: the left bank of the Tyne, at that point, was higher than the right, and from the church of Newburn, the Scots could clearly discern every movement in the English positions, and rake them with a sure fire.

† Strafford, according to Clarendon, had brought with "a body much broken with his late sickness, a mind and temper confessing the dregs of it, which, being marvellously provoked and inflamed with indignation at the late dishonour, rendered him less gracious,—that is, less inclined to make himself so to the officers upon his first entrance into his charge; it may be, in that mass of disorder, not quickly discerning to whom kindness and respect was justly due. But those who, by this time, no doubt were retained for that purpose, took that opportunity to incense the army against him; and so far prevailed in it, that in a short time it was more inflamed against him than against the enemy; and was willing to have their want of courage imputed to excess of conscience, and that their being not satisfied in the grounds of the quarrel was the only cause that they fought no better. In this indisposition in all parts the earl found it necessary to retire."—*Hist.* We learn from a letter of Sir Henry Vane (in Hardwicke Papers) that Strafford at this time was troubled with the stone as well as the gout. Charles, it appears, thought to revive him and reward him by giving him the blue ribbon, which was done on the 13th of September.

* Hardwicke State Papers.

and submissive way of petitioning which they had kept from the beginning, hoping to obtain admittance to his majesty's presence, and that his majesty, in the depth of his royal wisdom, would consider at least their pressing grievances, and provide for the repair of their wrongs and losses, and, with the advice of the states of the kingdom of England *assembled in parliament*, settle a firm and durable peace between the two kingdoms. Charles, on the 5th of September, gave a gentle but evasive answer to the Earl of Lanark, telling him that he was always ready to redress the grievances of his people; that the petition he had presented was conceived in too general terms, but that, if he would return with a more specific statement of their grievances, he would give them his earliest attention. As to "the estates of the kingdom of England in parliament assembled," he said nothing, for, even at this extremity, he was most averse to the summoning of a parliament; but he thought, most unreasonably, to satisfy the Scots by telling Lanark that he had already issued summonses for the meeting of the *peers* of England, in the city of York, on the 24th day of September, by whose advice he hoped to give such full answers to their petitions as should most tend to his own honour and the peace and welfare of his dominions. In the mean time, his majesty expected and commanded that the Scots would advance no farther into England. On the 8th of September the Covenanters sent Lanark a list of their grievances and conditions, expressing their great joy at learning that his majesty was beginning again to hearken to their humble petitions and desires. They were as follows:—"1. That his majesty would be graciously pleased to command that the last acts of parliament may be published in his highness' name as our sovereign lord, with the estates of parliament convened by his majesty's authority. 2. That the castles of Edinburgh, and other strengths of the kingdom of Scotland, may, according to the first foundation, be furnished and used for our defence and security. 3. That our countrymen in his majesty's dominions of England and Ireland may be freed from censure for subscribing the covenant, and be no more pressed with oaths and subscriptions unwarrantable by their laws, and contrary to their national oath and covenant, approved by his majesty. 4. That the common incendiaries, which have been the authors of this combustion, may receive their just censure. 5. That all our ships and goods, with all the damage thereof, may be restored. 6. That the wrongs, losses, and charges, which all this time we have sustained, may be repaired. 7. That the declarations made against us as traitors may be recalled. In the end that, by the advice and counsel of the estate of England convened in parliament, his majesty may be pleased to remove the garrisons from the Borders, and any impediments which may stop free trade, and, with their advice, to condescend to all particulars that may establish a stable and well-grounded peace, for the enjoying of our religion and liberties against all force and molestation, and undoing from year to year, or as our adversaries shall take the advantage."

These demands, though respectfully expressed, were not altogether moderate; but Charles read them, pretended to entertain them, and, with indignant pride, turned to Strafford to know whether 20,000 men could not be brought over *instanter* from Ireland, and looked to other quarters, to see whether there were not means for resisting and chastising the Scottish rebels. But there were none: the whole nation was in discontent and ferment, and the provinces occupied by the Scots cried with an alarming voice to be released from the burden of supporting them. At the same time Charles was beset by English subjects, who clamoured for a new parliament and the redress of their own crying grievances. Twelve peers—Bedford, Essex, Hertford, Warwick, Bristol, Mulgrave, Say and Sele, Howard, Bolingbroke, Mandevill, Brook, and Pagett—presented a petition to the sovereign, telling him that his majesty was exposed to great hazard and danger by this war,—that his revenue was much wasted,—that his subjects were burdened with coat and conduct money, billeting of soldiers, and other military charges,—and divers rapines and disorders committed by the soldiery raised for this service, so that the whole kingdom was becoming full of fear and discontent. They then proceeded to enumerate the grievances of innovation in matters of religion; the oath and canons lately imposed by the convocation; the great increase of popery, and the employing of popish recusants in places of power and trust, and especially in military commands, whereas, by the laws, they were not permitted to bear arms; the great mischief which might befal the kingdom through the intended bringing in of wild Irish troops; the urging of ship-money; the Star Chamber proceedings; the heavy duties and charges put upon merchandise; and the great grief of the subjects caused by the intermission of parliaments. After which, these twelve lords represented a parliament as the only prevention of the great danger, and besought him to summon one within some short and convenient time, whereby these ills might be removed, the authors and counsellors of them brought to legal trial and condign punishment, and the present war composed without bloodshed. At the same time the citizens of London prepared a petition to the same effect. Laud and the privy council, sitting in the capital, got sight of a copy of this petition as it was being circulated for signature, and thereupon they endeavoured to stop the proceeding and terrify the subscribers.* But the citizens disregarded their letter, put nearly 10,000 names to the petition, and dispatched some of the court of aldermen and common council to present it to the king at York. Also the gentry of Yorkshire, when called upon to pay and support the trained bands for two months, agreed to do their

* See Laud's letter to the lord mayor and aldermen of the city of London, in Rushworth.

best therein, but most humbly besought his majesty to think of summoning parliament. Strafford, who received their answer, proposed that, in reporting it to his master, he should leave out the words of advice about a parliament, as he knew it was the king's full purpose to call one; but the Yorkshire gentlemen's hearts, and the voice of the whole kingdom being fervent for a parliament, they would not consent that those words should be left out, and therefore they delivered their answer themselves; and Charles thought it prudent to seem to take it in good part.* He now, indeed, saw that a parliament was inevitable; and before the meeting of the peers, who had been really summoned to York as a great council, he issued writs for the assembling of parliament on the following 3rd of November. Meanwhile, upon the appointed day —the 24th of September—the great council of peers assembled in the dean's house near the Minster at York. There Charles told them that he had called them together, after the custom of his predecessors, to ask their advice and assistance upon sudden invasions and dangers which had not allowed time for the calling of a parliament; that an army of rebels were lodged within the kingdom; that he wanted their advice and assistance, in order to proceed to the chastisement of these insolences. "I must let you know," continued the king, "that I desire nothing more than to be rightly understood of my people; and to that end I have of myself resolved to call a parliament. . . . . And if my subjects bring those affections which become them towards me, it shall not fail on my part to be a happy meeting." He then asked what answer he should give to the petition of the rebels, and in what manner he should treat them, and how he should keep his own army on foot and maintain it until supplies might be had from a parliament. (If Charles could have dealt with the Scots in his own way,—if he could have maintained his army, and been sure of its loyalty,—if he could have obtained the Irish troops, he would have contented himself with his council of peers, and we should have heard no more of his promises of calling a parliament.) The Earl of Bristol proposed to continue and conclude the treaty with the Scots. He and other lords were confident that they could make peace upon honourable terms. Bristol said, indeed, that if his majesty were in case, it were best to bring the Scots on their knees; but, as matters stood, considering their strength, and that they had taken Newcastle and two whole provinces, it would be better to speak of the business as to men that had gotten these advantages. While they were speaking a packet was brought from the Covenanters to Lord Lanark, with a new petition to his Majesty, "supplicating in a more mannerly style than formerly." Besides Lanark, the Scottish earls of Traquair and Morton were both present; and Traquair was commanded to make the same relation to the peers which he had formerly made to the king and privy council, and which was the ground of the advice of the lords of the council, to reduce the rebels by force rather than to yield to their demands. On the following day (the 25th of September), the Lords, delighted with his majesty's assurance of calling a parliament, entered into debate with great cheerfulness and alacrity. Northallerton had been agreed upon for a place of meeting between the English and Scotch commissioners, but now it was declared that Ripon would be a better place; and the English peers unanimously resolved to hold the negotiations at Ripon. Sixteen of the English peers were to act for Charles;* eight Scottish lords and gentlemen for the covenant.

Charles, having settled about the commissioners, desired the Lords to proceed to the great business of the day, which was the second proposition, or how the army should be supplied with money; and, after a little time spent in debate, it was unanimously resolved that 200,000*l.* should be borrowed from the city of London, upon the joint security of the privy council and the peers. To get rid of the Scottish claims for supplies of money, Charles consented that they might make levies themselves in the counties beyond the Tees. He attempted to transfer the conferences from Ripon to the city of York; but the Scots, who were very cautious,—who, in the midst of all their civility, had shown that they had not the slightest confidence in his royal word,—objected to putting themselves so completely in his power. Here, also, their jealousy and hatred of Strafford blazed forth. "We cannot conceal," they said, "what danger may be apprehended in our going to York and surrendering ourselves, and others who may be joined with us, into the hands of an army commanded by the lieutenant of Ireland, against whom, as a chief incendiary (according to our demands, which are the subject of the treaty itself), we intend to insist, as is expressed in our remonstrance and declaration; who hath in the parliament of Ireland proceeded against us as traitors and rebels (the best titles his lordship in his common talk doth honour us with), whose commission is to subdue and destroy us, and who by all means and upon all occasions desireth the breaking up of the treaty of peace; the army being commanded also by divers papists, who conceive our pacification to be their ruin and dissolution; and, when there, by divers godless persons doing the worst office about his majesty, and waiting the occasion of expressing their malice and revenge against us and their own nation."† If the loose and inac-

* Rushworth.

* They were Bedford, Hertford, Essex, Salisbury, Warwick, Bristol, Holland, Berkshire, Mandevill, Wharton, Pagett, Brooke, Paulet, Howard, Saville, and Dunsmore; and they were to be assisted in arranging the treaty by the earls of Traquair, Morton, and Lanark, Secretary Vane, Sir Lewis Stuart, and Sir John Burrough, who were men either versed in the laws of Scotland, or who had been formerly acquainted with this business. The Scottish commissioners were the lords Dunfermline and *Loudon*, Sir Patrick Hepburn, Sir William Douglas, Alexander Henderson the celebrated preacher, Johnson the clerk of the general assembly, Wedderburne, and Smith.

† Rushworth. The Scottish commissioners were not satisfied with a safe-conduct under Charles's sign manual, and demanded that it should be signed by certain of the peers assembled in the great council, which was done before they would move from their safe quarters with Leslie and the army.

CHARLES I AND ARMOUR BEARER. Vandyke.

curate minutes of the proceedings of the great council of peers at York may be trusted, Strafford did not advise his master at this juncture to break off all negotiation and trust to force of arms;—he was too keen-sighted a person not to perceive the great and growing disaffection of the English army; but another peer certainly gave something very like this resolute advice. Edward Lord Herbert, commonly called the Black Lord Herbert, irritated at the Scots' demand of 40,000*l.* per month, advised the king to fortify York, and dissuaded his majesty from yielding to that demand, giving his reasons for both proceedings. Regarding the first he said, "First, that, Newcastle being taken, it is necessary to fortify York, there being no other considerable place betwixt the Scots and London, which might detain their army from advancing forwards. Secondly, that reason of state having admitted fortification of our most inland towns against weapons used in former times, it may as well admit fortifications against the weapons used in these times. Thirdly, that towns have been observed always averse to wars and tumults, as subsisting by the peaceable ways of trade and traffick, insomuch that when either great persons for their private interest, or the commons for their grievances, have taken arms, townsmen have been noted ever to continue in their accustomed loyalty and devotion." Black Herbert knew the value of pacifications and agreements of this kind. "Treaties," said he, "are like airy things, that have no real being in themselves, but in the imaginations of those who project them; they may quickly dissolve and come to nothing; and to give so great a sum of money for the treating only of a peace might be loss of the money, time, and many advantages." He said he had never read that ever prince bought a treaty of his subjects at so dear a rate; that it would reflect upon the honour of his majesty abroad, when foreign nations should learn that he could not find means of treating with his subjects for a peace but by giving money to *their* army which ought to be employed in paying his own army: that his majesty should try whether the Scots meant really a treaty, and not an invasion, by moving his commissioners to propose the im-

mediate disbanding of both armies, all things else remaining *in statu quo* until the negotiations at Ripon should be concluded. But this advice, though in all respects it coincided with the feelings of the king, was too dangerous to be adopted. The commissioners laboured with little effect from the 1st of October till the 16th, when they agreed upon articles for the quiet maintenance of the Scottish army for two months, for the opening of the sea-ports in the north and the renewal of free trade and commerce by sea and land, as in time of peace, and for the cessation of hostilities, and nothing more was settled, for all the grievances and important clauses of a definitive treaty were left untouched; and, on the 23rd of October,—the time of the meeting of parliament approaching,—it was agreed that the negotiations should be transferred from Ripon to London. The Scots were to receive or levy the sum of 850*l. per diem* for the space of two months, beginning from the 16th of October; they were to content themselves with this maintenance, and neither molest papists, prelates, nor their adherents;* and by this arrangement Leslie and the Covenanters were left in undisturbed possession of Durham, Newcastle, and all the towns on the eastern coast beyond the Tees, with the single exception of Berwick. "Upon such terms," says a contemporary, "was this unnatural war (although the armies could not as yet be disbanded) brought to a cessation; and both nations rested in assured confidence that a peace must needs follow, since the whole matter was now to be debated in the English parliament, which was to begin about a fortnight after, for it was likely that a parliament should put a period to that war which could never have been begun but for want of a parliament. They were also confident that that freedom which the fundamental laws and constitutions of the kingdom of England allow to parliaments could not be denied to this (though to many others it had long been), as being that parliament to which the king was necessitated, and the only way which was now left him to tread, after so many deviations unfortunately tried, and upon which the people had set up their utmost hope, whom it seemed not safe after so long suffering to provoke any further."†

Upon the 3rd of November, 1640, Charles, in evident depression of spirits, opened in person the ever-memorable Long Parliament.‡ He told the Houses that the honour and safety of the kingdom being at stake, he was resolved to put himself freely and clearly on the love and affection of his English subjects,—that he was exhausted by charges made merely for the security of England, and therefore must desire them to consider the best way of supplying him with money, chastising the rebels, &c., and then he would satisfy all their just grievances. And at the end of his speech, he said, with great emphasis,—"One thing more I desire of you, as one of the greatest means to make this a happy parliament, that you on your parts, as I on mine, lay aside all suspicion one of another: as I promised my Lords at York, it shall not be my fault if this be not a happy and good parliament."* But this invitation to a mutual confidence came many years too late. The court had signally failed in its endeavours to influence the elections; the people everywhere had been eager to return patriotic members, men tried in the furnaces of former parliaments, or known for their opposition in private life to the encroachments of the prerogative, and the innovations in the church. Of Charles's chief servants only two, Vane and Windebank, had obtained seats; and the first of these was suspected of treachery, while Windebank was so odious to the people as a creature of Laud, that his presence in the House was rather hurtful than beneficial. For a long time it had been usual with the Commons to bow to the king's inclinations in the choice of a Speaker; even in the preceding parliament they had chosen a courtier: but now, instead of Gardiner, the recorder of London, the man of the king's choice, Lenthall, a practising barrister, was hastily chosen; and the choice was approved by Charles, in ignorance of the man. Hampden, Pym, St. John, and Denzil Hollis again took their seats, and their party was wonderfully strengthened by the election of Mr. Henry Vane, the son of Sir Henry Vane, and one of the most remarkable men that sat in that parliament,—so wild an enthusiast in religion as to excite a suspicion of his sanity or sincerity,—so acute a politician, so accomplished a statesman, as to challenge the admiration of all parties. The first

* Some of the Scotch army thought it quite fair to plunder the papists of Northumberland, and from the papists they had proceeded to bishop's tenantry and episcopalians.

† May.

‡ Charles would not open parliament with the usual state. He, as it were, skulked to the House. "The king," says Laud in his Diary, "did not ride, but went by water to King's Stairs, and through Westminster Hall to the church, and so to the House." Clarendon says with more solemnity,—"This parliament had a sad and melancholic aspect upon the first entrance, which presaged some unusual and unnatural events. The king himself did not ride with his accustomed equipage, nor in his usual majesty, to Westminster, but went privately in his barge to the Parliament Stairs, and after to the church, as if it had been to a return of a prorogued parliament."—*Hist.*

* Charles was followed by the Lord Keeper Finch, who made an elaborate speech to show that, with the exception of the impious troubles in the north, the country was in a blessed state,—that things never had been so well, and never could be better. It was deemed necessary to bring in the name of the queen, who was excessively unpopular, and to declare that she was the paragon of queens. Charles, in his previous declaration of the motives which induced him to summon this parliament, had said nothing of the kind, but it was now thought fit to report that the wise and generous counsels of his wife had led him to this healing measure "Behold the king," said Finch, "in another part of himself, in his dearest consort, our gracious queen, the mirror of virtue, from whom, since her happy arrival, now after three lustres of years, never any subject received other than gracious and benign influence; and I dare avow, as she is nearest and dearest to our sovereign, so there is none whose affections and endeavours (his majesty only excepted) have, or do, or can co-operate more to the happy success of this parliament, and the never-to-be-equalled joy and comfort of a right understanding between the king and his people! Behold him in his best image, our excellent young prince, and the rest of the royal and lively progeny, in whom we cannot but promise to ourselves to have our happiness perpetuated. From the throne, turn your eyes to the two supporters of it; on the one side, the stem of honour, the nobility and clergy; on the other side, the gentry and commons! Where was there, or is there, in any part of the world, a nobility so numerous, so magnanimous, and yet with such a temper that they neither eclipse the throne nor overtop the people, but keep in a distance fit for the greatness of the throne? Where was there a commonwealth so free and the balance so equally held as here? And certainly so long as the beam is duly held it cannot be otherwise."

thing these men did was to move for the appointment of committees of grievance, and the receiving of petitions praying for their removal. Mr. Edward Hyde, still on the patriotic side, brought up a crying grievance in the north, which was none other than Strafford's Court of the President of the North, or, as it was more usually called, the Court of York, which, he said, by the spirit and ambition of the minister trusted there, or by the natural inclination of courts to enlarge their own power and jurisdiction, had broken down the banks of the channel in which it was meant to run, had almost overwhelmed that country under a sea of arbitrary power, and involved the people in a labyrinth of distemper, oppression, and poverty. The eccentric George Lord Digby, son of the Earl of Bristol, brought up the grievances in the west,—Sir John Colpepper the grievances in the south,—Waller, the poet, a fresh denunciation of ship-money, subservient judges, and the intermission of parliaments. Other petitions were presented in a more startling manner. "The first week," says Whitelock, "was spent in naming general committees and establishing them, and receiving a great many petitions, both from particular persons and from multitudes, and brought by troops of horsemen from several counties, craving redress of grievances and exorbitances, both in church and state." The Lord Falkland, Sir Benjamin Rudyard, Sir Edward Deering, Mr. Harbottle Grimston, and other leading members, fell vigorously upon the system of episcopacy, and the House presently denounced all the acts and canons which Laud had hurried through the late convocation. They attacked every part of church government,—every proceeding of the primate in matters of religion and conscience. "He is a great stranger in Israel," exclaimed Lord Falkland, "who knoweth not that this kingdom hath long laboured under many and great oppressions both in religion and liberty; and his acquaintance here is not great, or his ingenuity less, who doth not both know and acknowledge that a great, if not a principal, cause of this have been some bishops and their adherents. . Under pretence of uniformity, they have brought in superstition and scandal; under the titles of reverence and decency, they have defiled our church by adorning our churches. . . They have tithed mint and anise, and have left undone the work of the gospel. . . . They have made the conforming to ceremonies more important than the conforming to Christianity."* Mr. Bagshaw said that there were two sorts of episcopacy—the first *in statu puro*, as it was in the primitive times; the second *in statu corrupto*, as it is at this day; that it was maintained by the Bishop of Exeter in a book, that episcopacy, both in the office and in the jurisdiction, is *jure divino*—of divine right—which position was directly contrary to the laws of England, which plainly showed that the bishops had their episcopal jurisdiction from the kings of England, and not *jure divino*. "It is holden at this day," said he, "that episcopacy is inseparable from the crown of England; and, therefore, it is commonly now said, no bishop, no king—no mitre, no sceptre; which I utterly deny—for it is plain and apparent, that the kings of England were long before bishops, and have a subsistence without them, and have done, and may still depose them." After quoting a number of statutes, the same orator said, "I am for a thorough reformation of all abuses and grievances of episcopacy; which reformation may perhaps serve the turn, without alteration of the government of England into a form of presbytery, as it is in other kingdoms—of Scotland, France, Geneva, and the Low Countries; which, for mine own part, had I lived in those kingdoms, I should have been of the opinion of the Protestant party in point of Presbytery." Sir Benjamin Rudyard, however, thought it expedient that they should bethink themselves whether a popular democratical government of the church, though fit for other places, would be either suitable or acceptable to a regal, monarchical government like that of England. Sir Edward Deering compared the modern episcopacy to papistry, and attacked that tyrannical court which was so dear and essential to Laud. "With the papists," said he, "there is a severe inquisition, and with us there is a bitter high commission; both these, *contra fas et jus*, are judges in their own case. . . . . With the papists there is a mysterious artifice; their *index expurgatorius*. To this I parallel our late *imprimaturs*, or licences for the press, which are so handled that truth is suppressed, and popish pamphlets fly abroad *cum privilegio*. . . . . Nay, they are already grown so bold in this new trade, that the most learned labours of our ancient and best divines must be new corrected and defaced by the supercilious pen of my lord bishop's young chaplain." He went on to show how nearly Laud's notions of supremacy and infallibility approached to those of the pope. "And herein," added he, "I shall be free and clear—if one of these must be, I had rather serve one as far off as the Tiber than to have him come to me so near as the Thames: a pope at Rome will do me less hurt than a patriarch at Lambeth." It may readily be conceived how these things affected Laud, who shortly before had been visited by omens and misgivings, and who clearly saw ruin approaching.* It was, indeed, evident that the Commons believed, with Pym, that "they must not only make the house

* Falkland also said that, while masses had been celebrated in security, a conventicle had been made a great crime. To conceive that the toleration he claimed for the latter should be extended to the former was above even his elegant and high mind.

* "October 27, Tuesday, Simon and Jude's Eve, I went into my upper study to see some manuscripts, which I was sending to Oxford; in that study hung my picture, taken by the life, and, coming in, I found it fallen down upon the face, and lying on the floor, the string being broken by which it hanged against the wall. I am almost every day threatened with my ruin in parliament; God grant this be no omen."—*Diary*. A few days before, the archbishop notes in the same private record—"The high commission sitting at St. Paul's, because of the troubles of the times, very near two thousand Brownists made a tumult at the end of the court, tore down all the benches in the consistory, and cried out, they would have no bishop, nor no high commission."

clean, but pull down the cobwebs."* They debated with the same fearlessness and the same high eloquence on the other grievances of the country; but for many days they constantly returned to the subject of religion and to the evil counsellors about the king. "We well know," said Rudyard, "what disturbance hath been brought upon the church for vain petty trifles; how the whole church, the whole kingdom, hath been troubled, where to place a metaphor, an altar. We have seen ministers, their wives, children, and families undone against law against conscience, against all bowels of compassion, about not dancing upon Sundays. What do these sort of priests think will become of themselves, when the master of the house shall come and find them thus beating their fellow servants? . . . They would be at something very like the mass; they want a muzzled religion. They would evaporate and dispirit the power and vigour of religion, by drawing it out into solemn and specious formalities, into obsolete antiquated ceremonies, new furbished up.

They have so brought it to pass, that, under the name of Puritans, all our religion is branded, and under a few hard words against Jesuits, all popery is countenanced. Whosoever squares his actions by any rule, either divine or human, he is a Puritan: whosoever would be governed by the king's laws, he is a Puritan: he that will not do whatsoever other men would have him do, he is a Puritan. Their great work, their master-piece, now is, to make all those of the religion to be the suspected party of the kingdom." Then passing to the obnoxious ministers, the same orator said, "His majesty hath freely put himself into the hands of this parliament; and I presume there is not a man in this House but feels himself advanced by this high trust; but if the king prosper no better in our hands than he hath done in theirs who have hitherto had the handling of his affairs, we shall for ever make ourselves unworthy of so gracious a confidence. . . . His majesty is wiser than they that have advised him, and therefore he cannot but see and feel their subverting, destructive counsels, which speak louder than I can speak of them; for they ring a doleful, deadly knell over the whole kingdom. His majesty best knows who they are. For us, let the matters bolt out the men, their actions discover them. They are men that talk largely of the king's service, and yet have done none but their own, and that is too evident. They speak highly of the king's power; but they have made it a miserable power, that produces nothing but weakness, both to the king and kingdom. They have exhausted the king's revenues to the bottom, nay, through the bottom, and beyond. . . . . It hath heretofore been boasted, that the king should never call a parliament till he had need of his people: these were words divisive and of malignity. The king must always, according to his occasions, have use of the people's power, hearts, hands, purses; the people will always have need of the king's clemency, justice, protection; and the reciprocation is the strongest, the sweetest union. It hath been said, too, of late, that a parliament will take away more from the king than they will give him. It may be well said, that those things which will fall away of themselves will enable the subjects to give him more than can be taken any way else. Projects and monopolies are but leaking conduit-pipes; the exchequer itself, at the fullest, is but a cistern, and now a broken one; frequent parliaments only are the fountains; and I do not doubt but in this parliament, as we shall be free in our advices, so shall we be the more free of our purses, that his majesty may experimentally find the real difference of better counsels, the true, solid grounds of raising and establishing his greatness, never to be brought again (by God's blessing) to such dangerous, such desperate perplexities."*

From speaking, the Commons soon proceeded to action; not always bearing in mind the strict limits of their power and jurisdiction. On the 7th of November, the fourth day of their sitting, they passed a resolution that those victims of Star Chamber tyranny and cruelty, Mr. Burton, Dr. Bastwick, and Mr. Prynne, should be sent for forthwith by warrant of the House, and made to certify by whose warrant and authority they have been mutilated, branded, and imprisoned. And, being liberated from their distant dungeons by this warrant of the House, the three Puritans, upon the 28th day of November, came to London, being met upon the way and brought into the city by five thousand persons, women as well as men, all mounted on horseback, and wearing in their hats and caps rosemary and bays, in token of joy and triumph. The discourses of men upon this triumphant entrance varied: "some of the court, as well as clergy and other gentlemen besides, did not conceal their dislike of it, affirming that it was a bold and tumultuous affront to courts of justice and the king's authority: others, who pitied the former sufferings of those men, and they that wished reformation in matters of justice, were pleased with it; hoping that it would work good effects in the king's mind, and make him sensible how his people stood disaffected to the rigour of such proceedings, and esteemed it as a good presage of the ruin of those two courts, the High Commission and the Star Chamber."† The

* Clarendon, Hist.

* Rudyard said, in one part of this remarkable speech, "I have often thought and said, that it must be some great extremity that would recover and rectify this state; and when that extremity did come, it would be a great hazard whether it would prove a remedy or ruin. We are now, Master Speaker, upon that vertical turning point, and therefore it is no time to palliate, to foment our own undoing." There were many that thought with Rudyard, and it would be idle to doubt the fact (as it would be difficult to condemn its authors) that *some* of these had helped to make the present crisis, believing, with St. John, that things must be worse before they could be better.

† May—This author, who must have known very well how it wrought upon Charles, says, "How it wrought at that present upon the king is not known. But actions of that nature, where the people of their own accords, in a seeming tumultuous manner, do express their liking or disliking of matters in government, cannot always produce the same success, but work according to the disposition of the prince or governor either to a sense causing reformation, or to an hatred of them as upbraiders of his actions:—*aut corrigunt, aut irritant.*"

latter class were indisputably the more numerous, and *now* the more powerful. Happy had it been if the released captives and sufferers for conscience sake, and those who triumphed with them in their release, had learned to tolerate others, or had ascertained the great fact that persecution and cruelty defeat their own objects! Within a month after the return of the three Puritans, their business was referred to a committee, and, upon the report of that committee, it was voted by the House that their several judgments were illegal, unjust, and against the liberty of the subject; and, about a month after this, it was further voted that they should receive damages for their great sufferings, and that satisfaction should be made them in money, to be paid by the Archbishop of Canterbury, the other high commissioners, and those lords who had voted against them in the Star Chamber, and that they should be restored to their callings and professions of divinity, law, and physic. The damages were fixed for Burton at 6000*l.*, for Prynne and Bastwick at 5000*l.* each. As these men were comforted after their sufferings, so other divines, followers of Laud's orthodoxy, after a brief triumph, were brought to their torment. The Committee of Religion was indefatigable, and certainly neither tolerant nor merciful. "Their first care," says May, "was to vindicate distressed ministers, who had been imprisoned or deprived by the bishops, and all others who in the cause of religion had been persecuted by them: many of those ministers within few weeks after the beginning of the parliament were released from durance, and discharged to their charges, with damages from their oppressors; many doctors and other divines that had been most busy in promoting the late church innovations about altars and other ceremonies, and therefore most gracious and flourishing in the state, were then questioned and committed; insomuch as the change, and the suddenness of it, seemed wonderful to men, and may worthily serve as a document to all posterity—*quam fragili loco starent superbi* (in how insecure a position stood they that were so proud)."* The committee proceeded to inquire concerning scandalous ministers, which are described as being of two kinds;—1. Loose livers, and men of debauched behaviour, who had gotten into good preferment, and been countenanced in insulting the Puritans. 2. Men who had offended in the way of papistical ceremonies and superstition. Among all the men of his rank, Laud's friend and pet author, Dr. Cousens, master of St. Peter's, Cambridge, was most noted for what were termed superstitions and curious observances. "He was not noted," says May, "for any great depth of learning, nor yet scandalous for ill living, but only forward to show himself in formalities and outward ceremonies concerning religion, many of which were such as a Protestant state might not well suffer." Cousens was imprisoned and bailed, and though deprived of some of his preferments, yet escaped without any great punishment, being one of a crowd that had reason to rejoice that the parliament had so much business on hand. On the 18th of December, Cousens's friend and patron, William Laud, Archbishop of Canterbury, &c. &c., was singled out for the crushing thunderbolts of the House. It was resolved that a message should be sent to the Lords to accuse him, in the name of the House and of all the Commons of England, of high treason, and to desire that he might be forthwith sequestered from parliament, and committed. Denzil Hollis carried up this message. Evidently to his surprise, the Lord Keeper Finch told him, that the Lords would sequester the archbishop from their House, and commit him to the custody of their gentleman-usher.* Laud desired leave to speak, and dropped some unguarded expressions, which he afterwards begged leave to retract, but was refused by their lordships. He then requested permission to go to his house to fetch some papers, that might enable him to make his defence. This permission was granted, provided he did nothing but in sight of the gentleman-usher, in whose custody he was ordered to remain, and in whose custody he *did* remain for ten weeks, when he was committed to the Tower. In his speech on the motion of impeachment, Mr. Grimston desired the House to look upon Laud's colleagues and dependents. "Who is it but he only," exclaimed the orator, "that hath brought the Earl of Strafford to all his great places and employments? . . . . Who is it but he that brought in Secretary Windebank into that place of trust—Windebank, the very broker and pander to the whore of Babylon? Who is it but he only, that hath advanced all our popish bishops? I shall name but some of them Bishop Mainwaring, the Bishop of Bath and Wells, the Bishop of Oxford, and Bishop Wren, the least of all these birds, but one of the most unclean."† On the morrow of Laud's arrest (the 19th of December) this Wren was smitten on the hip, it being ordered that a message should be sent to the Lords, that there were certain informations of a high nature against Dr. Matthew Wren, Bishop of Ely, concerning the setting up of idolatry and superstition; and that the Commons, having information that he was endeavouring an escape, desired their lordships that care

* *Hist. Parl.*—If the Commons had wanted a quickening, they certainly had it from without. Their table was absolutely loaded with petitions, some of which were presented by multitudes, vociferating "No bishops, no high commission, no Star Chamber." On the 11th of December, Alderman Pennington, with some hundreds following him, presented a petition from the citizens of London, with fifteen thousand subscriptions, against the discipline and ceremonies of the church.—*Whitelock.*

* At the same time, Laud was denounced as "the great incendiary in the national differences" by the Scotch commissioners, who had come up to London, and were residing in the city—"much frequented by the disaffected."

† Mainwaring, who had made such a noise by his writings in favour of absolutism and the divine right of kings, was now Bishop of St. David's; the Bishop of Bath and Wells was William Pierce; the Bishop of Oxford was Dr. John Bancroft; Matthew Wren, now of Ely, had been Bishop of Norwich, and had distinguished himself in that diocese by his violent persecution of Puritans and his expulsion of the industrious clothiers—foreigners, or descendants of foreigners, who would not renounce the religion they had brought with them into England. (See ante, p. 163.) Bishop Wren was the uncle of the celebrated Sir Christopher Wren.

might be taken that he should give good security to abide the judgment of parliament. Mr. Hampden went up with this message. The Lord Keeper Finch, who must have seen that his own hour was at hand, assured the House of Commons, through Mr. Hampden, that the Bishop of Ely should give bail for ten thousand pounds.

But before these churchmen were stricken in their pride of place, Strafford had been denounced, formally accused, and safely lodged in the Tower. When the king left York, his lieutenant remained behind him, to take charge of what remained of the army in the north. It is proved by many concurrent witnesses that Strafford was averse to coming to London and meeting the parliament. His friends told him, that to appear in his place as a peer would be to hazard his life. He humbly represented to his master, that it would be better to leave him where he was, as he could not hope to be able to do his majesty any service at Westminster, where he felt he should rather be a hindrance to his affairs, as he foresaw that the great envy and ill-will of the parliament and of the Scots would be bent against him. He told Charles, that if he kept out of sight, he would not be so much in their mind; and if they should fall upon him, he, being at a distance, might the better avoid any danger, having liberty of going over to Ireland, or to some other place where he might be most serviceable to his majesty. The king, notwithstanding these weighty reasons, continued very earnest for Strafford's coming up to the parliament. Charles had a wonderful notion of Strafford's powers of imposing on parliaments, and his own less daring spirit stood in need of his servant's resoluteness; and in the end he laid his commands upon him, pledging himself for his safety, and assuring him that, as he was King of England, he was able to secure him from any danger, and that the parliament should not touch one hair of his head. Strafford made haste to thank his majesty for these assurances, but, still unconvinced, he once more represented the danger of his coming, saying, that if there should fall out a difference between his majesty and his parliament concerning him, it would be a very great disturbance to his majesty's affairs; and that he had rather suffer himself, than that the king's affairs should suffer on his account. But Charles would not be moved by these representations, or by the prospect of the danger which must attend his favorite minister; he repeated his injunctions, saying that he could not want Strafford's valuable advice in the great transactions of this parliament; and in obedience to these reiterated commands, the earl came up to London.* Strafford assumed a bold bearing, and a confidence which his inmost heart denied. "A greater and more universal hatred," says a noble contemporary, "was never contracted by any person, than he has drawn upon himself. He is not at all dejected, but believes confidently to clear himself in the opinion of all equal and indifferent-minded hearers, when he shall come to make his defence. The king is in such a strait, that I do not know how he will possibly avoid, without endangering the loss of the whole kingdom, the giving way to the remove of divers persons, as well as other things that will be demanded by this parliament."* Strafford arrived in town on Monday night; on Tuesday he rested from the fatigues of the journey; on the Wednesday he went to parliament, "but ere night he was caged."†

"It was about three of the clock in the afternoon," says Rushworth, "when the earl of Strafford (being infirm, and not well disposed in his health, and so not having stirred out of his house that morning), hearing that both houses still sat, thought fit to go thither. It was believed by some (upon what ground was never clear enough), that he made that haste then to accuse the Lord Saye, and some others, of having induced the Scots to invade the kingdom; but he was scarce entered into the House of Peers, when the message from the House of Commons was called in, and when Mr. Pym, at the bar, and in the name of all the Commons of England, impeached Thomas, Earl of Strafford (with the addition of all his other titles) of high treason, and several other heinous crimes and misdemeanours, of which, he said, the Commons would in due time make proof in form; and, in the mean time, desired, in their name, that he might be sequestered from all counsels, and be put into safe custody." Pym, who carried up the impeachment, had, according to Clarendon, announced his determined hatred to Strafford many years before. "You are going to leave us," said Pym, when Wentworth first went over to the king's party, "but we will never leave you, while your head is upon your shoulders." On the present occasion Strafford had gone in haste to the House. "He calls rudely at the door; James Maxwell, keeper of the black rod, opens: his lordship, with a proud, glooming countenance, makes towards his place at the board head; but at once many bid him void the House; so he is forced in confusion to go to door till he was called. After consultation, being called in, he stands, but is commanded to kneel, and on his knees to hear the sentence. Being on his knees, he is delivered to the keeper of the black rod, to be prisoner till he was cleared of these crimes the House of Commons had charged him with. He offered to speak, but was commanded to be gone, without a word. In the outer room, James Maxwell required him, as prisoner, to deliver his sword. When he had go it, he cries, with a loud voice, for his man to carry my lord lieutenant's sword. This done, he makes through a number of people towards his coach, all gazing, no man capping to him, before whom, that morning, the greatest of England would have stood discovered, all crying, 'What is the matter?' He said, 'A small matter, I warrant you.' They re-

* Whitelock.

* Sydney Papers: Letter from the Earl of Northumberland to the Earl of Leicester, dated the 13th of Nov., 1640.

† Letters of Robert Baillie, Principal of the University of Glasgow, and one of the Scottish Commissioners sent up to London. "Intolerable pride and oppression," says Baillie, "cries to heaven for vengeance."

plied, 'Yes, indeed, high treason is a small matter.' Coming to the place where he expected his coach, it was not there; so he behoved to return that same way, through a world of gazing people. When at last he had found his coach, and was entering, James Maxwell told him, 'Your lordship is my prisoner, and must go in my coach;' so he behoved to do."* A few days after his arrest, Strafford requested to be admitted to bail, but this was refused him, and he was safely lodged in the Tower.

Having thus secured the greatest incendiary, and appointed a committee to collect and arrange the charges against him, the Commons fell upon some inferior instruments—inferior in all respects to Strafford, but still far from insignificant. Sir Francis Windebank, one of the secretaries of state, the friend and creature of the primate of the English Protestant Church, and yet a concealed Catholic, was charged with illegally releasing recusants and Romish priests from prison. He avoided arrest and trial by flight: protected by the queen, he escaped to Paris, where he was received with honour, and where, eventually, he made a public profession of Catholicism. The Lord Keeper Finch was proceeded against as an avowed factor and procurer of the odious judgment against Mr. Hampden, and for his numerous abuses of power in the matter of ship-money. Finch was a supple rogue, and a wonderful rhetorician: he petitioned to be heard for himself at the bar of the House of Commons, "whereby, against all order, he was to take notice of what was handled in the House concerning himself."† His prayer having been granted, Finch, bearing the seals in his own hand, entered the Lower House; and when the speaker told him that his lordship might sit, he made a low obeisance, and laying down the seals and his hat in the chair, himself leaning on the back of the chair, he made a very elegant and ingenious speech in his own vindication, "*et captare benevolenciam.*"‡ But though his deportment was very humble and submissive, and his speech full of persuasive rhetoric, it could not prevail or prevent the Commons from voting him a traitor, though many in the House were moved to a kind of compassion. On the next day his impeachment was carried up to the Lords, who ordered his commitment; but he had taken timely warning—Finch was fled into Holland. Clarendon hints that Finch had come to a compromise with the popular party, "it being visible he was in their favour;" and he expresses his surprise at their suffering Windebank to escape their justice, "against whom," he says, "they had more pregnant testimony of offences within the verge of the law, than against any person they had accused since this parliament, and of some that, it may be, might have proved capital, and so their appetite of blood might have been satisfied."§ But the Commons of England were not remarkable for their appetite for blood; they wanted the heads of Strafford and Laud, and no more, and probably connived at, or were glad to see, the flight of their satellites. What they had already done was well calculated to strike terror into the hearts of all worshippers of the despotic principle. "Within less than six weeks," says Clarendon, "for no more was yet elapsed, these terrible reformers had caused the two greatest counsellors of the kingdom, whom they most feared, and so hated, to be removed from the king, and imprisoned under an accusation of high treason; and frighted away the lord keeper of the great seal of England, and one of the principal secretaries of state, into foreign kingdoms, for fear of the like; besides preparing all the lords of the council, and very many of the principal gentlemen throughout England, who had been high sheriffs and deputy lieutenants, to expect such measure of punishment from their general votes and resolutions, as their future demeanour should draw upon them for their past offences."* It was, indeed, wonderful to see how all the advocates and instruments of despotism, ship-money, and all kinds of illegal taxation, fell at the first blow, and crouched at the feet of their victors. The whole fabric of absolutism was shattered like a house of glass, or melted like a fabric of ice and snow on the return of the summer sun. Charles was helpless, hopeless, at once; there seemed to be scarcely a man in the land to raise sword or voice in his favour; nor did he gain any thing like a formidable party till these first terrors had subsided, and the parliament had stepped beyond that line of reform which the general opinion held to be necessary.

It was not possible for the Commons to overlook the slavish judges who had upheld ship-money, and condemned Mr. Hampden. They sent up Waller with a message to the Lords, and their lordships forthwith ordered that Bramston, Davenport, Berkeley, Crawley, Trevor, and Weston should find heavy bail to abide the judgment of parliament. Berkeley, whose speeches will be remembered, was impeached of high treason, and, to the great disturbance of his brethren, both judges and lawyers, he was arrested while sitting, with his ermine on, on the bench, and brought away like a common felon. But the Commons were certainly not anxious for his blood; and after some time he was permitted to withdraw himself, having, it is said, being *forced* to give a *free* gift of 10,000*l.* for the public service.

A.D. 1641.—On the 19th of January Mr.

* Letters of Baillie. † Clarendon. ‡ Whitelock.

§ Hist. It is curious to observe what sort of offences in Windebank Clarendon sets down as so heinous; the passage is a comment on the barbarous intolerance of the times. "For," says the royalist historian, "besides his frequent letters of intercession in his own name, and signification of his majesty's pleasure, on the behalf of papists and priests, to the judges, and to other ministers of justice, and protections granted by himself to priests, that nobody should molest them, he harboured some priests in his own house, knowing them to be such; which, by the statute made in the twenty ninth year of Queen Elizabeth, is made felony; and there were some warrants under his own hand, for the release of priests out of Newgate, who were actually attainted of treason, and condemned to be hanged, drawn, and quartered; which, by the strict letter of the statute, the lawyers said, would have been very penal to him."

* Some of the sheriffs and lieutenants of counties had made themselves obnoxious by their zeal and activity in levying ship-money, &c. They were threatened with trial as traitors, but none of them were so proceeded against.

Prideaux brought in a bill for preventing the dangers and inconveniences happening by the long intermission of parliaments. He proposed that the parliament should be held yearly. In committee the House rejected that proposition, and followed the example which had been set them by the Scots a few months before, in voting for regular triennial parliaments. At the same time, to guard against the statute becoming a dead-letter, they directed that the issuing of writs at the fixed time should be imperative on the lord-keeper or chancellor; that if he failed, then the House of Lords should issue the writs; if the Lords failed, then the sheriffs were to do it; and if the sheriffs neglected or refused, then the people were to proceed to elect their representatives without any writs at all. They moreover provided, that no future parliament should be dissolved or adjourned by the king, without its own consent, within less than fifty days from the opening of its session. Charles here attempted to make a stand. On the 23rd of January he summoned both Lords and Commons to Whitehall: there he reproved the latter for their long delays; and spoke of their connivance, which suffered distraction to arise by the indiscreet petitions of men who, "more maliciously than ignorantly, would put no difference between reformation and alteration of government." He assured them again, that he would concur in abolishing all novelties both in church and state; would join in reforming the courts of justice; and would even surrender such portions of his revenue as should be found illegal or heavy on his subjects. But after this, he said that he would show them what they (the Commons) should eschew. "I cannot but take notice," said Charles, "of these petitions (I can't tell how to call them) given in the name of several counties, against the present established government of the church, and of the great threats that are given, that bishops shall be no better than cyphers, if not clean done away. Now I must tell you, that I make great difference betwixt reformation and alteration of government: though I am for the first, I cannot give way to the latter. I will not say that bishops may not have overstretched their power, or encroached upon the temporal; which, if you find, correct and reform the abuse, according to the wisdom of former times; and so far I am with you. Nay, farther; if, upon serious debate, you shall show me that bishops have some temporal authority, inconvenient to the state, and not so necessary to the church for the support of episcopacy, I shall not be unwilling to persuade them to lay it down: yet by this you must understand that I cannot consent to the taking off their voice in parliament, which they have anciently enjoyed under so many of my predecessors, even before the Conquest, and ever since, and which I conceive I am bound to maintain as one of the fundamental institutions of this kingdom. There is but one other rock, and that not in substance but in form, yet that form is so essential, that, except it be reformed, it will mar the substance. There is a bill given in for frequent parliaments:—the thing I like, that is to say, to have often parliaments; but to give power to sheriffs and constables, and I know not whom, to do my office, that I cannot yield unto. But, to show you that I am desirous to please you in forms which destroy not the substance, I am content you shall have an act for this purpose, but so reformed, that it neither intrench upon my honour, nor that inseparable right of the crown concerning parliaments: to which purpose I have commanded my learned council to wait on you, my lords, with such propositions as I hope will give contentment; for I ingenuously confess that frequent parliaments are the best means to preserve that right understanding between me and my subjects which I so earnestly desire." * The king, however, was now unable either to uphold bishops or resist the Commons in any other particular; and he shortly after reluctantly gave his consent to the bill for triennial parliaments, which was received by the country with demonstrations of joy and triumph. At this time both houses had complained concerning seminary-priests, &c. As soon as the Commons had withdrawn from Whitehall, Charles told the Lords, who remained behind, that he had heard of their agitating the business of Goodman, the priest, and that in a day or two he would send them satisfactory reasons for what he had done in that matter. What he had done in this case was only a laudable exercise of the royal prerogative of mercy, in reprieving the victim of a savage statute,—that is, he had reprieved John Goodman, condemned to death as a seminary-priest. The Commons were not satisfied with the assurance he had given the lords; and on the 29th of January a remonstrance of both houses was presented to his Majesty, reciting the penal statutes; stating that of late years, about the city of London, eighty priests and jesuits had been discharged out of prison; that they were credibly informed that, at the present moment, the Pope had a nuncio, or agent, resident in London; that the Papists went as publicly to Denmark-house and St. James's to mass as good Protestants went to their parish churches; that the non-execution of the penal statutes was a principal cause of the increase of popery; that therefore they humbly desired the execution of the laws against priests and jesuits, and that Goodman, the priest, should be left to the justice of the law. On the 3rd of February Charles replied to this remonstrance. He assured the Lords and Commons that it was against his mind that popery or superstition should increase; that he would drive the jesuits and priests out of the kingdom within a month, by a proclamation; that, as for the nuncio, Rosetti, the queen had always assured him that he had no commission, but only resided near her to entertain a correspondence between her and the pope in things requisite for the exercise of her

* Parl. Hist.

religion, which was warranted to her by her marriage-articles, which gave her liberty of conscience; yet, as his presence gave offence, her majesty would, within a convenient time, remove him. Charles moreover declared that he would take especial care to prevent his subjects resorting to mass; and he ended by giving up poor Goodman. "Lastly," said he, "concerning John Goodman, the priest, I will let you know the reason why I reprieved him. I am informed, neither Queen Elizabeth nor my father did ever avow that any priest in their times was executed merely for religion; which seems to me to be his particular case: yet, seeing I am pressed by both houses to give way to his execution, and because I will avoid the inconvenience of giving so great discontent to my people as I conceive this mercy may produce, therefore I do remit this particular case to both the houses; but I desire them to take into their consideration the inconvenience, as I conceive, may, upon this occasion, fall upon my subjects and other Protestants abroad, especially since it may seem to other states to be a severity: which suspicion having thus represented to you, I think myself freed from all the ill-consequence that may ensue upon the execution of this person."* On the next day the queen thought proper to send a letter to the Commons by Sir Henry Vane. Her majesty assured them that she had ever been ready to do her best for the removing of all misunderstanding between the king and people; that at the request of the lords who petitioned for the calling of this parliament, she had written effectually to the king, and sent a gentleman to York expressly to persuade him to the holding of a parliament; that having taken knowledge that the having one sent to her from the pope was distasteful to this kingdom, she was desirous to give satisfaction to the parliament. She repeated the promises made by Charles about Rosetti and mass-hearing; and then she referred to the collections of money for the Scottish war, which she had set on foot among the Catholics, excusing her conduct therein on the ground of her ignorance of the laws, and promising to be more cautious hereafter.† The Commons returned their humble thanks to her majesty for her gracious letter; and doubtless despised the king for putting forward his wife in this public manner: at all events it was a sign and symptom of the weakness of the court party. A day or two after Charles sent the Commons "a petition of John Goodman, condemned," wherein the priest prayed his majesty rather to remit him to the mercies of the discontented than let him live to be the cause of so great a discontent; that, if the storm was raised for him, he would be cast into the sea, that others might avoid the tempest; and that he should esteem his blood well shed, to cement the breach between his majesty and his subjects. The Commons, however, did not shed his blood; and it should appear that Goodman knew they would not shed it.

All this time the Scottish commissioners were residing in the heart of the city, near Londonstone, in a house so near to the church of St. Antholin's, a place made famous by some puritan or seditious preacher, that there was a way out of it into a gallery of the church. "This benefit was well foreseen on all sides in the accommodation, and this church assigned to them for their own devotions, where one of their own chaplains still preached, amongst which Alexander Henderson was the chief, who was likewise joined with them in the treaty in all matters which had reference to religion; and to hear those sermons there was so great a conflux and resort by the citizens out of humour and faction, by others of all qualities out of curiosity, by some that they might the better justify the contempt they had of them, that from the first appearance of day in the morning of every Sunday to the shutting in of the light, the church was never empty; they (especially the women) who had the happiness to get into the church in the morning (they who could not hung upon or about the windows without, to be auditors or spectators) keeping the places till the afternoon exercise was finished."* Clarendon adds, that, whether morning or afternoon, the service was the most insipid and flat that could be delivered; but the historian is prejudiced, and certainly has not hit upon the characteristic defects of these Presbyterian devotions. Where Alexander Henderson held forth the preaching was not likely to be flat and insipid; and the general tendency of puritanic preachers was to the opposite extreme. Nor does the historian allow for one of the strongest reasons which induced the Londoners so to crowd that place of worship. The conventicles had been put down by the iron hand of Laud; and now, for the first time these many years, thousands of citizens could hear, in St. Antholin's church, the word propounded in their own way, without any of those rites and ceremonies, altars, and lawn-sleeves, that had so irritated all the more devout classes. Clarendon, however, could hardly overrate the influence exercised in the city by these Scottish preachers, and by the lords commissioners. Some of the latter were very acceptable upon other grounds besides those of religion; they were men of the world, and men of business, pleasant in conversation, and of great address: moreover, the English reformers were bound to them by the double conviction that they could not have achieved what they had done had it not been for the bold march of the Covenanters, and that they could not be sure of their victory if the Scottish army were withdrawn from the northern provinces. Baillie, one of the commissioners, who knew as well as any man the state of affairs and of public opinion, said, in the course of the negotiations, which were protracted for six months,—"This we will make long or short, according as

* Parl. Hist.

† The queen's chief agents in the business of the Catholic contributions, Sir Kenelm Digby and Mr. Montague, were examined by the Commons, but saved by her Majesty's letter.

* Clarendon, Hist.

the necessities of our good friends in England require, for they are still in that fray, that if we and our army were gone they were yet undone." It was therefore not surprising that the new committee of the members of both houses, appointed to renew the treaty with the Scots which had begun at Ripon, was composed of men very acceptable to them. It is said that these managers of the English parliament were exceedingly vigilant in preventing the Scottish commissioners from entering into any conversation or familiarity with such as were not fast to the opposition party; but it may be doubted whether the Scots had any very decided inclination for the society of those who held them to be traitors and rebels. The patriots, on the contrary, promised them high rewards, and heaped all possible honours upon them; they were caressed in both houses of parliament; and an order was entered, that upon all occasions they should be styled "our brethren of Scotland." Charles, on the other hand, saw clearly that there was no hope of restoring the old order of things until the Scottish army should be beyond the Tweed, and disbanded; and he complimented and cajoled the commissioners, and in his eagerness yielded many points in the treaty, in the design of being the sooner rid of them and their army. He consented, for example, with little hesitation, to confirm all the acts passed by the late Scottish parliament; that native Scotsmen alone should have the command of the fortresses of their kingdom; and that neither in England nor in Ireland Scotsmen should be harassed with unusual oaths. But he assumed some of his old sternness and resolution when they spoke of the odious incendiaries, and required that they should be left to the judgment of parliament. They advanced claims for the immediate restoration of all Scottish ships and merchandise which had been taken by the English cruisers, and were gratified by a ready compliance. They also claimed indemnification for the charges they had sustained; and Charles referred this money-question to the English house of commons, who speedily voted 125,000*l.* for the expenses of the Scottish army during five months, and 300,000*l.* as "a friendly relief for the losses and necessities of their brethren of Scotland." Before this money could be paid they got large sums for the Covenanters, by way of loan; and there appears to have been no difficulty in raising money in this way in the City of London whenever the proceeds were to go to their brethren of Scotland; for the citizens knew as well as the statesmen how necessary it was to keep the Scottish army together in good condition and in good humour. There remained to settle the last clause of the treaty, touching the establishment of a lasting peace between the two nations; and this clause the Scottish commissioners made so difficult, that there was no settling it for the present. On one or two occasions the antient national animosities and jealousies produced a coldness—almost a rupture—between the English and the Scots. The latter were over-hasty in pressing for the total abolition of episcopacy in England as well as in Scotland, and thereby gave some embarrassment to the House of Commons, who considered the step premature. On the 11th of March, however, it was resolved, in the lower house, "That for bishops, or any other clergymen whatsoever, to be in the commission of the peace, or to have any judicial power in the Star-chamber, or in any civil court, is a hindrance to their spiritual function, prejudicial to the commonwealth, and fit to be taken away."

Too late, Charles tried the efficacy of concession. The forest laws had been greatly abused, and had excited violent murmurs: he sent down the Earl of Holland to tell the Lords that, out of his grace and goodness to his people, he was willing to lay down all the new bounds of his forests in this kingdom, and that they should be reduced to the condition they were in before his late encroachments. On a former occasion, when he drew Wentworth, Noy, and Digges from the opposition, he had felt the benefit of tampering with and employing some of the patriots; and he now fondly hoped that a similar experiment on political integrity would be attended with the like success. Whitelock says that there was a proposal (the subject of much discourse) to preserve the Earl of Strafford, by converting his enemies into friends by giving them promotion; that, according to this plan, one should be made lord treasurer, the Lord Saye master of the wards, Mr. Pym chancellor of the exchequer, Mr. Hollis secretary of state, Mr. Hampden tutor to the prince, &c. And he adds that Juxon, the Bishop of London, resigned his treasurer's staff, the Lord Cottington his place of master of the wards, the rest being easily to be voided. "But," he says, "whether, upon the king's alteration of his mind, or by what other means it came to pass is uncertain, but these things were not effected; and the great men baffled thereby became the more incensed and violent against the earl, joining with the Scots commissioners, who were implacable against him."* The authority of Whitelock is generally entitled to the highest respect, but in this particular it requires confirmation—something more definite to make us believe in the motives imputed to the greatest of the patriots. Even if we could accept as truth the unfavourable characters drawn by royalist writers of Lord Saye and Hollis, we should hesitate long ere, upon a single assertion, we could make up our minds to believe that the contented poverty and enthusiasm of Pym, or the lofty and wealthy independence of Hampden, could be tempted by offers of place, or changed in their habits and course of mind by the withholding of it. Some of their party, indeed, accepted employment, and among them was Lord Saye: but this was when the old placemen abandoned their posts through fear; and Saye, though suspected for a time, did not commit his principles, and he threw up the high office of master of the wards when the king

* Memorials.

declared himself for civil war by retiring to Oxford. Clarendon mentions a design of giving some of the great offices of the state to some heads of the popular party; but he says, distinctly, that their continued violence in the prosecution of Strafford was the reason for which Charles decided "that the putting of those promotions in practice should be for a time suspended." This is very different from Whitelock's implication,—it goes to show that the leaders of the opposition, or the drivers of parliament, as they were called, did not follow up the great incendiary because they had been refused the places, but, on the contrary, that they were refused the places because they steadily persisted in the prosecution of Strafford. Hence a base and selfish motive is removed, and that, too, by the champion of the royal party, who is always ready to impute the worst of motives to his opponents.

Pym, whom, as we believe, no earthly consideration could have turned from his purpose of having the head of the greatest and most dangerous enemy to the liberties of his country, had been laboriously employed for more than three months in preparing the charges and proofs against Strafford.* That fallen lord had now to feel by what an insecure tenure he had held the brow-beaten parliament of Ireland. As soon as his sword of strength was shivered by the Commons of England, the Irish parliament sent over a committee, and showed themselves no less intent upon his ruin than the English and Scots. In Ireland he had carried his tyranny to its greatest height; and the English Commons welcomed with affection and joy the committee that came to depose against him, and give the weight of one of the three kingdoms to his prosecution.

Strafford's trial, which had long been the most absorbing subject, now came on.† In Westminster Hall there was a throne erected for the king, on each side whereof was a cabinet enclosed about with boards, and hung in front with arras; before the throne were placed seats for the peers and sacks of wool for the judges; and before these seats and woolsacks were nine stages of seats extending along the Hall for the gentlemen of the House of Commons.* At the end of all was a desk or dock closed in for the prisoner and his counsel. On Monday morning, March 22nd, about seven o'clock, Strafford came from the Tower, accompanied by six barges, wherein were one hundred soldiers of the Tower, all with partisans, and fifty pair of oars. At his landing at Westminster he was attended by two hundred of the trained band, who guarded him into the Hall. "The entries at Whitehall, King-street, and Westminster were guarded by the constables and watchmen, from four of the clock in the morning, to keep away all base and idle persons. The king, queen, and prince came to the House about nine of the clock, but kept themselves private within their closets, only the prince came out once or twice to the cloth of state, so that the king saw and heard all that passed, but was seen of none. Some give the reason of this from the received practice of England in such cases; others say that the Lords did intreat the king either to be absent or to be there privately, lest pretension might be made hereafter that his being there was either to threaten or some other way to interrupt the course of justice; a third sort, that the king was not willing to be accessory to the process till it came to his part, but rather chose to be present that he might observe and understand if any violence, rigour, or injustice happened." When Strafford entered the Hall, the porter, whose office it was, asked Master Maxwell, the usher of the black rod, whether the axe should be carried before the prisoner or not; and black rod answered that the king had expressly forbidden it. The Earl of Arundel, "being," says Clarendon, "a person notoriously disaffected to the Earl of Strafford," was appointed high steward, and the Earl of Lindsay high constable, for the trial. It had been debated whether the bishops should have voices in the trial; and upon the preceding Saturday the startled prelates voluntarily declined voting, being ecclesiastical persons, and so prohibited by the canons from having their hands in blood.† Exceptions had also been taken to some recently-made peers, who were all friends to the prisoner; and the Commons demanded that no peer created since the day upon which the Earl of Strafford was impeached of high treason should sit on his trial. The Lord Littleton, who had since that date been made a baron at the entreaty of Strafford, for the reason that, if he were a peer, he would do him notable service, was the first to quit his right to judge; but the Lord Seymour and

* The select and secret committee appointed by the Commons consisted of Pym, Hampden, Hollis, Lord Digby, Strode, Sir Walter Earl, Selden, St. John, Maynard, Palmer, Glynne, and Whitelocke. These were to consider the informations against the earl, to arrange the evidence, and, with the occasional assistance of Lord Falkland, Colpepper, and Hyde, to manage the conferences with the Lords, and conduct to its close this solemn and long-protracted trial.—*Lord Nugent.*

† "But, now," says May, "a greater actor is brought upon the stage—Thomas Earl of Strafford, Lieutenant of Ireland, a man too great to be let escape; no sooner accused but surprised, and secured for a trial: which trial of his, if we consider all things,—the high nature of the charge against him,—the pompous circumstances and stately manner of the trial itself,—the time that it lasted,—the preciousness of that time so consumed,—and, lastly, of what moment and consequence the success of it must prove, I may safely say that no subject in England, and probably in Europe, ever had the like. So great it was, that we can hardly call it the trial of the Earl of Strafford only—the king's affections towards his people and parliament, the future success of this parliament, and the hopes of three kingdoms depending on it, were all tried when Strafford was arraigned. Many subjects in Europe have played louder parts upon the theatre of the world, but none left it with greater noise. Nor was the matter of his accusation confined within one realm;—three whole kingdoms were his accusers, and eagerly sought in one death a recompence of all their sufferings."—*Hist. Parl.*

* Both the Scotch and Irish commissioners were present. "Seven of the nine stages of seats," says May, "were appointed for the members of the House of Commons to sit on, who were all there in a committee; the two upper degrees of the scaffold were appointed for the commissioners of Scotland and the lords of Ireland, who were then come over."

† Clarendon says that this was done by the Bishop of Lincoln, old Williams, who was still alive and active, and burning with revenge against his cruel persecutor, Archbishop Laud. But it should appear that nearly all the bishops were hopeless of doing Strafford any good and really averse to being present; and it is quite certain that the canons excluded priests from capital trials. The prelates, however, gave in a protest, that their absence should not prejudice them in their privileges as the lords spiritual in parliament.

one or two others of the recently-created, insisted upon their rights, and were allowed to sit.*

The Earl of Arundel, as lord high steward of England, sat apart by himself, and, at Strafford's entrance into the dock, he commanded the House to proceed. Then the impeachment, which consisted of twenty-eight capital articles, was read, with Strafford's reply to it, in two hundred sheets of paper. This occupied the first day. The queen left the house about eleven o'clock, the king and Prince Charles stayed till the court rose, which was after two, when Strafford was sent back to the Tower, and appointed to return upon the following morning at nine o'clock. The crowd was neither great nor troublesome; they saluted the fallen nobleman as he passed, and he returned their salutes with great humility and courtesy. At the appointed hour Strafford again appeared at the bar, and again the king, queen, and prince took their seats in court.† The lord steward having commanded the committee of the Commons who were to manage the evidence to proceed, Pym stood up, and said:—"My lords, we stand here by the commandment of the knights, citizens, and burgesses, now assembled for the Commons in parliament, and we are ready to make good that impeachment whereby Thomas Earl of Strafford stands charged in their name, and in the name of all the Commons of England, with high treason. This, my lords, is a great cause, and we might sink under the weight of it, and be astonished with the lustre of this noble assembly, if there were not in the cause strength and vigour to support itself, and to encourage us. It is the cause of the king; it concerns his majesty in the honour of his government, in the safety of his person, in the stability of his crown. It is the cause of the kingdom; it concerns not only the peace and prosperity, but even the being of the kingdom. We have that piercing eloquence, the cries, and groans, and tears, and prayers of all the subjects, assisting us. We have the three kingdoms, England, and Scotland, and Ireland, in travail and agitation with us, bowing themselves, like the hinds spoken of in Job, to cast out their sorrows. Truth and goodness, my lords, they are the beauty of the soul, they are the perfection of all created natures, they are the image and character of God upon the creatures. This beauty, evil spirits and evil men have lost; but yet there are none so wicked, but they desire to march under the show and shadow of it, though they hate the reality of it. This unhappy earl, now the object of your lordships' justice, hath taken as much care, hath used as much cunning, to set a face and countenance of honesty and justice upon his actions, as he hath been negligent to observe the rules of honesty in the performance of all these actions. My lords, it is the greatest baseness of wickedness, that it dares not look in its own colours, nor be seen in its natural countenance. But virtue, as it is amiable in all respects, so the least is not this, that it puts a nobleness, it puts a bravery upon the mind, and lifts it above hopes and fears—above favour and displeasure;—it makes it always uniform and constant to itself. The service commanded me and my colleagues here, is to take off those vizards of truth and uprightness, which hath been sought to be put upon this cause, and to show you his actions and his intentions in their own natural blackness and deformity." Pym then enumerated the pleas in Strafford's reply, denouncing them all as false or insufficient. Strafford maintained that he had supported religion; that he had endeavoured the honour of the king, the increase of his revenue, the peace, and honour, and safety of the kingdom, and the quiet and peace of the people. "For religion," said Pym, "we shall prove that he hath been diligent to favour innovation, to favour superstition, to favour the encroachments and usurpations of the clergy. For the honour of the king, we say, my lords, that it is the honour of the king that he is the father of his people, that he is the fountain of justice; and it cannot stand with his honour and justice to have his government stained and polluted with tyranny and oppression for the increase of his revenue. It is true there may be some additions of sums, but we say there is no addition of strength nor wealth, because in those parts where it hath been increased, this earl hath taken the greatest share himself; and when he hath spoiled and ravened on the people, he hath been content to yield up some part to the king, that he might with more security enjoy the rest. For the strength, and honour, and safety of the kingdom, my lords, in a time of peace he hath let in upon us the calamities of war, weakness, shame, and confusion. And for the quiet of the subjects, he hath been an incendiary; he hath armed us amongst ourselves, and made us weak and naked to all the world besides. This is that I shall answer to the second head of his apology." Pym then went at length into Wentworth's abuses of power in Ireland, where chiefly he had earned his bad pre-eminence, and where it was sufficiently proved that he had arrogated an authority beyond what the crown had ever lawfully enjoyed, and even beyond the example of former viceroys of that island, where the disorganised state of society, the constant occurrence of insurrections and rebellions, and the distance from control had given rise to such a series of arbitrary precedents, as would have covered and almost excused any ordinary stretch of power.*

* And so, no doubt, says Clarendon, might the bishops too, if they would.

† "The tirlies" (trellis), says Baillie, "that made them (the king and queen) to be secret, the king brake down with his own hands; so they sat in the eyes of all, but little more regarded than if they had been absent." The Covenanter's description of the scene in Westminster Hall is striking and curious, and not altogether honourable to the good feeling and decency of those present. "It was daily the most glorious assembly the isle could afford, yet the gravity not such as I expected..... After ten, much public eating, not only of confections but of flesh and bread; bottles of beer and wine going thick from mouth to mouth without cups; and all this in the king's eye..... There was no outgoing to return; and oft the sitting was till two, three, or four o'clock at night."

* Hallam, Const. Hist.

Pym produced his witnesses; Sir Pierce Crosby, who, for speaking against a bill in the Irish House of Commons, had been driven from the council-table, and committed to prison; Sir John Clotsworthy, who had been threatened with loss of property; Mr. Barnwell, who had been threatened with a regiment of horse to be quartered in his house; the Lord Ranelagh and the Lord Mountnorris, both for their discourses in parliament. The managers then desired that the remonstrance from Ireland might be read. The prisoner opposed this, as something containing new matter not in the original charge, but brought over since his impeachment; but they replied, that the subverting of laws and corruption of government was in general laid in their charge; and upon the Lord Battinglass and the Lord Digby of Ireland vouching for the truth of the copy, the powerful remonstrance of the Irish parliament was read. Strafford, in answer to it, said that it was the produce of faction and confederacy, and a strong conspiracy against him. These last expressions put the managers into a heat, and Mr. Glynne exclaimed, "My lords, these words are not to be suffered." Strafford craved time to recollect himself, and make his defence to certain charges, protesting, by the Almighty God, that he never had other intentions than to be true and faithful to his majesty and the commonwealth. The managers insisted that he had had time enough, and ought to answer instantly: the lords adjourned for half an hour, and at their return ordered him to make his answer presently. The prisoner then replied, in a long and able speech, to every article contained in the Irish remonstrance, taking shelter more than once under his commission, and the king's warrants and express commands. Pym replied to this defence; maintained that it did not make my Lord of Strafford more excusable; and that he and the other managers for the Commons of England could make good their charges against him. And hereupon the court was adjourned to the following day. On the morrow, the third day of the trial, Maynard, one of the managers and an expert lawyer, continued the accusations about the tyranny exercised in Ireland, and produced other witnesses. Strafford was permitted to interrupt the witnesses, and to speak at length, which he did frequently, with great eloquence and an admirable show of modesty and equanimity. This was the case on nearly every day of his long and remarkable trial. "The Earl of Strafford," says May, "answered daily at the bar, whilst the whole House of Commons, having put themselves into a committee, had liberty to charge him, every man as he saw occasion: but though many of them did sometimes speak, yet the accusations were chiefly managed by two expert lawyers, Master Glynne and Master Maynard, both members of the House. Many foul misdemeanors, committed both in Ireland and England, were daily proved against him: but that ward which the earl, being an eloquent man, especially lay at, was to keep off the blow of high treason, whatsoever misdemeanors should be laid upon him; of which some he denied, others he excused and extenuated with great subtlety; contending to make one thing good, that misdemeanors, though never so many and so great, could not, by being put together, make one treason, unless some one of them had been treason in its own nature. Every day the first week, from Monday to Saturday, without intermission, the earl was brought from the Tower to Westminster Hall, and arraigned many hours together; and the success of every day's trial was the greatest discourse or dispute in all companies. For by this time the people began to be a little divided in opinions. The clergy in general were so much fallen into love and admiration of this earl, that the Archbishop of Canterbury was almost quite forgotten by them. The courtiers cried him up; and the ladies, whose voices will carry much with some parts of the state, were exceedingly on his side. It seemed a very pleasant object to see so many Sempronias (all the chief court ladies filling the galleries at the trial) with pen, ink, and paper in their hands, noting the passages, and discoursing upon the grounds of law and state. They were all of his side; whether moved by pity proper to their sex, or by ambition of being thought able to judge of the parts of the prisoner. But so great was the favour and love which they openly expressed to him, that some could not but think of that verse,—

> Non formosus erat, sed erat facundus Ulysses;
> Et tamen æquoreas torsit amore Deas."

But the spectacle of one man resisting, as it were, three nations, without confidence in the master he had served, and with scarcely a resource or a hope except such as he drew from his own abilities, was calculated to impose on others besides court gentlemen and ladies—on the mass of the people, who have been in all ages most honourably distinguished by their love of an equal combat, and their dislike of seeing one man beaten by many. The two managing lawyers, moreover, Glynne and Maynard, insisted too much upon vague and general clauses, and overdid their part with the quibbles and forced constructions of the legal profession. Again, though many of the deeds proved against the prisoner were despotic and detestable, there was scarcely one taken singly that came within the verge of treason, and the managers heaped the charges together in the design of making what was called accumulative treason. "There is nothing in this," cried Strafford, "that can be treason, and, when one thousand misdemeanors will not make one felony, shall twenty-eight misdemeanors heighten it to a treason?" They possessed not many of the letters which are now open to every reader, and which prove, beyond a doubt, that he was a systematic enemy of his country's liberties, a minister that would, indeed, have "gone thorough,"—who would scarcely have hesitated at any state crime. His opinions

delivered in council were tolerably well known, but he maintained that the worst of these did not amount to treason. "Opinions," said he, "may make an heretic, but that they made a traitor, I have never heard till now." On the first day when he entered the hall but few of the lords returned his salute, and most of them looked angrily upon him; but this feeling afterwards seemed to give way to emotions of a gentler kind.

On the 10th of April, Pym, Strafford's evil genius, intimated to the Commons that he had to communicate a matter of the last importance. Instantly an order was given that the members should remain in their places and the doors be locked; and then Pym and Harry Vane the younger were called upon to declare what they knew of the matters contained in the 23rd article of the impeachment. Pym produced and read "a copy of notes taken at a junto of the privy council for the Scots affairs, about the 5th of May last." These notes had been taken by the elder Vane, one of the secretaries of state; but there are different accounts of the way in which his son got possession of them. Clarendon says, that Pym, some months before the beginning of this parliament, had visited the younger Vane, who was then newly recovered from an ague, and that they two being together, and lamenting the sad condition of the kingdom, young Vane told Pym that if he would call upon him the next day he would show him something that would give him much trouble, and inform him what pernicious counsels were likely to be followed to the ruin of the kingdom, as he (Vane), in perusing some of his father's papers, had accidentally met with the result, or summary, of the consultations of the cabinet council upon the dissolution of the last parliament. "The next day he showed him (Pym) a little paper of the secretary's own writing, in which was contained the day of the month and the result of several discourses made by several counsellors; with several hieroglyphics, which sufficiently expressed the persons by whom those discourses were made. The matter was of so transcendent a nature, and the counsel so prodigious, with reference to the commonwealth, that he desired he might take a copy of it; which the young gentleman would by no means consent to, fearing it might prove prejudicial to his father. But when Mr. Pym informed him that it was of extreme consequence to the kingdom, and that a time might probably come when a discovery of this might be a sovereign means to preserve both church and state, he was contented that Mr. Pym should take a copy of it, which he did in the presence of Sir (Mr.) Henry Vane;* and having examined it together with him, delivered the original again to Sir Henry. That he had carefully kept this copy by him, without communicating the same to any body till the beginning of this parliament, which was the time he conceived fit to make use of it; and that then meeting with many other instances of the earl's ill disposition to the kingdom, it satisfied him to move whatsoever he had moved, against that great person."* Whitelock, who was actively engaged on the trial, says, that Secretary Vane, being out of town, sent his son the key of his study, that he might look into his cabinet for some papers which the secretary wanted; that the son, in looking over many papers, lighted upon these notes, which being so decisive against Strafford and so important to the public, he held himself bound in duty and conscience to discover them; and that thereupon he showed them to Pym, who urged him, and prevailed with him, that they might be made use of in the evidence. Others assert that the papers were purposely put in the way of his son by the elder Vane because he hated Strafford; while others again affirm, that the son purloined them, to the sore displeasure of his father. The weightiest part of these private notes of the council was this—"Your majesty," Strafford was made to say, "having tried all ways, and being refused, shall be acquitted before God and man. You are absolved and loosed from all rule of government and free to do what power will admit: and you have an army in Ireland that you may employ to reduce this kingdom to obedience; for I am confident the Scots cannot hold out five months." Upon the 12th of April, this additional proof was brought forward in court, when Strafford replied to it, that, as to the words that the king had an army in Ireland to reduce this kingdom, they were only proved by the unsupported testimony of one man; that the law, even in a matter of debt, much less in a point of life and death, required two witnesses; that the Secretary Vane had been examined and his deposition found very dubious; for, on his first examination, he said he could not remember any such words spoken in council, and even on his third examination, he merely said, that he (Strafford) had spoken those words or the like; that there were present at the debate eight privy-counsellors; two of them, the Archbishop and Secretary Windebank, could not be produced; but, besides himself and Vane, there remained four for evidence—the Marquess of Hamilton, the Earl of Northumberland, the Lord Treasurer Juxon, and the Lord Cottington, who had all declared, upon their honours, that they had never heard him speak those words, nor any the like." "And suppose," continued the prisoner, "I spake the words (which I grant not), yet the word 'this,' cannot rationally imply England, because England was not out of the way of obedience, and because there never was any the least intention of landing the Irish army in England, as the lords of the council are able to attest." It was suggested by Lord Hollis, Strafford's father-in-law, that "this kingdom" might very well mean Scotland, and Strafford himself had asked Vane whether he had used the demonstrative pronoun 'this,' or 'that.' The sending of an Irish army into Scotland by an English minister

* Clarendon says "*Sir* Henry;" but he is no doubt describing, in his loose way, the younger Vane by his latter style. Old Harry could hardly have been present.

* Clarendon, Hist.

was not treason, but the project which this interpretation of the words would have intimated was one of the things which made the now powerful Scots clamour for Strafford's blood.

After his reply to this additional proof, Arundel, the lord steward, told him that if he had anything further to say in his defence he should proceed, because the court intended to prepare for their speedy judgment. The prisoner, though suffering greatly in body as well as mind (for his old enemies, the gout and stone, had revisited him in the Tower), made a summary of the several parts of his former defence, and concluded with these eloquent and pathetic words:—"It is hard to be questioned upon a law which cannot be shown. Where hath this fire lain hid so many hundreds of years, without smoke to discover it, till it thus burst forth to consume me and my children? Punishment should precede promulgation of a law: to be punished by a law subsequent to the fact, is extreme hard; what man can be safe if this be admitted? My lords, it is hard in another respect, that there should be no token set by which we should know this offence, no admonition by which we should avoid it. If a man pass the Thames in a boat, and split himself upon an anchor, and no buoy be floating to discover it, he who oweth the anchor shall make satisfaction; but if a buoy be set there, every man passeth upon his own peril. Now, where is the mark, where the token, upon this crime, to declare it to be high treason? My lords, be pleased to give that regard to the peerage of England as never to expose yourselves to such moot points, such constructive interpretations of laws: if there must be a trial of wits, let the subject matter be of somewhat else than the lives and honours of peers. It will be wisdom for yourselves, for your posterity, and for the whole kingdom, to cast into the fire these bloody and mysterious volumes of constructive and arbitrary treason, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the law and statute, that telleth us what is, and what is not treason, without being more ambitious to be more learned in the art of killing than our forefathers. It is now full two hundred and forty years since any man was touched for this alleged crime, to this height, before myself; let us not awaken these sleeping lions to our destruction, by raking up a few musty records that have lain by the walls so many ages forgotten or neglected. May your lordships please not to add this to my other misfortunes; let not a precedent be derived from me so disadvantageous as this will be in the consequence to the whole kingdom. Do not, through me, wound the interest of the commonwealth; and howsoever these gentlemen say they speak for the commonwealth, yet in this particular I, indeed, speak for it, and show the inconveniences and mischiefs that will fall upon it. For, as it is said in the statute 1 Henry IV., no man will know what to do or say for fear of such penalties. Do not put, my lords, such difficulties upon ministers of state, that men of wisdom, of honour, and of fortune may not with cheerfulness and safety be employed for the public. If you weigh and measure them by grains and scruples, the public affairs of the kingdom will lie waste, no man will meddle with them who hath anything to lose. My lords, I have troubled you longer than I should have done, were it not for the interest of these dear pledges a saint in heaven hath left me.* —[At these words he stopped awhile, letting fall some tears at her memory: then he went on.]—What I forfeit myself is nothing; but that my indiscretion should extend to my posterity, woundeth me to the very soul. You will pardon my infirmity: something I should have added, but am not able; therefore let it pass. And now, my lords, for myself, I have been, by the blessing of Almighty God, taught that the afflictions of this present life are not to be compared to the eternal weight of glory which shall be revealed hereafter. And so, my lords, even so, with all tranquillity of mind, I freely submit myself to your judgment; and, whether that judgment be of life or death, *Te Deum laudamus.*" "Certainly," adds Whitelock, "never any man acted such a part on such a theatre with more wisdom, constancy, and eloquence; with greater reason, judgment, and temper; and with a better grace in all his words and gestures." He moved many men to pity: but Pym was pitiless; he considered the life of the great criminal, in any circumstances, as dangerous to the liberties of his country; and he and Glynne learnedly aggravated his offences, and maintained that they should be punished as treason. On the 17th of April the point of law was argued for the earl by Mr. Lane, the prince's attorney; Mr. Loe, Mr. Gardiner, and Mr. Lightfoot being also present as counsel, for Strafford was allowed counsel, which had not always been the case in prosecutions for high treason. But by this time the Commons had changed their tack, fearing the increasing good feeling of the peers towards the prisoner, and the royal prerogative of pardoning him after sentence. "The Lower House," says Wariston, one of the Scotsmen who were pressing for an execution, "if they see that the king gains many of the Upper House not to condemn him, they will make a bill of teinture (attainder), and condemn him formally in their own House, and send it up to their House, as any other act of parliament, to be voiced formally. The town of London will give no money to the parliament till they do justice." And therefore, and for other reasons of great weight, the Commons had resolved to proceed with a bill of attainder against Strafford for

* The bitter Baillie says,—"At the end he made such a pathetic oration for half an hour as ever comedian did on the stage. The matter and expression was exceedingly brave. Doubtless, if he had grace and civil goodness, he is a most eloquent man. One passage is most spoken of: his breaking off, in weeping and silence, when he spoke of his first wife. Some took it for a true defect in his memory; others for a notable part of his rhetoric; some, that true grief and remorse at that remembrance had stopped his mouth: for they say that his first lady being with child, and finding one of his mistress's letters, brought it to him, and chiding him therefore, he struck her on the breast, whereof she shortly died."

endeavouring to subvert the liberties of his country. This bill encountered a much stronger opposition in the Commons than had been expected. Upon the 19th of April, upon the motion for the engrossment of the bill, there was a sharp debate; the eloquent Lord Digby, hitherto one of the most popular members, speaking vehemently against it. His lordship admitted that Thomas Earl of Strafford was a name of hatred in the present age by his practices, and fit to be made a terror to future ages by his punishment. "I believe him," said he, "still that grand apostate to the Commonwealth, who must not expect to be pardoned in this world till he be dispatched to the other." But then he objected to the validity of the evidence, which he thought had altogether failed to establish treason as the law then stood. He would not say but that Strafford was a man as worthy to die, perhaps worthier than many a traitor; he would not say but that they might enact that such doings as his should be treason for the future. "But God keep me," said his lordship, "from giving judgment of death on any man, and of ruin to his innocent posterity, upon a law made *à posteriori*. Let the mark be set on the door where the plague is, and then let him that will enter die. . . . . To condemn my Lord of Strafford judicially as for treason, my conscience is not assured that the matter will bear it: and as to doing it by the legislative power, my reason cannot agree to that; since I am persuaded neither the lords nor the king will pass the bill, and consequently that our passing it will be a cause of great divisions and combustions in the state. And therefore my humble advice is, that, laying aside this bill of attainder, we may think of another, saving only life, such as may secure the state from my Lord of Strafford, without endangering it as much by division concerning his punishment as he hath endangered it by his practices."

In law, in reason, in humanity, Digby's speech was conclusive: but others saw no security to the state except in the block; and the violent passions of some within the house, stimulated and encouraged to action by the still more violent passions of many without, opposed themselves to his lordship, who, moreover, was now suspected, and upon very good grounds, of being won over to the court through the fascinations of the queen. On the 21st of April the bill of attainder was passed in the commons by an immense majority,* and sent up in the afternoon to the lords. The peers showed no great haste in dispatching the bill. To quicken them, mobs gathered round the parliament-house, crying for Strafford's blood; and a petition to the same effect, and signed by many thousands, was presented by the City of London. The commons sent up Mr. Hyde, afterwards Lord Clarendon, to acquaint their lordships that they had heard that the Earl of Strafford was designing to escape; that he had ships at sea at command; that the guards put over him were weak; and to desire that he might be made a close prisoner, and the guards strengthened. It is indeed quite certain that several attempts were made to release the prisoner, and that schemes were entertained, which, if they had succeeded, would have sent the leaders of the Commons to take his place in the Tower. Charles had hastened to assure Strafford that, though he might be forced to make some sacrifices to the violence of the times, he would never consent that so faithful a servant should suffer in life, fortune, or honours. The king entertained a plan, which seemed feasible: one hundred trusty soldiers were to be suddenly introduced into the Tower; and these men, it was calculated, would give him the entire command of that fortress. Another project was, for the king to order the removal of Strafford to some other prison, and then to rescue him on the road. But there was one calculation in which the devisers of these various designs were at fault. Balfour, the lieutenant of the Tower, without whom nothing could be done, was proof to bribes and royal promises: he was attached to the popular cause,—perhaps intimidated by the formidable aspect of the City of London, and by the prospect of danger to himself;—he refused to obey the royal warrant, and turned scornfully away from Strafford, who offered him twenty-two thousand pounds, and (it is said) a matrimonial alliance. But there still remained one desperate hope more: the English army in the north had been irritated at seeing that, while their arrears were left to accumulate, the Commons had taken care to supply the Scottish forces in England with money. If these English troops could be brought up of a sudden to London they might over-awe the parliament, and give to Charles the ascendancy which he had lost,—at least so thought the king, who entered into this project without reflecting sufficiently on the spirit and power of the citizens of London, who of themselves would have been sufficient to repel the weak, and disheartened, and still badly disciplined army. Secret overtures were made to the principal officers at York, who entered into the scheme readily enough, but who betrayed their motives, and made the measure hopeless, by the avidity with which they claimed high promotion and other rewards, and by their fierce jealousy of one another. Colonel Goring, and Percy, brother of the Earl of Northumberland, headed a consultation with the officers; all that were admitted into the plot took a solemn oath of secrecy; but these two hot-headed and unprincipled men, who in their hearts cared neither for their king nor for their country, quarrelled, and almost fought. Jermyn, now the queen's especial favourite, (afterwards her lover and her husband,) was deputed to reconcile

* Only fifty-four, or, as Whitelock says, fifty-nine members of the lower house voted against the bill; and on the following morning the names of these gentlemen were placarded in the streets as Straffordians, who, to save a traitor, were willing to betray their

Nalson says that exceptions were taken in the house at Digby's eloquent speech upon the Friday following, when his lordship explained; that for the present there was nothing done, though afterwards the sleeping revenge roused itself, and upon the 15th of July the speech, by order of the house, was burnt by the common hangman.—*An Impartial Collection of the Great Affairs of State, &c.*

the rivals, but he failed; and Goring disclosed the whole plot to Lord Newport,—"that silly and faithless Earl of Newport," as Warwick calls him,* who blabbed it, or purposely revealed it, to Lord Saye and others, through whom it reached the quick ear of Pym—a man all eyes, all ears, till he should see his threat or prediction verified in the severed neck of the renegade.

After the utter failure of these and other schemes, Charles resolved to try whether he could not prevail over the Commons in an audience, and on the 1st of May he called both Houses of Parliament before him, and passionately desired of them not to proceed severely against the earl. He told them that originally he had not had any intention of speaking in this business, but now it had come to pass, through their proceeding by attainder, that he, of necessity, must have part in the judgment; he told them that they all knew he had been present at the hearing of the trial, from the one end to the other, and so was conversant with all their proceedings that way, and the nature of their evidence; that in his conscience he could not condemn him of high treason. "'Tis not fit for me," continued Charles, "to argue the business: I am sure you will not expect it. A positive doctrine best comes out of the mouth of a prince; yet I must tell you three great truths. First, I never had any intention of bringing over the Irish army into England, nor ever was advised by any body so to do. Second, there never was any debate before me, either in public council, or in private committee, of the disloyalty and disaffection of my English subjects. Third, I was never counselled by any to alter the least of any of the laws of England, much less to alter all the laws. I think nobody durst ever be so impudent as to move me to that, for if they had I should have put a mark upon them, and made them such an example, that all posterity should know my intention by it; for my intention was ever to govern according to the law. I desire to be rightly understood: I told you in my conscience I cannot condemn him of high treason; yet I cannot say I can clear him of misdemeanors: therefore, I hope that you may find a way to satisfy justice and your own fears, and not to press upon my conscience. My lords, I hope you know what a tender thing conscience is. To satisfy my people I would do great matters; but in this of conscience, no fear, no respect whatever, shall ever make me go against it. Certainly I have not so ill deserved of the parliament this time, that they should press me in this tender point." He assured them that as to Strafford's being guilty of misdemeanors, he was quite clear in that; and therefore he thought that my Lord of Strafford was not fit hereafter to serve him or the commonwealth in any place of trust, no, not so much as to be a high constable. He left it to their lordships (he never mentioned the commons in this injudicious address) to find some way or other to bring him out of this great strait, and yet keep themselves and the kingdom safe; and he proposed that Strafford should be punished as for misdemeanors and not treason.*

On their return to their own House, the Commons testified their discontent at the king's interference, and his invasion of their privileges. The following day was a Sunday, which gave the Puritan preachers the opportunity of inflaming the popular mind, by preaching the necessity of justice upon great delinquents, and proving by Scripture texts that heaven would be highly gratified by a bloody sacrifice. Their discourses produced the desired effect: on the following morning a fierce rabble of about 6,000 issued from the city, and thronged down to Westminster and the houses of parliament, with clubs and staves, crying out for justice against the Earl of Strafford. At the same time there was almost as great a ferment within the Commons House, where Pym and his friends were imparting information about some practices in the north, "to distract the English army, and to debauch them against the parliament;" asserting that these combinations at home had a correspondency with practices abroad; that the French were collecting forces on the opposite coast, with the intention of invading England; and that divers persons of eminence about the king were deeply engaged in these plots, and in a design upon the Tower to liberate the great traitor. The Commons soon voted that it was necessary to close the seaports, and to desire his majesty to command that no person attending upon himself, the queen or prince, should depart without leave of his majesty, granted upon the humble advice of his parliament; and, after further debate, they resolved that a "Solemn Protestation" should be taken by the whole House, promising, vowing, and protesting, in the presence of God, to maintain, with their life, power, and estates, the true reformed Protestant religion against all popery and popish innovation; to maintain and defend his majesty's royal person and estate, as also the power and privilege of parliaments, the lawful rights and liberties of the subject; to oppose and bring to condign punishment all such as should, by force, practice, counsels, plots, conspiracies, or otherwise, do anything contrary to this present Protestation; to endeavour to preserve, in all just and honourable ways, the union and peace between the three kingdoms of England, Scotland, and Ireland; and neither for hope, fear, or any other respect relinquish this promise, vow, and protestation. Mr. Maynard read, and probably composed this bond, which, though less emphatic, and far shorter, was an evident imitation of the Scottish Covenant. It was instantly subscribed by the speaker, and by every member present.† Forthwith they dispatched

* Sir Philip, whose testimony and word are as questionable as Goring's, says,—"But Goring is said to have betrayed them all as he did; but he swore to me (which was no great assurance) that he never revealed it till he certainly knew that the chief members of both houses were before acquainted with it."—*Memoirs*. Goring, with others, was examined before parliament, and made ample disclosures, *shewing that the king was privy to the whole plot*. If the Commons had placed no confidence in Charles *before*, it was not likely that they should trust him *after* these discoveries!

* Rushworth.

† It was a full house, wanting only a very few members; four hundred and fifteen took the protestation. Rushworth gives the list. We know not why many historians state the number at three hundred.

a message to the Lords, to acquaint them with their alarms, arising out of the secret practices to discontent the army, &c., and to request that a select committee might be appointed to take examinations upon oath, concerning desperate plots and designs. And at the same time the Commons agreed upon a letter to the army in the north, to assure them that they should have money, and that the House could not doubt of their affections to the parliament, notwithstanding the efforts made to corrupt them. Nor did they stop here: to provide against foreign invasion, they ordered that the forces in Wiltshire and Hampshire should be drawn towards Portsmouth, and the forces in Kent and Sussex concentrated at Dover; and they declared that any man advising or assisting the introduction of any foreign force should be reputed a public enemy to the king and kingdom.* These resolutions were sent up to the Lords in the afternoon, together with the protestation, which the Commons desired might also be taken by every member of their lordships' House. Hollis, in delivering this message, told their lordships that parliament and the country were absolutely surrounded with plots and dangers, —that justice was obstructed,—that the same evil counsels which first raised the storm, and almost shipwrecked the commonwealth, still continued to blow strong, like the east wind that brought locusts over the land,—and that it was time they should unite and concentrate themselves to defeat the counsels of these Achitophels, that would involve their religion, their king, their laws, their liberties, all that could be near and dear to an honest soul, in one universal desolation. On the morrow, the 4th of May, the Lords desired a conference with the Commons; and when the two Houses met, the lord privy seal stated that his majesty had taken notice how the people assembled in such unusual numbers (while he was speaking the Houses were surrounded by another mob from the city), that the council and peace of the kingdom might be thereby interrupted, and, therefore, as a king that loved peace, and made it his care that all proceedings in parliament might be free, his majesty desired that these interruptions might be removed, and wished both Houses to devise how this might be done. The lord privy seal also communicated to the Commons a petition which had been thrust into the hands of the Lords by some of the multitude the day before, praying for the speedy execution of justice upon the Earl of Strafford, and announcing that plots and designs were on foot for delivering that great offender out of the Tower. The Commons were assured that six peers were sent to keep the Tower, and assist the faithful lieutenant there. The Lords further declared, at this conference, that they were drawing to a conclusion of the bill of attainder, but that they were so encompassed with multitudes of people, that their lordships might be conceived not to be free, unless those multitudes were sent to their homes. This was soon done; for the Lords having agreed to and taken the Protestation, Dr. Burgess, a popular preacher, went out and addressed the mob. The doctor acquainted them with the Protestation, read that bond to them, and besought them in the name of the parliament to retire quietly to their houses; and they all departed forthwith. Soon after, the protestation was tendered to the whole kingdom, as the covenant had been in Scotland, with the same intimation, that whosoever refused it should be set down as an enemy to his country's liberties and religion.* It was at this crisis that the Commons went into committee upon the additional bill, that parliament should not be dissolved without the consent of both Houses.

Men's minds were now so over-excited by constant talk and rumours of desperate plots, that the slightest circumstance sufficed to create perilous alarm. On the 5th of May, as Sir Walter Earle was making a report to the House of some fabulous plot to blow them all up after the fashion of Guido Fawkes, some members in the gallery stood up, in their great anxiety, and Mr. Moyle, of Cornwall, and Mr. Middleton, of Sussex, two very corpulent members, broke with their weight a board in the gallery, which gave so great a crack, that some thought there was a plot indeed, and Sir John Ray cried out that he smelt gunpowder. Upon this, some members and others, in great fear, ran out of the House, and frightened the people in the lobby, and the people in the lobby ran into Westminster Hall, crying that the Parliament House was falling, and the members slain. Sir Robert Mansell drew his sword, and bade them stand for shame, telling them that he saw no enemy, nor heard any noise; but some of the people hastened by water to the city, and there created a strange hubbub upon this false alarm. The citizens collected in immense numbers; one regiment of the train-bands, commanded by Colonel Mainwaring, armed upon beat of drum, and they all proceeded together towards Westminster to secure the parliament; but, finding there was no cause, they returned again. It may possibly be that some men looked upon this false alarm as a good experiment on the devotion of the citizens to the parliament; and the consequences were certainly well calculated to warn the king. On the following day the House was informed that six or eight dangerous conspirators—among whom were Henry Jermyn (the queen's favourite) and Henry Percy, both members of the House of Commons—had fled, and that the queen was preparing to go after them. On Friday, the 7th of May, the Lords passed the bill abrogating the king's prerogative to dissolve parliament, and also the bill of attainder against Strafford. Both were passed in a thin House—for the Catholic peers would not take the protestation, and kept away, and the friends of Strafford, it is said, were afraid of the mob.

* Among these resolutions was one, "that strict inquiry be made what papists, priests, and jesuits be now about town."

* "This they conceived to be a true test of every good subject, a Shibboleth to distinguish the Ephraimites from the Gileadites: that whosoever was well affected in religion, and to the good of the commonwealth, would make this protestation; and on the other side, who would not make it was not well affected."—*Rushworth.*

Those present voted, that the 15th and 19th articles had been fully proved, and that Strafford, as therein charged, had levied money in Ireland by force, in a warlike manner; and had forcibly imposed an unlawful oath upon the subjects in Ireland.* They consulted the judges, and the judges unanimously declared that these offences amounted to treason! These high functionaries, these interpreters and guardians of the law, had been bred in an infamous school, and they were now as base under the power of parliament as they had been before under the absolutism of the king. The bill was passed in the Lords by a majority of twenty-six to nineteen. On the morrow, the 8th of May, the Commons requested the Lords to join with them to move his majesty for his consent to the bill of attainder, as they conceived that the peace of the kingdom depended upon the immediate execution of that bill; and the Upper House agreed to their request, and sent a certain number of peers to wait upon his majesty. Charles was now without hope and without help. His own feeling, his pride, his honour, suggested that he ought to risk any extremity rather than seal Strafford's doom; but he had not courage for this course—youth or man, he was utterly destitute of heroism or high-mindedness. The prisoner in the Tower held his life by a thread. But still, to do something for his servant, or to salve over his own conscience, Charles, on the morrow—it was a Sunday—summoned his privy-council together at Whitehall, called in some of the judges and bishops, propounded several scruples, imparted his doubts and misgivings, and asked their opinions. Honest, plain-spoken Juxon, Bishop of London, who had wielded the staff of lord treasurer without reproach, and laid it down without regret, boldly advised him not to consent to the shedding of the blood of a man whom in his heart he believed to be innocent. Williams, the old Bishop of Lincoln, and now about to be Archbishop of York,† was of a very different opinion. He told Charles "that there was a private and a public conscience; that his public conscience as a king might not only dispense with, but oblige him to do that which was against his private conscience as a man; and that the question was not, whether he should save the Earl of Strafford, but whether he should perish with him; that the conscience of a king to preserve his kingdom, the conscience of a husband to preserve his wife, the conscience of a father to preserve his children (all which were now in danger), weighed down abundantly all the considerations the conscience of a master or a friend could suggest to him, for the preservation of a friend or servant; and by such unprelatical, ignominious arguments, in plain terms, advised him, even for conscience sake to pass that act."* Three "others of the same function, for whose learning and sincerity the king and the world had greater reverence"—Usher, Primate of Armagh, Moreton, Bishop of Durham, and another bishop, advised Charles to guide his conscience by the opinion of his judges. The judges, it is said, refused to give any reasons for their opinion, and merely stated that the case of Strafford, as put to them by the Lords, was treason. The majority of the council pressed upon him the votes of both Houses of Parliament and the imminent danger of a refusal; and, late on Sunday evening, Charles reluctantly subscribed a commission to give his assent to the bill. According to one account, he shed tears; according to another, he exclaimed that the condition of the doomed Strafford was happier than his own.

On the preceding Tuesday the prisoner had addressed a remarkable and a very touching letter to the king. After protesting his loyalty and his innocence, Strafford said;—"Now I understand the minds of men are more and more incensed against me, notwithstanding your majesty hath declared that, in your princely opinion, I am not guilty of treason, and that you are not satisfied in your conscience to pass the bill. This bringeth me in a very great strait. There is before me the ruin of my children and family, hitherto untouched, in all the branches of it, with any foul crime: here are before me the many ills which may befall your sacred person and the whole kingdom, should yourself and parliament part less satisfied one with the other than is necessary for the preservation both of king and people: here are before me the things most valued, most feared, by mortal men,—life or death. To say, Sir, that there hath not been a strife in me were to make me less man than, God knoweth, my infirmities make me; and to call a destruction upon myself and young children (where the intentions of my heart at least have been innocent of this great offence), it may be believed, will find no easy consent from flesh and blood. But with much sadness I am come to a resolution of that which I take to be best becoming me, and to look upon it as that which is most principal in itself, which doubtless is the prosperity of your sacred person and the commonwealth,—things infinitely before any private man's interest. And therefore in few words, as I put myself wholly upon the honour and justice of my peers, so clearly as to wish your majesty might please to have spared that declaration of your's on Saturday last, and entirely to have left me to their lordships; so now, to set your majesty's conscience at liberty, I do most humbly beseech your majesty for prevention of

* We here follow Whitelock, who was one of the managers of the trial for the Commons. Ratcliffe says, that the 15th article and the 23rd, containing the advice to bring the Irish army into England, and perhaps one more, were voted by the Lords to be proved, but, as his memory might deceive him, he refers to the Journals. Unfortunately the Journals give no information, for, after the Restoration, the proceedings were erased. Rushworth says, simply, that the Lords passed the bill of attainder; and, whatever the articles were upon which their lordships decided, it is certain that they passed the bill as it came up to them from the Commons, without any alteration. May, another good authority, confirms the statement of Whitelock, saying, distinctly, "The Lords voted him guilty of high treason upon the 15th article, for levying of money in Ireland by force of arms; and upon the 19th, for imposing an oath upon the subjects of Ireland."

† Williams was promoted to York on the 4th of December of this same eventful year, 1641.

* Clarendon, Hist.

evils which may happen by your refusal to pass this bill; and by this means to remove (praised be God) I cannot say this accursed, (but I confess) this unfortunate thing, forth of the way towards that blessed agreement, which God, I trust, shall ever establish between you and your subjects. Sir, my consent shall more acquit you herein to God than all the world can do besides: to a willing man there is no injury done; and as, by God's grace, I forgive all the world with a calmness and meekness of infinite contentment to my dislodging soul, so, Sir, to you I can give the life of this world with all the cheerfulness imaginable, in the just acknowledgment of your exceeding favours; and only beg that, in your goodness, you would vouchsafe to cast your gracious regard upon my poor son and his three sisters, less or more, and no otherwise than as their (in present) unfortunate father may hereafter appear more or less guilty of this death. God long preserve your majesty.

"Your majesty's most faithful and humble subject and servant,

"Strafford."

Some writers are of opinion that, in writing this letter, Strafford was heroically sincere; that the prisoner was willing to throw off his afflicted mortal coil, and that his life should be a peace-offering: but we confess we cannot entertain this notion, but are rather inclined to regard the letter as having been written to work upon the feelings of the king, who might probably have been expected to use it as he had used the letter of Goodman (which had saved that priest's life), and without any intention or expectation on the part of Strafford that his life should be sacrificed by his master. One of the best of contemporary authorities we have to follow says, that the king sent Carleton to the prisoner to acquaint him with what he had done, and the motives of it, especially the earl's own consent to die; that Strafford then *seriously* asked whether his majesty had passed the bill or not,—"as not believing, without some astonishment, that the king would have done it,"—and that, being again assured that the bill was really passed, he rose from his chair, lifted up his eyes to heaven, laid his hand upon his heart, and said, "Put not your trust in princes, nor in the sons of men, for in them there is no salvation."*

Two days after the fatal Saturday, on Monday, the 10th of May, the commission empowering the Earl of Arundel (the lord privy seal) and two other lords to give the royal assent to the bill for the execution of the Earl of Strafford upon the Wednesday following passed the great seal; and the Commons were sent for to the Lords, to be present at the giving the royal assent to that bill, and to the bill for doing away with the prerogative of dissolving parliament. And on the same day Charles sent to inform both Houses that the Irish army, which had caused so great an alarm, should be instantly disbanded; in return for which gracious message the Commons assured Charles that they would make him as glorious a potentate and as rich a prince as any of his predecessors, "his majesty continuing still to take the advice of his great council, the parliament, in the management of the great affairs of the kingdom." On the morrow, the 11th of May, only one day before that fixed for the execution, Charles sent a letter to the Lords by the hands of the young Prince of Wales. The royal breast must have been occupied by greater fears than ever—Charles must have been selfishly indifferent by this time to the fate of his satellite; for it is scarcely possible to conceive a more trembling and miserable petition for mercy, and the concluding words made the doom of death prominent, and, as it were, inevitable.

"My lords,—I did yesterday satisfy the justice of the kingdom by passing the bill of attainder against the Earl of Strafford; but, mercy being as inherent and inseparable to a king as justice, I desire at this time in some measure to show that likewise, by suffering that unfortunate man to fulfil the natural course of his life in a close imprisonment; yet so, if ever he make the least offer to escape, or offer directly or indirectly to meddle in any sort of public business, especially with me, either by message or letter, it shall cost him his life, without further process: this, if it may be done without the discontentment of my people, will be an unspeakable contentment to me; to which end, as in the first place, I by this letter do earnestly desire your approbation, and, to endear it more, have chosen him to carry it that of all your house is most dear to me; so I desire that, by a conference, you will endeavour to give the House of Commons contentment, assuring you that the exercise of mercy is no more pleasing to me than to see both houses of parliament consent for my sake that I should moderate the severity of the law in so important a case. I will not say that your complying with me in this my intended mercy shall make me more willing, but certainly 'twill make me more cheerful, in granting your just grievances. But, if no less than his life can satisfy my people, I must say '*fiat justitia.*' Thus, again, recommending the consideration of my intention to you, I rest,

Your unalterable and affectionate friend,

"Charles R.

"Postscript.—If he must die, it were charity to reprieve him till Saturday."

By this strange postscript Charles indeed manifestly surrendered Strafford, and gave the lords cause to suspect that he was doing something for decency but nothing in earnest. The contemptible letter was twice read in the Upper House, and after "serious and sad consideration," twelve peers were sent to tell the King that neither of the two intentions expressed in the letter could, with duty in them, or without danger to himself, the queen, and all the young princes, possibly be advised. Without permitting the twelve noble messengers to use any more words, Charles said,

* Whitelock.

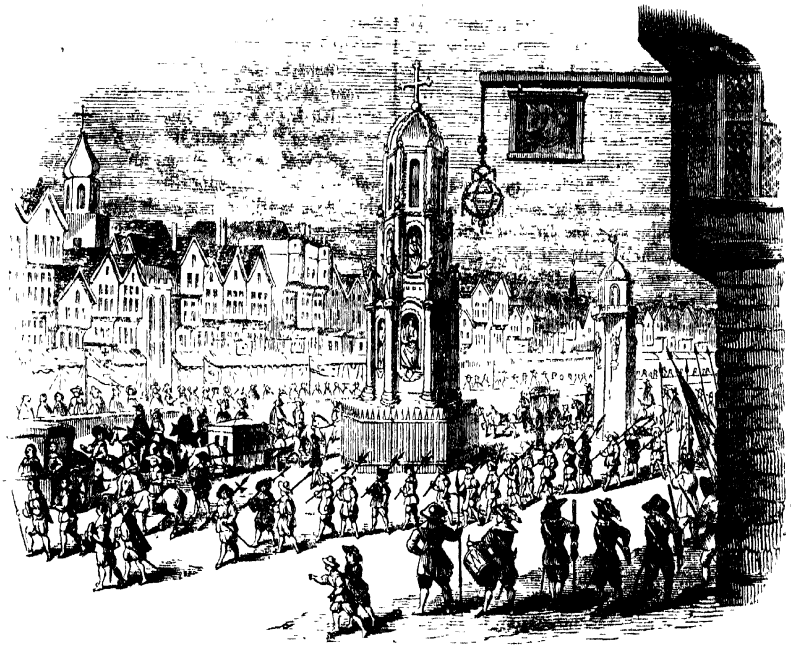
"What I intended by my letter was with an '*if*' it might be done with contentment of my people. If that cannot be," he added, "I say again *fiat justitia!* My other intention, proceeding out of charity for a few days' respite, was, upon certain information that his estate was so distracted that it necessarily required some few days for settlement." To this the lords replied, that it was their purpose to be suitors to his majesty, that favour might be showed to Strafford's innocent children, and that if the prisoner had made any provision for them the same might hold.* Then Charles turned away from the lords, who stayed him to offer into his hands the letter which he had just sent to them. "My lords," said Charles, "what I have written to you I shall be content it be registered by you in your house: n it you see my mind, I hope you will use it to iy honour." The next day was the fatal Wed nesday. During the preceding night, the last of his stormy career, Strafford received the visit of Archbishop Usher, whom he requested to go to his old friend and now fellow-prisoner Laud, and beg him to lend him his prayers that night, and give him his blessing when he should go abroad on the morrow. He tried hard to obtain a personal interview with the fallen "*summus pontifex*," but this was denied him by the unrelenting Lieutenant of the Tower. "Master lieutenant," said he, "you shall hear what passes betwixt us: this is not a time either for him to plot heresy or for me to plot treason." Balfour replied, that his orders were strict, and that the prisoner might petition parliament for that favour. "No," said Strafford, "I have gotten my dispatch from them, and will trouble them no more. I am now petitioning a higher court, where neither partiality can be expected, nor error feared." On the morrow morning, when he came forth to die, he said, as he drew near to that part of the Tower where the archbishop was confined, "Master lieutenant, though I do not see the archbishop, give me leave to do my last observance towards his rooms." But in the meantime Laud, advertised of his approach, came up to the window. Then the earl bowed himself to the ground and said, "My lord, your prayers and your blessing." The archbishop lifted up his hands and bestowed both, but overcome with grief he fell to the ground, and the procession moved onwards. But after he had proceeded a little farther, Strafford bent himself a second time, and said, "Farewell, my lord; God protect your innocence." As in other memorable cases, death was less dreadful when near than when at a distance. According to the laborious Rushworth, the clerk of the parliament, and one of the innumerable eye-witnesses, he marched towards the scaffold upon Tower Hill more like a general at the head of an army than like a condemned man. At the Tower gate the lieutenant desired him to take coach, lest the people should push in upon him and tear him to pieces. "No, master lieutenant," said he, "I dare look death in the face, and I hope the people too. Have you a care that I do not escape, and I care not how I die, whether by the hand of the executioner or the madness and fury of the people: if that may give them better content, it is all one to me." He was attended upon the scaffold by Archbishop Usher, the Earl of Cleveland, and his brother Sir George Wentworth; and other friends were present to take their last leave. The multitude collected to see him die was estimated at 100,000 men, women, and children; but all preserved a respectful and awe-struck silence. He had prepared the heads of a speech, which he now delivered.* He said, that he was come to submit to the judgment passed against him; that he did submit with a quiet and contented mind, freely forgiving all the world. His conscience, he said, bore him witness that he was innocent, although it was his ill-hap to be misconstrued. He added,—and the words, with the time, place, and occasion, carried a solemn weight with them like the voice of a holy oracle,—"One thing I desire to be heard in, and do hope that for Christian charity sake I shall be believed: I was so far from being against parliaments, that I did always think parliaments in England to be the happy constitution of the kingdom and nation, and the best means, under God, to make the king and his people happy." He then said a few affectionate words about his fourth wife and his children, took off his doublet, did up his hair with his own hands, put on a white cap and laid his head upon the block. The executioner severed his neck at one blow, and holding up the bleeding head towards the people, cried, "God save the king." The people scarcely believed what they saw; they shouted not, they gave way to no malignant or triumphant feelings; but in the evening they testified their joy and satisfaction by lighting bonfires in the streets.†

The advancing spirit of mildness and mercy, the dislike of blood and all capital punishments which is *now* entertained by all enlightened and thinking persons (our fathers were strangers to it—the feeling was hardly known, even among the best and wisest, two centuries ago) would of itself lead us to disapprove of the execution of Strafford, although we feel perfectly convinced that that proud, and daring, and unscrupulous minister, was a systematic and most dangerous enemy to the liberties of his country. This is proved by his correspondence, which has since been brought to light, and to which we have re-

* Almost immediately after the execution the Commons passed a bill relieving Strafford's issue from all consequences of the attainder.

* This paper was picked up on the scaffold after his head had fallen.

† Rushworth.—Nalson.—May.—Sir Philip Warwick says, "And to show how mad this whole people were, especially in and about this then bloody and brutish city (London), in the evening of the day wherein he was executed, the greatest demonstrations of joy that possibly could be expressed ran through the whole town and countries hereabout; and many that came up to town on purpose to see the execution, rode in triumph back, waving their hats and with all expressions of joy, through every town they went, crying, 'His head is off; his head is off!' and in many places committing insolencies upon, and breaking the windows of those persons who would not solemnize this festival with a bonfire; so ignorant and brutish is a multitude."



Cheapside, with the Procession of Mary de Medicis on her Visit to Charles I. and his Queen.

From La Serres's "Entrée Royale de la Regne Mere du Roy," 1638.

peatedly referred. But that correspondence was little known at the time of the trial; it was not produced in evidence, nor would the production of it have established the fact of active and overt treason; and it has been doubted by a numerous class of writers, whether any evidence that was brought against him, or all that evidence put together, could convict him of absolute treason, except through a dangerous latitude of construction. Some allowance, however, is to be made for the vices of the judicature of those times, when men's minds were still familiar with the arbitrary treason processes of Henry VIII., of Edward VI., of Elizabeth, and James, and the evidence which, to us, seems to fall short of high treason, might, in the apprehension of that age, bear a very different weight and interpretation. It should, moreover, always be remembered that the Commons had fully made up their minds never to believe or trust the king, that the revolution had begun, that the attainder was a revolutionary measure, deemed necessary by many good and great men, —"by the greatest geniuses for government the world ever saw embarked together in one common cause,"*—who held that there would be no safety for the country while Strafford breathed. We almost blush at this exaggerated tribute paid to the might of one man, at the notion of a nation—and it was then a nation of enthusiasts—standing in dread of a single, disgraced, and fallen minister; but we can believe the feeling to have been perfectly sincere on the part of those who professed it. We are strangers in our hearts to the violence with which the question has been agitated by either party: we feel that Stratford should *not* have been put *to death*; but at the same time we detest many things in the man's life and character, and make large allowances for that majority of the Commons of England who sent him to the scaffold—a majority which consisted of by far the most respectable portion of the house, which included those patriots to whom the nation is for ever indebted.* But whatever may have been the irregularity of the Commons' proceedings, the infamous baseness of the king in delivering up the minister, who in all things had acted in strict accordance with his will, stands out in such glaring colours as to soften and obscure all the other harsh features of the transaction. Throughout Europe there was but one opinion, and it was an opinion withering and fatal to the character of Charles, who should have gone to the same scaffold rather than have given Strafford up.

* Warburton, Notes on the Essay on Man.

* The readers of Clarendon may find their admiration cooled for his pathetic narrative of Strafford's death, when they know that the noble historian (then Mr. Hyde) took an active part, not merely in the original prosecution, but in the act of attainder, and that it is at least negatively proved that he voted with the majority for the earl's death. The minority of fifty-nine members who voted against the bill of attainder were publicly placarded, as we have seen, as Straffordians. The list has been preserved in many books: the name of the great Selden is in it, but *not* the name of Edward Hyde.

The death of Strafford completed the panic among the old placemen, most of whom now abandoned office in the hope of escaping impeachment. St. John had already been made attorney-general, and one of his first offices as such had been to drive on the trial of the great earl. On the 17th of May, the Lord Cottington gave up his place as master of the wards, which was conferred upon the puritanic and patriotic Lord Saye. The Marquess of Hertford was made governor to the prince, the Earl of Essex lord chamberlain, and the Earl of Leicester, another nobleman of the popular party, was made lord lieutenant of Ireland. All these men were strong in the confidence of the House of Commons, but, from their first moment of entering upon office, they were intolerable to the king, who never trusted them, and who pursued so many by-paths with them that they ended (possibly they had begun) by never trusting him. It has been conjectured that a different line of conduct on the part of Charles, and an honest confidence between the king and these ministers, might yet have secured the country from revolution and war: but it was idle to expect any thing of the kind from the confirmed character and habits of the wretched prince; and it may be at least doubted whether any concession or conciliation could stop the onward march of that revolution, which had, in fact, begun with the trial, or at latest with the bill of attainder against Strafford. The new ministry, however, gave a new spirit to the Upper House, and the Lords, who, for some time, had been as timid as the old placemen, boldly threw out two bills sent up to them by the Commons, one to exclude the bishops from sitting in parliament, the other about a new form of ecclesiastical jurisdiction. On the 22d of June the Commons presented to the king their grant of tonnage and poundage, which he now accepted as a gift from his people. Six subsidies had also been voted. Three other acts were likewise presented, one imposing a poll-tax for the defraying the charges of the armies, the second and third putting down for ever the High Commission Court and the detestable Star-chamber, which had, in fact, both fallen into decrepitude at the opening of the present parliament. On the 2nd of July, Charles gave his assent to the poll-tax bill, probably hoping that it would disgust the people, and turn them against their new legislators or rulers; but he demurred upon the other two acts. The Commons voted that he should pass all three, or none at all; and Charles, alarmed at their tone, on the 5th of July passed the other two also. "Many of the courtiers," says May, "and the nearest servants about the king, were very sorry that his majesty, seeing that he passed those two bills so soon after, had not freely done it at the same time with the poll-money; because it might be thought an unwillingness in him, and that his heart (which was then feared) did not perfectly concur with his people's desires; whereby much of the thanks, which so great a grace, freely and forwardly expressed, might have deserved, did seem in a manner lost." Charles, in passing the bills abolishing the two strongholds and laboratories of tyranny and oppression, alluded to the reports of discontent, and expressed his surprise that two things of so great importance should have been expected from him without an allowance of time to consider of them; and he reminded the Commons of the great things he had already done this parliament, as granting that the judges hereafter should hold their places during good behaviour; limiting the forest laws; taking away ship-money; establishing the subjects' property in tonnage and poundage; granting triennial parliaments, &c. The Commons replied to all this with compliments, but they knew that all these concessions had been wrung from him against the very grain of his heart.

The important events which we have had to condense have carried us over some family incidents which were far from being of insignificant moment. In the autumn of 1638, the intriguing, turbulent, conscienceless Mary de Medicis, Queen Dowager of France, and mother to Henrietta-Maria, arrived in England, and was conducted in great state through London. Cardinal Richelieu, after a hard contest, had driven her out of France with disgrace and in poverty. Her daughter, the Queen of Spain, could not, or would not, grant her an asylum: the Queen of England had more filial tenderness, or more power, and after long entreaties she prevailed upon Charles to receive and maintain her. The country, the religion, the manners of this royal refugee all rendered her obnoxious to the people. The sailors who brought her over called the equinoctial gales which raged during her passage "queen-mother-weather;" and popular superstition connected the coming of the papist and idolatress with a pestilence that was then raging. Nor were these prejudices removed by the liberality of the king, who granted her an enormous pension, and a patent or monopoly upon leather.*

Whenever the popular excitement was great, Mary de Medicis and her train of priests came in for a large share of abuse. At the time when Charles passed the bill of attainder against Strafford her case was brought before the House of Commons, which was informed that she was terrified at the great crowds and tumults, and therefore desired a guard for her security. The Commons, saying that they were bound in honour not to suffer any violence to be done to her, referred the business to a committee to consider what was best to be done. Mr. Henry Martin reported that the committee had agreed to provide for her safety by all good ways and means; being, however, of opinion that the best thing she could do was to be gone out of England, as the said means might possibly prove ineffectual for her protection, he moved that, therefore, the House would intreat the Lords to join with them in a petition to his majesty that the queen-mother might be moved to depart the kingdom, the rather for the quieting those jea-

* Her allowance is stated to have been as high as 100*l.* per diem.

lousies in the hearts of his majesty's well affected subjects, occasioned by some ill instruments about the queen's person, by the flocking of priests and papists to her house, and by the use and practice of the idolatry of the mass.* Charles, however, held out; but Mary de Medicis was made restless and wretched by constant alarms, and soon showed that she was more anxious to leave England than ever she had been to come to it. The only thing that was wanting was money for her journey, and the Commons gladly voted her 10,000*l.* out of the poll-tax. In the month of July she took her departure, to become again a homeless wanderer; but she did not wander far, dying at Cologne shortly after. The pompous Earl of Arundel, the premier peer, the first nobleman of England, disgusted with the abolition of his marshal's court, and discerning that the repose of his country was like to be disturbed, took the opportunity of getting himself appointed to escort the queen-mother on her journey; and he presently proceeded to Italy, where he forgot his native land and its troubles in the pursuit of arts and antiquities, and where, according to Clarendon, he died with the same doubtful character as to religion in which he had lived. To the honour of the English nobility his was almost a solitary case: the rest stayed to brave the tempest, to fight for their principles of loyalty or of patriotism.

Henrietta Maria would gladly have accompanied her expelled mother, for she, too, was irritated to madness by the abolition or restriction of so much of the royal prerogative; and it might be, as was strongly suspected, that she was also eager to go in quest of foreign aid to restore the absolute sovereignty. Knowing that to depart the land without their permission would be dangerous or impracticable, she desired the House of Commons to allow her to go to Spa for the recovery of her health, which she alleged was much impaired "by some discontents of mind, and false rumours and libels spread concerning her." The Commons desired a conference with the Lords, who agreed with them to desire his majesty to persuade her to put off that journey abroad. A committee of both Houses waited upon Charles in the Banquetting House, and presented their considerations against her majesty's going. These considerations were founded upon "the great activity observed among English papists in foreign countries; on the great quantity of treasure in jewels, plate, and ready money packed up to be conveyed away by the queen; on the dishonour to the nation, if her majesty should, at this unseasonable time, go out of the kingdom upon any grief or discontent received there," &c.† Charles pretended to be well satisfied with these considerations, and the queen soon after sent a message to both Houses to thank them for their care of her health, which alone could have made her resolve upon this journey; to assure them that she would serve the king and kingdom at the hazard of her life; and to express a hope that they believed her to have so much interest in the good of this kingdom, that she could never wish anything to the prejudice of it. And, for the present, no more was said about her majesty's journey.

On the 4th of August, Serjeant Wild, in the name of the Commons of England, presented at the bar of the Upper House charges of impeachment against thirteen bishops* who had been most active in pursuing Laud's system, and who were especially charged with contriving, making, and promulgating, in the late convocation, several constitutions and canons ecclesiastical, contrary to the king's prerogative, the laws of the realm, the rights of parliament, and the properties and liberties of the people. By this measure, though the bill for depriving prelates of their seats had been lost, thirteen bishops were kept away from parliament.

The Scottish Covenanters, on the whole, had had a very comfortable time of it in the north of England: it had been for the interest of the Commons to keep them well supplied with money, and to administer to their comforts in other respects. The military duty was light, allowing an abundance of time for preaching and praying; and the English people had before, or they then contracted, an affection for the Calvinistic doctrine, which went far to subdue their old antipathies against the Scots. As long as the royal army was kept on foot at York, the parliament considered it unsafe to permit the departure of Leslie's army; and it was very easy for them to prolong the negotiations: but at length, in the beginning of August, the treaty of pacification was concluded—Charles agreeing, not merely to disband his army at York, but also to withdraw the strong garrisons which he had thrown into Berwick and Carlisle. He also gave an amnesty to the Scotch, and pledged himself in the most solemn manner to injure or molest no man for what was past. The Scots obtained the security of the English parliament for payment of a balance of 220,000*l.* of the "brotherly assistance," and "with store of English money and spoils, and the best entertainment, they left their warm and plentiful quarters"—not, however, until Leslie had seen that Charles's army was really disbanding.† During the nego-

* Rushworth.

† The Commons said, "Because we understand, by Sir Theodore Mayern, that the chief cause of her majesty's sickness and distemper proceeds from the discontent of her mind, the House of Commons hath thought good to declare that, if anything within the power of parliament may give her majesty contentment, they are so tender of her health, both in due respect of his most excellent majesty and herself, that they will be ready to further her satisfaction in all things, so far as may stand with the public good, to which they are obliged." —*Rushworth.*

* They were Winchester, Coventry, Gloucester, Exeter, St. Asaph, Bath and Wells, Hereford, Ely, Bangor, Bristol, Rochester, Peterborough, and Llandaff; and the name of William Laud, Archbishop of Canterbury, was put at the end of the list. The Commons did not forget to take notice of their bribes to the king. They said, in their impeachment, "And, to add more weight and efficacy to this their monstrous design, they did, at the same synod, under a specious and fair title, grant a benevolence or contribution to his majesty, to be paid by the clergy of that province, contrary to law."

† On the conclusion of the treaty, the Earl of Bristol said in the Lords, "that he had something to deliver concerning the treaty of Ripon, of the reasons which moved those commissioners to agree unto it; and, though it might not be accounted so full of glory and

tiations, Charles had offered to go into Scotland, and to meet the Scottish parliament for the better settlement of sundry matters; and as early as the month of June he had announced his intention of making this journey. But it in no way suited the English parliament to let him go at this moment, nor could his utmost efforts obtain their permission until the 10th of August. There was a great variety of opinion, and on all sides, about this expedition. Old Bishop Williams, now in favour, and consulted by Charles on account of his sagacity and proficiency in manœuvre and intrigue, advised him to take heed of the Scots, who would be sure to discover to the English Commons any overtures he might make to them; and he told his majesty that he would do better to stay by Westminster, and corrupt or inveigle the English House of Commons. On the other side, the popular party considered the journey as rife with danger and intrigue; and some of them, even at the last moment, would have prevented it. They desired the king to appoint a regent during his absence; but Charles got over this difficulty by naming commissioners, and, having given the command of all the forces on this side Trent to the popular Earl of Essex, he got into his carriage ruminating deep things, being attended by none in the coach but by his nephew, Charles Louis Elector Palatine, who had got out of Richelieu's clutches, by his cousin, the Duke of Lennox, created Duke of Richmond, and by the Marquess of Hamilton. He had not been gone a week when the Earl of Holland, formerly the Queen's favourite, but now irritated against her and the whole court, sent a letter to the House of Peers "with some obscure words, as if there were new practices and designs against the parliament." The Lords imparted the contents of the letter to the Commons, who forthwith appointed commissioners to go into Scotland, ostensibly to superintend the ratification of the recent treaty, but in reality to keep watch over the king, and, in the language of their instructions, "to certify the parliament from time to time of their proceedings, and of all occurrences which shall concern the good of this kingdom." The persons appointed for these delicate offices were, the Earl of Bedford, Edward Lord Howard, Nathaniel Fiennes, Sir William Armyne, Sir Philip Stapleton, and Mr. Hampden; and a draft of a commission was sent after the king for him to sign, empowering the said commissioners to treat, confer, and conclude with such commissioners as should be named by the Scottish parliament. Charles, very anxious to avoid this surveillance, refused to sign the commission, and told the English parliament that he did so because the treaty was already ratified by the parliament of Scotland. "This commission," said his majesty, "would beget new matter, and be a means to detain his majesty longer than he intended." The Scottish army was over the Tweed, and the lord-general had almost disbanded all the English army; and therefore his majesty saw no necessity for such commission, yet, in the end, was pleased to give leave to the members named to come and attend him in Scotland, &c. This answer was not written till the 25th of August. For reasons not explained, the Earl of Bedford did not go, but Lord Howard, Mr. Hampden, and the rest, hastened into Scotland to make sure of a good understanding with the parliament there.*

In the mean time the king had made a pleasant journey, and met with a kind reception. He dined with Leslie in his camp, caressed that old soldier of fortune, and endeavoured to corrupt his officers.† At Edinburgh, bowing to the prevalent intolerance, and forgetting his own, and the lessons of Laud, he listened with an approving countenance to the Presbyterian preachers, and outwardly conformed to their simple or bare ceremonies. It was a curious, and, for him, a humiliating sight! The Scots could hardly forget how, a few months before, he had endeavoured to drive them from that worship by cannon balls. And as it seemed necessary for the king of the Presbyterian Scots to have a Presbyterian chaplain, Charles appointed to that office Alexander Henderson, the man who had had a principal hand in overthrowing the bishops and writing the bond of the covenant.‡ At the same time, so far from showing any ill-will towards the chiefs of the Covenanters, he treated them all, whether lay or clergy, nobles or burghers, with a great show of respect and even affection. Some he gratified with titles, some with employment, all with promises. In his opening speech to the parliament, he declared that affection for his native land had brought him thither, where he hoped to remedy all jealousies and distractions; and he engaged cheerfully to fulfil all that had been stipulated in the treaty. He reminded them, however, of his ancient descent, and of the rights and high standing which that circumstance ought to give him. Not looking at history with a critical eye, which would have upset the fact, and shortened his genealogy, he told them that he claimed their allegiance as the descendant of one hundred and eight Scottish kings; and he offered to ratify the acts of their last session in the old form by

honour to this nation as the like had been in former times, yet, considering the strait that some persons have put this kingdom into, he said it was a happy conclusion, both for the king and kingdom; but it had cost this kingdom 1,100,000*l.*, besides damages; and desired that some writing might be drawn concerning this treaty for satisfaction to posterity of the carriage of this business."—*Rushworth.*

* Among their instructions were these three important clauses:—"4. To clear the proceedings of the parliament of England towards the parliament of Scotland, if they shall find any false reports which may breed a misconstruction between both kingdoms. 5. To assure them of the good affection of the parliament of England in all things, so far as concerns the service of his majesty, and peace and prosperity of both nations. 6. That they proceed not in the treaty with the parliament of Scotland till warrant and commission be sent down unto his majesty, by a messenger of purpose, and return with the warrant to pass the Commons, under the great seal of England.

† Leslie himself was a man not very likely to fall into the trap. Some time before he had expressed to a friend his sense of Charles's good intentions towards him. "His majesty," said he, "with all reverence would see me hanged." And then the old campaigner referred to his easy means of living well elsewhere. "Last of all," said he, "I can live abroad, and get preferment with honour."—*Dalrymple, Memorials.*

‡ "Henderson," says Wemyss, "is greater with him than even Canterbury was; he is never from him day nor night."

the touch of his sceptre. The Covenanters, not much moved by the oratorical part of the address, told him that the acts of the Scottish parliament were valid without such assent.

In consequence of the death or the prosecution of the incendiaries, as Charles's former ministers were called, the chief offices of the state were vacant; and parliament claimed the right of appointment to these places, or at least insisted that they should not be filled except by their advice. Charles struggled hard to save this his last or only remaining prerogative in Scotland: but the Covenanters, and the Scottish nation in general, were not only suspicious of the king's appointments, but anxious to keep their government independent of the cabinet of St. James's, to which it had been subservient—occasionally to the detriment of Scottish interests and national honour—ever since James had succeeded to the throne of Elizabeth; and they opposed with all their might the assumption of the prerogative. There was, however, one gleam of comfort for the king in this long struggle about offices; he saw many noble Scots so fiercely bent on the obtaining of places for themselves, that he fancied they must break out into feuds and parties, some of which might yet rally round him. According to an eye-witness, he promised on all sides, and granted, at least in words, whatever was asked. "What will be the event of these things," says the same observer, "God knows; for there was never king so much insulted over. It would pity any man's heart to see how he looks; for he is never at quiet amongst them, and glad he is when he sees any man that he thinks loves him; yet he is seeming merry at meat." What gave the Covenanters a great power in driving for the parliament's nomination to the state-offices was this,—they held in their hands the incendiaries, whom they threatened with condign punishment; and the king was anxious to save the lives of these old servants. In the end the parties came to an *accommodation*; the Covenanting leaders in parliament agreed to reduce the number of incendiaries to five, to release the incendiaries and plotters from prison, and to refer their trial to a committee, their sentence to the king; and Charles agreed that the appointment of ministers, judges, and privy-counsellors should be by and with the approbation of the estates while parliament was sitting, and of the privy council when it was adjourned or dissolved. But still the matter was far from being settled: Argyle, the great champion of the Covenant, desired the post of chancellor; Charles preferred giving it to Loudon, whom he had committed to the Tower for the famous letter "Au Roi." While the discontent was great, and intrigue in full activity, there happened what Scottish historians significantly call "The Incident." Argyle, who was feared and detested by the king, and Hamilton, who had incurred the royal suspicion ever since he had consented to play that double part with the Covenanters, which Charles had put upon him as a proof of his loyalty and affection, were the most powerful men in the Scottish parliament. If they could be crushed the king might yet raise his head,—or so he fondly fancied. There was a third noble Scot involved in "the incident,"—a man far more remarkable than the former two: this was the brave, adroit, and unprincipled Earl of Montrose, who had already been, by turns, courtier and Covenanter, and then king's man again. He had marched into England with the army of Leslie; he had enjoyed, as we have seen, the entire confidence of the Covenanters; he had been appointed one of their commissioners to treat with the king at Ripon and York; and, in the latter place, he had been won over by the graces, the arts, and promises of Charles to betray his colleagues. It was agreed between them that Montrose, in order to be more useful, should continue to play the part of a zealous Covenanter. Charles, with all his cunning, was at times very careless: he kept in his pocket, at York, a letter, in which Montrose engaged to do his service; and this letter was stolen out of his pocket, copied, and sent to the Covenanters. Whitelock says, that this was done by Hamilton. While Montrose had time he assured the king, by letter, that there were men in Scotland who, if supported by his majesty's presence, would both make and prove a charge of treason against Hamilton and Argyle; but he and some of his associates were soon arrested, and committed to the castle of Edinburgh as plotters and banders. It was observed, however, that Charles did not treat Hamilton with his former respect or favour; and one day the Lord Kerr sent him a charge of treason. Hamilton appealed to the parliament, which declared him innocent, and compelled Kerr to make an apology. Montrose, from his dungeon, found means of communicating with the king, and he repeated his charge against Hamilton and Argyle; and, according to Clarendon, who does not appear to have been much shocked at the proposal, "frankly undertook" to make away with them both.* About a fortnight after this Hamilton was warned of a plot to have him seized, as he entered the presence-chamber, by an armed band, under the command of the Earl of Crawford,—the man who had carried to him Kerr's challenge of treason, and who was to convey him and his brother Lanark, and the Earl of Argyle, on board a king's ship which was lying in Leith roads, or to kill them in case of resistance or difficulty. Hamilton had time to communicate with his friends; and then he, his brother, and Argyle secured themselves as well as they could, and their associates in Edinburgh fortified their houses, and spread the alarm among the citizens, who flew to arms, and paraded the streets all

* Clarendon says, that Montrose informed the king of many particulars from the beginning of the rebellion; and that the Marquess of Hamilton was no less faulty and false towards his majesty than Argyle, and offered to make proof of all in the parliament; but rather desired to have them both made away, which he frankly undertook to do: "but the king abhorred that expedient, though, for his own security, he advised that the proofs might be prepared for the parliament."—*Hist.*

night. On the following morning Hamilton and the other noblemen wrote to inform his majesty of the reasons of their absenting themselves the preceding night from court, and desired to know what his majesty would be pleased to command them to do: but Charles was not satisfied with their letters; and in the afternoon he proceeded to the parliament-house with near "five hundred soldiers, and the worst affected men about him, with their arms in a menacing way." "To prevent tumult in the streets," says Lanark, "we resolved to leave the town, which could not have been shunned if we had gone to the parliament-house with our friends at our backs, who would by no means condescend to leave us."* "The king's array," Baillie writes, "broke in near-hand to the parliament's outer hall. The states were mightily offended, and would not be pacified till Leslie had got a commission, very absolute, to guard the parliament, with all the bands of the city and regiments yet on foot, and some troops of horse."

Charles complained of the absence of the three noblemen, and of the vile slander which their needless flight and fear had brought upon him. "He professed to detest all such vile treacheries as were spoken of; urged a present trial, in face of parliament, for the more clearing of his innocency."† The states hesitated, and proposed the appointing of a committee for a more accurate trial in private than could have been had in public. It has been asserted that the objection to a public investigation was, that the king's presence would overawe the freedom of inquiry; but it should seem to us that the humbled king had then little power to overawe anybody in Scotland. The parliament made fast the Earl of Crawford, Colonel Cochrane, and Colonel Stewart, who were accused of being the principal instruments in the plot; and the king departed dissatisfied. But for several days Charles repeated his demand for a public trial, even shedding tears to obtain it; but the more popular party insisted on a private investigation; and Charles was at last obliged to give up the point to a committee. "Many evil-favoured things," says Baillie, "were found; yet in the papers that went abroad we found nothing that touched the king." The investigation was so secret in all respects that no records or reports of its proceedings have been preserved, and, together with the rest of the story of "the incident," it still remains an historical mystery. The end of it was, that, after some two or three weeks absence, upon the king's and parliament's letters, the fugitive lords returned, and at once seemed to have as much of the king's confidence as ever. "Sure," says Baillie, "their late danger was the means to increase their favour with the parliament; so, whatever ruling they had before, it was then multiplied." Shortly after Hamilton was made a duke, and Argyle a marquess.*

But, before this satisfactory adjustment was brought about, the "incident" produced great suspicions and stirs in London. The English parliament, which had sat for eleven months, adjourned from the 9th of September to the 20th of October, taking care, however, to leave a standing committee of both Houses to act during the short recess. On the appointed day the Houses met again; and the Lords, observing Palace-yard to be full of armed men, moved to know the reason thereof. The Earl of Essex, captain-general of the South, signified to their lordships that the committee of the House of Commons which sat during the recess had desired that there might be a guard of soldiers set about the parliament, to prevent the insolence and affronts of the disbanded soldiers about town, and to secure the Houses against other designs which they had reason to suspect. In effect, Lord Howard, Hampden, and the other parliamentary commissioners sent into Scotland, had instantly communicated the affair of "the incident," and this was interpreted into a vast conspiracy, which was to embrace the three kingdoms, and which was, as usual, denominated a plot of the papists. And thereupon the Commons had sent to the lord mayor to secure the city of London, and had required the justices of Middlesex and Surrey to obey such orders as the Earl of Essex might think fit to give them for the public safety. Now they desired a conference with the Lords, to express their sense of the great danger to the nation from a conspiracy with many

* Lanark's Letters, in Hardwicke State Papers.

† Hist.—This is Hamilton's brother's account of the discovery of the plot:—"Upon the 2nd of this current, General Leslie sent to the Parliament House, to desire my brother and the Earl of Argyle, before their return to court, to come and speak with him at his house with as great privacy as could be, which they did, and with him they found one Lieutenant-Colonel Hurrie, to whom the general said my brother and Argyle were much obliged, and desired Hurrie to acquaint them with that particular which he had already discovered to him; which Hurrie did, and told them that he was informed there was a plot that same night to cut the throats both of Argyle, my brother, and myself. The manner of the doing of it was discovered to him by one Captain Stewart, who should have been an actor in it, and it should have been done in the king's withdrawing chamber, where we three should have been called in, as to speak with his majesty about some parliament business; and that immediately two lords should have entered at a door which answers from the garden with two hundred or three hundred men, where they should either have killed us or carried us aboard a ship of his majesty's which then lay in the road. This was only the deposition of one witness; on which my brother and Argyle would not not so far build as to form any accusation, nor yet so far undervalue it as not to labour to bring it to light if any such thing there were. Therefore, my brother, when he spoke to the king, told him only, in general, that he heard there was some plot intended against his life, the particulars whereof he could not then condescend upon, because he could not sufficiently prove it; but thereafter, Captain Stewart being sent to him, confirmed all Hurrie had said in his name: there were likewise great presumptions found from the depositions of one Lieutenant Colonel Hume, and divers others, who had been spoke to, to be in readiness against that night, and promises made to them of making their fortunes if they would assist in a design which was intended. These were motives enough to move my brother and Argyle to look to themselves, and not to return to court that night. They immediately sent thereafter for me (for the hour was near past that this should have been put in execution), who was altogether ignorant of all these passages; and after I had refused four several times to come to them (for I was engaged in some company I was loth to leave), I went, and found them in my brother Lindsay's house, where they acquainted me with every particular; and Captain Stewart and Hurrie, being present, said they would make good their depositions with the hazard of the last drop of their blood."—*Letter of Lord Lanark, in Hardwicke State Papers.*

* Balfour.—Malcolm Laing.—Baillie's Letters.—Hardwicke Papers.—Clarendon, Hist.—It appears that the Scottish Committee of Investigation declared that Hamilton and Argyle were falsely accused by Montrose, and also that they (Hamilton and Argyle) had good reasons for fleeing from Edinburgh. Evelyn says that, subsequently, the English privy council examined the matter, and declared that no imputation could be cast upon the honour of the king for anything done by *himself* therein.

ramifications, and from the old design of seducing the English army. The Lords, in conference, fully agreed with the Commons, and thereupon new instructions were sent down to Howard and Hampden, and their brother commissioners. Those gentlemen were desired to acquaint his majesty that both Houses had duly considered the late tumultous design, affirmed to be undertaken by the Earl of Crawford and others, against the persons of the Marquess of Hamilton and the Earls of Argyle and Lanark; and that they had cause to doubt that such ill-affected persons as would disturb the peace of that kingdom were not without their malicious correspondents in England. They were also to declare to his most excellent majesty, that the English parliament held it a great matter of importance that the religion, liberty, and peace of Scotland should be strictly preserved according to the late treaty, and confirmed by act of parliament; and to request the king, as he valued the preservation of three kingdoms, to suppress all such conspirators as should endeavour to disturb the peace of Scotland. And the commissioners were further to represent, that five companies of foot had been detained in Berwick by his majesty's special command, after the time appointed, with consent of parliament, for disbanding the garrisons of Carlisle and Berwick; that six ships had been sent by order of parliament for bringing away his majesty's munition and other provisions in Berwick and in the Holy Island, at a very great charge to the commonwealth; and that the Commons would no longer be answerable, or furnish money for the longer stay and entertainment of those troops, or for the demurrage of the ships sent to bring them away.* It was suspected that these five companies had been kept together for the purpose of assisting in the recent plot, by marching suddenly into Edinburgh. But everything that Charles now did, or left undone, was made an object of doubt and suspicion, and guarded against by the vigilance of the popular party. It seemed to all men a strange circumstance that he should prolong his stay in Scotland, when his presence was so much required in England; and many, both friends and foes, were murmuring at it. He had most of the crown jewels with him, and it was thought that he had endeavoured to bribe some of the Scottish leaders with them—the said jewels to be afterwards redeemed by money;—and by this time it was known that the great collar of rubies had been conveyed into Holland, and there pawned. General Leslie, who a short time before had expressed his assurance that the king would hang him if he could, was created a Scottish peer, with the title of Earl of Leven. It is said that the soldier of fortune was profuse in his expressions of gratitude, and promised never again to take up the sword against his sacred majesty. One or two other earldoms were conferred on Covenanting leaders; and out of the revenues of the dissolved bishoprics, &c., the king dispensed gratuities to many individuals, including, it is said, his Presbyterian chaplain, Henderson. But presently there came a blast from Ireland, which caused all men to turn their eyes solely to that country.

* Rushworth.

The Irish people, far more oppressed than ever the Scots had been—for they had been deprived not only of their religious freedom, but of their rights in their own property—were encouraged by the example of the Scots, and the successful issue of that struggle, to contemplate the possibility of a similar victory in their own case over the tyranny that bound them. It was not merely their religion that tempted them—it was also a prospect of recovering the broad acres which they had once possessed, and which were now in the hands of the descendants of the foreign invaders and Protestant colonists. Theirs was a struggle, not merely for the eucharist, but for loaves of bread; and, like all subsequent insurrections in that unhappy country, the territorial question—or whether the Irish or the English and Scotch settlers should occupy the best parts of the kingdom—was prominent, and in itself sufficient to give ferocity to the contest. But then there was certainly superadded the conflicting bigotry, the superstition, the woful ignorance of the masses, which converted them into savages, and made their warfare not a campaign, but a vast butchery. Roger Moore, a gentleman of Kildare, of ancient descent, who saw the patrimony of his ancestors in the hands of English and Scotch settlers, was of the first and most active agents in the present rising. Within narrower limits Moore had played the part of John of Procida: he had visited most parts of Ireland, and secretly harangued the discontented natives, who generally agreed to rise when called upon. In Ulster, Cornelius Maguire, Baron of Inniskillen, and Sir Phelim O'Neal, who, after the death of the son of Tyrone, became chieftain of his sept, entered with ardour into all the views of Roger Moore; and it was agreed among them to prepare for a general insurrection. At the same time, some of the lords and gentlemen of the pale, and all the Anglo-Irish protestants, who, though Irishmen born, were English in descent, manners, and religion, rejoiced in the overthrow of Strafford; and their good intelligence with the English parliament, had there been none but Protestants in Ireland, might have advanced the condition of the country. Strafford had held that the best card the king had to play, was the Irish army which he had raised; and Charles had sent instructions (he hoped secret ones) to the Earls of Ormond and Antrim, to secure this army, to recruit it, and, if possible, to surprise the castle of Dublin, where they would find ammunition, stores, and arms, for twelve thousand men. But this Irish army, this last card of a desperate gamester, consisted almost entirely of Catholics, and was an object of dread or suspicion, not only to the English parliament, but also to all

DUBLIN, temp. Charles I. From old Print.

Irish Protestants. With great difficulty, an order was wrung from the king for the disbanding of this force; but, in remitting the order to Ireland, Charles sent with it a secret message to Ormond and Antrim, to keep as many of the men together as they possibly could, using their ingenuity to devise pretexts for so doing, and to lull asleep the suspicions of the Protestant Irish. Previously to his departure from Scotland, Charles had signed two bills, one confirming the titles to lands after a sixty years' uninterrupted possession; the other, renouncing all claims on the part of the crown founded on the tyrannical inquisition held in 1638 by Strafford: but the Irish parliament was prorogued a few days before the arrival of these bills, which therefore were not passed into laws. As the two bills would have gone far to attach the native Irish to the king, it has been supposed, if not proved, that the Irish ministers,—the friends of the English parliament, rather than of Charles,—purposely hastened the prorogation. One of the plans hit upon for keeping the Irish troops together was, to pretend that they were to be allowed to enter the service of the Spanish government of Flanders, and regular commissions were sent to certain picked officers to enlist the whole body, as if for the king of Spain. Of the two higher agents, Antrim was the more active: he intrigued with these picked officers, and these officers intrigued with some of the members of the Irish parliament, who were glad to learn that the army was not, in reality, maintained for service abroad, but for the king's service at home. The English, the Scots, had disobliged his majesty: if the Irish could restore him to his former state, what might they not expect from his gratitude? If the Catholic Irish loved their religion, what had they to expect from the parliament of England, which was fiercely Protestant,—which denounced the Papists at every move they took,—which coerced alike the king's prerogative and the conscience of the subject? Appeals like these produced a wonderful effect. In a short time, though their views were different, some of the officers and men were in intelligence with Cornelius Maguire, Sir Phelim O'Neal, and the other chieftains of Ulster, with Roger Moore, and with the converts he had made in all parts. Some intimations were given by Sir William Cole, in a letter to the lords justices of Ireland, Sir William Parsons and Sir John Borlase, concerning dangerous resorts and secret meetings, but no one received any certain notice of the conspiracy till the very eve of its execution. It had been agreed that the plot should take effect upon the 23rd of October, when the Castle of Dublin should be surprised, a simultaneous assault made along the whole line of the English pale, and all other

forts and magazines of arms attacked, and all Protestants that would not join with them cut off. On the 22nd, many of the Irish gentry of great quality went into Dublin, but many failed the rendezvous, and, of a forlorn hope appointed to surprise or storm the castle only eighty men appeared. In the course of that night Hugh MacMahon got drunk in a tavern, and revealed the great design to one Owen O'Connelly of Irish extraction, but a Protestant, and servant to Sir John Clotworthy, a member of the English parliament. This Owen hastened to reveal what he had heard to Sir William Parsons; and Dublin Castle was saved. But in other parts the bloody rising took place without check or warning, and on the following day, English Protestants fleeing into Dublin, carried the most frightful intelligence. The Ulster chieftains and their associates fell furiously upon the towns: Sir Phelim O'Neal took Charlemont and Dungannon; O'Quin took Mountjoy; M'Ginnis, Newry; and O'Hanlan took Tanderage. No man made head against them; the Protestant settlers were robbed and butchered almost without resistance. No capitulation or agreement signed by the chiefs and officers could rescue them from the fury of the more than half-naked Irish peasantry. The flames spread far and near, and in a few days all the open country in Tyrone, Monaghan, Longford, Leitrim, Fermanagh, Cavan, Donegal, Derry, and part of Down, was in the hands of the insurgents. In the course of a few weeks the English and Scottish colonies seemed to be almost everywhere uprooted. The Protestants exaggerated their loss, but still it remains certain that the massacre was prodigious. Some royalist writers and most Catholic writers have taken great pains, and have shown great impudence, in reducing the number, and in extenuating the horrors of the massacre. It has been said generally, (perhaps falsely,) that the Irish priests encouraged the ignorant peasantry in their work of slaughter; and therefore it is, we suppose, that a modern writer of their communion omits all mention of the massacre in the body of his narrative, and in a note seems to hint that there was no massacre at all. Yet nothing but a frightful butchery could have made such an impression, or produced such traditions; and there is most abundant contemporary evidence to prove that the loss of life, by assassination alone, was immense. The colonists of Ulster, a brave and active set of men, but who were taken completely by surprise, as they were living at the time in seeming good fellowship with the natives, were so reduced in numbers by the first onslaught, that they could make no head for a considerable time after. Sir John Temple,* who was at that time master of the rolls and a member of the Irish privy council, describes the insurgents as murdering or stripping and driving out men, women, and children wherever their force or their cunning prevailed. The Earl of Castlehaven, a Catholic, says that all the water in the sea could not wash off from the Irish the taint of that rebellion, which began most bloodily on the English in a time of settled peace. Clarendon says that forty or fifty thousand were murdered in the first insurrection; and if, instead of first insurrection, we read during the whole insurrection, that is, from the breaking out, in October, 1641, to the cessation, in September, 1643, this number will not be exaggerated; nor will it include the Protestants who fell in regular warfare with arms in their hands. "They who escaped best," says Clarendon, "were robbed of all they had, to their very shirts, and so turned naked to endure the sharpness of the season; and by that means, and for want of relief, many thousands of them perished by hunger and cold." Well might the imagination of the horror-stricken Protestants picture the long bridge at Cavan as covered with the ghosts of their murdered friends and kindred!*

The local government at Dublin was paralyzed with horror and affright. During the night that the discovery was made to them by O'Connelly, they arrested the drunken MacMahon and the Lord Maguire, but the rest of the conspirators escaped out of Dublin. They closed the gates of the city, put the castle in the best possible state of defence, and gave a shelter to the fugitives who came in from all parts, generally wounded and stript, and leaving their towns and villages wrapped in flames. The conduct of the Irish government at this crisis has been severely criticised by some who have not paid sufficient attention to the tremendous difficulties of their situation. They had no money in the exchequer:† arms they had for 10,000 men, nor did they want for ammunition or for artillery; but among the regular soldiers they had hardly ten men they could trust, and they timely and most wisely suspected the fidelity of many of the Catholic lords of the pale, who, by the beginning of December, rose to a man in open rebellion again. As it has been observed by Mr. Hallam, the Catholic party in the Irish House of Commons were so cold in their loyalty, to say the least, that they objected to giving any appellation to the rebels worse than that of "discontented gentlemen."

On the last day of October O'Connelly "the happy discoverer of the first plot," arrived in London with letters from the lords justices, and gave a full account of all particulars within his knowledge to the House of Lords. The lords forthwith desired

* Father of the better known Sir William Temple.

* Milton, in his Iconoclastes, sets down the massacre in Ulster alone at the enormously exaggerated number of 154,000. Sir John Temple reckons the number murdered or destroyed in some manner, or expelled out of their habitations in the whole two years, at 300,000, a figure so enormous that it has even been suspected that a cipher has dropped in by mistake in the printing of his account. Sir William Petty sets down the number *massacred* at 37,000: Warner reduces the number to 12,000; but surely even this is a slaughter not to be spoken of slightingly. The massacre famed through all ages by the name of the Sicilian Vespers, and which in many respects resembled this Irish massacre, did not include 12,000 lives.

† "Besides, the king's revenues, and rents of English gentlemen, due for that half-year, were either in tenants' or collectors' hands in the country, and must unavoidably fall into the rebels' power; so that, although their disease were present, the only means of cure was remote, which was a dependence upon some supplies from the Parliament of England."—May, Hist. Parl.

a conference, and the House of Commons resolved that they should forthwith sit in committee to consider of the rebellion in Ireland, and to provide for the safety of England. In committee they voted that 50,000*l.* should presently be provided for the local government, the money to be raised in the city of London upon public security; that a select committee of both houses should be appointed to consider of the affairs of Ireland; that O'Connelly should be rewarded with 500*l.*, in ready money, and an annual pension of 200*l.*; that papists of quality in England should be looked after and secured;* that none but merchants should be permitted to go over to Ireland without a certificate from the committee of both Houses. The lords readily agreed in all this. It was also voted, that a pardon should be offered to the insurgents upon their laying down their arms within a given time. This tragical business occupied the House of Commons nearly the whole of the month of November. They showed a rare vigour and alacrity. Within a week they resolved that 200,000*l.* should be set apart for the Irish government; that ships should be provided for guarding the Irish coasts; that 6000 foot and 2000 horse should be raised for the Irish service; that the lord lieutenant, the Earl of Leicester, should present to both Houses a list of such officers as he thought proper for holding commands; that provisions should be collected at West Chester, to be sent over to Dublin; that magazines of arms, ammunition, and powder, should be sent forthwith into Ireland; that a sum of money should be appointed as a reward for such as should bring in the heads of the principal rebels; and that the committee of Irish affairs should consider in what manner this kingdom might make the best use of the friendship and assistance of Scotland in the business of Ireland.

Charles had received the dreadful news in Scotland before O'Connelly arrived in London, the Marquess of Chichester having sent over intelligence from Belfast. In Scotland, as in England, the effect produced was appalling, and in both countries, from the very beginning, the general feeling connected the bloody massacre with the intrigues of the king and queen. Charles produced Chichester's letter in the parliament, still sitting at Edinburgh, and desired their advice and assistance. A committee was forthwith appointed, and the Scots pledged themselves to furnish men and money to their utmost ability. At the same time they opened an active correspondence upon this absorbing subject with the English parliament, not neglecting to affirm that this was a visible rising of Antichrist against the true faith and all that professed it. Charles named the Earl of Ormond lieutenant-general of all his forces in Ireland; and, at last, at the end of November, he took the road for London, where people continued to wonder at his protracted absence. Upon his arrival in the city he was received with some congratulations, and was sumptuously feasted by the citizens; all which led him to hope that he might again be a king indeed. In return he banqueted the citizens at Hampton Court, and knighted several of the aldermen. He instantly took offence at the Houses surrounding themselves with an armed guard. The Earl of Essex acquainted the Lords that he had surrendered his commission of captain-general of the South into his majesty's hands, and therefore could take no further order for these guards. The intelligence was communicated by their lordships to the Commons. Then Charles informed the Houses through the lord keeper, that as he saw no reason for any such guards, it was his royal pleasure that they should be dismissed, hoping that now his presence would be a sufficient protection to them. As soon as this order was communicated to the Commons, they proposed that both Houses should petition the king for the continuance of the guard till they might satisfy his majesty why a guard was necessary. After some dispute the Lords consented, and the Earl of Warwick and the Lord Digby waited upon the king, who thereupon said, that he would command the Earl of Dorset to appoint some of the train bands, only for a few days, to wait upon both Houses. The Commons, not satisfied, considered the matter in committee, and drew up reasons to prove the necessity of a protection. Those reasons were—1st, the great numbers of disorderly desperate persons, especially Irish, that were lurking about London and Westminster; 2nd, the jealousies conceived upon the discovery of a design in Scotland (the incident) to surprise several of the nobles, members of the parliament there, which had been spoken of in London some days before it broke out at Edinburgh, with intimation that the like was intended against divers persons of both Houses here, which was the more credible from the former attempts to bring up the army and overrun and disturb this English parliament; 3rd, the conspiracy in Ireland, which had been so secretly managed, that, but for the providential discovery at Dublin, it had been executed in one day throughout that whole kingdom;* 4th, the advices received from beyond seas, that there would be great alteration in religion shortly in these kingdoms, and that the necks of both the parliaments in England and Scotland should be broken; 5th, the dangerous speeches of the popish and discontented party; and, 6th, the secret meetings and consultations of the Papists in several parts, and their frequent devotions for the prosperity of some great design in hand.† They then frankly told the king that they could not trust him with the nomination of the commander of their

* They also resolved that the custody of the Isle of Wight should be put into better hands; that the house of Capuchins in London should be suppressed, and the monks sent away; that foreign ambassadors should give up such Catholic priests of the king's subjects as were in their houses; that a list should be brought in of the queen's priests and other servants; and that a proclamation should be issued, commanding all strangers, not of the Protestant religion, to deliver in tickets of their names, and an account of their stay here, &c.

* To this clause they added, "and some of the chief conspirators have professed the like course was intended in England and Scotland."

† Rushworth.

guard, who must be a person chosen by themselves.

Two days after this, the Commons presented to the king their celebrated "Remonstrance of the State of the Kingdom." This paper was brought before the House on the 22nd of November. The House had sat from eight o'clock till about noon, the hour at which the members usually retired to dine. Then there was a loud call for the remonstrance. Some would have postponed it, at so late an hour, but Oliver Cromwell, and some others, insisted that they should proceed with it. Oliver Cromwell, who at that time was little taken notice of, asked the Lord Falkland why he would have it put off, for that day would have settled it. Falkland answered, that there would not have been time enough, "for sure it would take some debate." Cromwell replied, "a very sorry one;" for he and his party had calculated that very few would oppose the remonstrance.* But Cromwell was disappointed, for there was a formidable opposition, consisting of men who considered the remonstrance as an extreme measure, appealing too openly to the people against the king and government; and so fierce and long was the debate about it, that it took up not only the day, but a good part of the night also; and though the popular party carried it at two o'clock in the morning, it was only by a majority of nine, or, according to another account, of eleven. At the beginning of the debate there was a full house, but before its close many of the members had retired from exhaustion;† and hence the decision was compared to the verdict of a starved jury. So important a trial of strength was it deemed, that Oliver Cromwell is said to have declared, after the division, that he would have sold his estate, and retired to America, if the question had been lost. A violent debate then followed, on the motion of Mr. Hampden, that there might be an order entered for the present printing of their remonstrance; and the excitement became so great, that several members were on the point of proceeding to personal violence. "We had sheathed our swords in each other's bowels," says an eye-witness, "had not the sagacity and great calmness of Mr. Hampden, by a short speech, prevented it." Mr. Hyde (Clarendon) maintained, that to print and publish the remonstrance *without the consent of the Peers*, was illegal; and upon a division, the popular side lost this question by 124 to 101. Hyde also claimed the privilege of protesting against the vote of the majority on the former question, and Mr. Palmer stood up and said that he would likewise protest. Others followed in the same line, but the popular party spoke sharply against them all, asserting that such protests were directly against the order and privilege of the House of Commons, and tending to the frustrating of all their proceedings. But about three o'clock the House adjourned till the next day, when they committed Mr. Palmer to the Tower.*

The remonstrance thus carried, was certainly put forward to stem the returning tide of loyalty, by men who felt that the king's love of arbitrary dominion was much better proved than his sincerity in relinquishing it;† who were informed on all sides that Charles deplored the restrictions put upon him by the parliament, and was constantly making efforts or forming designs to shake off those restrictions. The paper consisted of a long preamble, and 206 several clauses. From the lending of English shipping to the papist forces proceeding against the protestant Rochellers to the rumoured popish plots of the day—from the imprisonment of Sir John Eliot to the late army plot—nothing was omitted that told against Charles and his government. All the calamities of the nation were traced to the existence of a coalition of papists, Arminian bishops and clergymen, evil counsellors and courtiers, who, for private ends and passions, would ruin the liberties of their country. The Commons recited all the remedies which they had recently applied to the multiplied evils and corruptions of sixteen years, strengthened by custom and authority, and a concurrent interest of many powerful delinquents who were now to be brought to justice. Ship-money, coat and conduct money, all the monopolies that they had suppressed, all the illegal taxation which they had put an end to, figured on the list in striking relief. "And," they added, "that which is more beneficial than all this is, that the root of these evils is taken away, which was the arbitrary power pretended to be in his majesty, of taxing the subject, of charging their estates without consent in parliament." Then they proceeded to state another step that had been of great advantage—"the removal of the living grievances;" the quelling of the actors of these mischiefs; the justice done upon the Earl of Strafford; the flight of the Lord Finch and Secretary Windebank; the accusation and imprisonment of the Archbishop of Canterbury; the impeachment of divers other bishops and judges; their extorting of the new law that they should not be dissolved or adjourned without their own consent; their suppressing for ever the star-chamber, the high commission, the presidency in the north, which were "so many forges of misery, oppression, and violence, but now all happily taken away;" their curbing the immoderate power of the privy council, and the exorbitant power of bishops; their "blasting," by the votes of their House, the unholy canons, and the power of canon-making. "Other things," added the framers of this remarkable paper, "of main importance for the

* Clarendon. This writer thus, not very incorrectly, describes the remonstrance: "It contained a very bitter representation of all the illegal things which had been done from the first hour of the king's coming to the crown to that minute; with all the sharp reflections which could be made upon the king himself, the queen, and council; and published all the unreasonable jealousies of the present government, of the introducing popery; and all other particulars that might disturb the minds of the people: which were enough discomposed."

† Three hundred and seven, however, remained to vote. The majority, according to the journals of the Commons, was 159; the minority 148.

* "But after a few days, and some expenses extraordinary, upon his petition, he was released, and took his place again in the House as formerly." *Whitelock.*—See also *Rushworth.*

† Hallam.

good of this kingdom, are in preparation." And then they proceeded to denounce, with words of fire, the oppositions, obstructions, delays, and difficulties which they had constantly encountered, and which still lay in their way—all the devices of that malignant party, which unhappily surrounded the throne, and cast suspicion and calumny on their best intentions. And the remonstrance ended with prayers that his majesty would avoid papists, and favourers of papists, employing only such counsellors, ministers, and ambassadors as might enjoy the confidence of parliament, being sworn to observe those laws which concerned the subject and his liberty, and to take no reward or pension from any foreign prince.

Sir Ralph Hopeton presented this paper to the king at Hampton Court, on the evening of the 1st of December. Charles, at the reading of it, hesitated at the charges respecting a malignant party, and the design of altering religion, and said, "The devil take him, whosoever he be, that hath a design of that sort." He also stopped at the reading of that part of the remonstrance which gave the lands of the rebels in Ireland to those who should suppress the rebellion, and said, "We must not dispose of the bear skin till the bear be dead." When the petition was read, Charles asked several questions, but Hopeton told him that he had no power to speak to any thing without the permission of the Commons. "Doth the House intend to publish this declaration?" said Charles. Again Hopeton said that he could not answer. "Well, then," continued his majesty, "I suppose you do not expect a present answer to so long a petition: but this let me tell you, I have left Scotland well in peace; they are well satisfied with me, and I with them; and, though I staid longer than I expected, I think if I had not gone, you had not been so soon rid of the army."

On the following day he sent to the Commons his answer to the petition which accompanied the remonstrance. He told them that he thought their declaration or remonstrance unparliamentary, that he could not at all understand what was meant by a wicked and malignant party; that the bishops were entitled to their votes in parliament by the laws of the kingdom, and that their mordinate power was sufficiently abridged by the taking away of the High Commission Court; that he would consider of a proposal for the calling of a national synod, to examine church-ceremonies, &c.; that he was persuaded in his conscience that the Church of England professed the true religion, with more purity than any other; that its government and discipline were more beautified and free from superstition; and that, as for the removing of evil counsellors, they must name who they were, bringing a particular charge, and sufficient proofs, against them, and forbearing their general aspersions. On the same day he went down to the House of Lords, and, the Commons being summoned, he told them significantly that he had left the Scottish nation "a most peaceable and contented people;" so that, although he had a little miscalculated the length of his absence, he had not failed in obtaining his end. "But," continued he, "if I have deceived your expectations a little in the time of my return, I am assured that my expectation is as much, and more, deceived in the condition wherein I hoped to have found business at my return; for since that, before my going, I settled the liberties of my subjects, and gave the laws a free and orderly course, I expected to have found my people reaping the fruits of these benefits, by living in quietness and satisfaction of mind; but, instead of this, I find them disturbed with jealousies, frights, and alarms of dangerous designs and plots, in consequence of which guards have been set to defend both Houses. I say not this as in doubt that my subjects' affections are in any way lessened to me in this time of my absence, for I cannot but remember, to my great comfort, the joyful reception I had now at my entry into London, but rather, as I hope, that my presence will easily disperse these fears; for I bring as perfect and true affections to my people as ever prince did, or as good subjects can possibly desire; and I am so far from repenting me of any act I have done in this session for the good of my people, that I protest, if it were to do again, I would do it, and will yet grant what else can be justly desired for satisfaction in point of liberties, or in maintenance of the true religion that is here established." He recommended Ireland to their attention, telling them that their preparations were going on but slowly; and he concluded his speech by assuring them again that he sought his people's happiness.

Two Scotch commissioners came up to concert measures with the English parliament for the suppression of the Irish rebellion; but they had many tales both to tell and to hear, which had no reference to that business. On the 8th of December the Commons debated upon certain propositions about to be offered to his majesty by the Irish rebels, who, as a preliminary, asked for a full toleration of the Catholic religion; and it was resolved, both by the Lords and Commons of England, that they would never give consent to any toleration of the Popish religion in Ireland, or in any other of his majesty's dominions! This decision, no doubt, squared with the popular prejudices; but many of the members of the popular party gave their votes, not from bigotry, but from policy. During the debate a great stir was caused by the report that a guard had been set near the parliament without their privity. Forthwith the Commons sent a serjeant-at-arms to bring the commander of that guard to their bar. The officer said that the sheriff had received a writ to that purpose, and that the soldiers had a warrant from the justices of the peace. The commons immediately resolved that this was a dangerous breach of the privileges of their House, and that the guards should be discharged. The generality of our popular historians take

no notice of these fears and jealousies—of these too open attempts of the king to place a force of his own round the Houses; nor is sufficient weight allowed to the excitement and popular panic produced by the Irish plot and massacre, frightful details of which were now every day brought to London. There can be no doubt that many members of the House of Commons really believed that plots were agitating against their liberties or lives; and as for the people, whose credulity was great, and whose means of information as to what was passing were most scanty, they could swallow entire a story of a Catholic conspiracy to destroy the whole nation. Nor, putting aside these exaggerations, can it be proved that the apprehensions of the Commons were wholly unfounded. The queen took no pains to conceal her ill-humour; all the persons nearest to Charles were notoriously averse to the recent changes; and their threatening speeches were collected and repeated. The "incident" in Scotland also remained a mystery of alarming import.

On the same day (the 8th of December) Charles put forth a proclamation commanding obedience to the laws established concerning religion, and forbidding the introduction of any rite or ceremony, other than those established by the laws and statutes.* "At this time," says Whitelock, "this was held by many to be very seasonable, but divers were offended at it." On the same day, also, he published another and an unusual proclamation, requiring all members to repair to the parliament by or before the 12th of January next, to the end that the kingdom might fully enjoy the benefit and happiness intended it by his majesty by the summoning and continuing of this parliament.† Six days after (on the 14th of December) he again spoke to both Houses upon the business of Ireland. He again complained of the slowness of their proceedings, and recommended dispatch. These delays had in part arisen out of the Commons' jealousy of the royal prerogative of levying troops. Charles spoke directly to this point, and told them that he had taken notice of the bill for pressing of soldiers, now debating among the Lords; and that in case the bill came to him in such a shape as not to infringe or diminish his prerogative, he would pass it as they chose. "And, further," said he, "seeing there is a dispute raised (I being little beholden to him whosoever at this time began it) concerning the bounds of this ancient and undoubted prerogative, to avoid farther debate at this time, I offer that the bill may pass with a *salvo jure* both for king and people, leaving such debates to a time that may better bear them. If this be not accepted, the fault is not mine that this bill pass not, but theirs that refuse so fair an offer."‡ Parliament took fire at this speech, and Lords and Commons instantly joined in a petition touching the privileges of parliament, the birthright and inheritance not only of themselves, but of the whole kingdom. They declared, with all duty, that the king ought not to take notice of any matter in agitation and debate in either House, except by their information; that he ought not to propose any condition, provision, or limitation to any bill in debate or preparation, nor express his consent or dissent, approbation or dislike, until the bill was presented to him in due course; that he ought not to express his displeasure at any debate of parliament, they being the proper judges of their own errors and offences. They complained that his majesty had broken these privileges in his speech, particularly in mentioning the bill of impress, in offering a provisional clause before it was presented, and in expressing his displeasure against such as moved a question concerning the same: and they desired to know the names of such persons as had seduced his majesty to that item, that they might be punished as his great council should advise.* The parliament at first resolved not to proceed with any business till they had a satisfactory answer to their petition; and, during their heat, hints were thrown out that the Irish rebels were actually favoured by some about the queen; "and divers went yet higher."

On the very next day (the 15th of December) the motion for printing the remonstrance, which had been lost on the 22nd of November by a majority of 23, was triumphantly carried by 135 to 83. This striking paper, when distributed through the country, was of more effect than an army could have been. "It was alleged by many gentlemen," says the comparatively mild and judicious historian of this parliament, "that such a remonstrance might be of good use, and that the king, having perchance been ignorant in some degree how much evil had formerly been wrought, might by this remonstrance be not only brought to a knowledge of his past errors, but to a salubrious fear of offending again, by considering how public and manifest to the world the defaults of princes, in point of government, must needs appear. The other side were of opinion that this remonstrance, instead of directing him for the future, would teach him only to hate the makers of it as upbraiders of his crimes, and those that went about to lessen or blemish (and so the king seemed to relish it, as appeared in his answer printed) his reputation with the people. They held it fitter at such a time, when the king's affections were dubious towards the parliament, to win him by the sweeter way of concealing his errors, than by publishing of them to hazard the provocation of him, with whom it was not behoveful to contest, unless they were in hope to change

* Rymer. † Idem.
‡ Rushworth.—Whitelock.

* "Divers indifferent men," says Whitelocke, "wondered both at the king's speech, which gave the cause of exception, and was indeed notoriously against the course and privilege of parliament, that his council should not inform him thereof; and they also apprehended this petition to be somewhat too rough in the expressions of it to their king; but the general fate of things drove on this way to increase the jealousies betwixt king and people." Clarendon says that St. John, now attorney-general (and one of the historian's scarecrows), insidiously suggested Charles's interference.

his disposition for the future, or ascertained of their own power, and resolved to make full use of it..... At this time began that fatal breach between king and parliament to appear visibly, and wax daily wider, never to be closed until the whole kingdom was, by sad degrees, brought into a ruinous war. From henceforth no true confidence appeared between him and that high court; every day almost contributed somewhat to the divisions; and declarations upon several reasons were published to the world, of which, though the language of the most part was fairly couched and sweetened with frequent intermixtures of gracious expressions from the king and affectionate professions from the parliament, yet the substance was matter of expostulation; and many intervening actions (which we shall endeavour to express particularly) did so far heighten them and sharpen by degrees the style, till those paper contestations became a fatal prologue to that bloody and unnatural war which afterwards ensued."*

Charles, moody and discontented, withdrew to Hampton Court to prepare an answer to the remonstrance in the shape of a declaration. He chose this very moment of doubt and suspicion for an attempt to get the Tower of London into his hands by changing the governor or lieutenant. Upon the 20th of December a report was made to the vigilant Commons that his majesty intended to remove Sir William Balfour, the sturdy lieutenant, who had secured Strafford for them; and they ordered that Sir William should appear before them the very next day. Balfour attended, and was examined touching the causes of his removal; after which the House fell into debate about a petition to be presented to his majesty for continuing him in his charge. But on the following day Sir William resigned the keys of the Tower to the king, who forthwith appointed Colonel Lunsford, who took the oaths, and entered upon the charge. The very day after this appointment the common councilmen and others of the city of London petitioned the House of Commons against it, representing this Colonel Lunsford as a man outlawed, most notorious for outrages, and therefore fit for any desperate enterprise,† and reminding the House that they (the citizens) had lately been put into fear of some dangerous design from that citadel. The Commons demanded a conference with the Lords, and communicated to their lordships the petition from the city, representing the unfitness of Lunsford for a place of such great trust, and desired their lordships to concur in a remonstrance, and in a prayer to the king to recommend Sir John Conyers to be lieutenant, under the command of that honourable person the Earl of Newport, who was constable of the Tower. The Lords declined doing anything, conceiving that the proposed interference would be an intrenchment on his majesty's prerogative. Then the Commons passed the following vote:—"Resolved, *nemine contradicente*, that this House holds Colonel Lunsford unfit to be, or continue, lieutenant of the Tower, as being a person whom the Commons of England cannot confide in." When this was done they sent to desire a second conference with the Peers upon the same subject. The managers of this conference, Mr. Hollis, Mr. Pym, Mr. Strode, Sir Edmond Montfort, Mr. Glynn, Sir Philip Stapleton, Mr. Martin, and Sir John Hobham, importuned their lordships to join in their petition for removing Colonel Lunsford, alleging that they already found the evil consequence of his being lieutenant, inasmuch as merchants had already withdrawn their bullion out of the Mint, and strangers who had ships lately come in with great store of bullion forebore to bring it to the Mint, because he held the Tower; and by this means, they said, money would be scarce, which would be prejudicial and obstructive to the pressing affairs of Ireland. Still the Lords refused to join. Then the managers for the Commons told them that they had made a declaration and protest upon this refusal, and desired that the same might be entered on the journal of the House of Peers, as it was already entered on their own journal. This paper being read in the Upper House, it was moved to adjourn the debate till Monday; and this was carried by a majority; but the Earls of Northumberland, Essex, Pembroke, Bedford, Warwick, Saye, Holland, and fourteen other peers, protested against the delay. That same evening, being Christmas eve, the Commons ordered, that Sir Thomas Barrington and Mr. Martin should that night repair to the Earl of Newport, constable of the Tower, and desire him, in the name of their house, to lodge and reside within the citadel, and take the custody and entire care of that place. The two members went, but the Earl of Newport was not to be found. The second day after this, being Sunday, the 26th of December, the lord mayor waited upon his majesty, to tell him that the apprentices of London were contemplating a rising, to carry the Tower by storm, unless he should be pleased to remove his new lieutenant. That same evening Charles took the keys from Colonel Lunsford.* On the morrow Sir Thomas

May.

† "1. Because the said Colonel Lunsford is a man of a decayed and desperate fortune, and so may be tempted to undertake any ill design, and they conceive it will be very prejudicial to the king and kingdom for him to be in that place in this time of fears and jealousies, especially to the Mint, in this time of great occasions to use monies, for it will discourage merchants and strangers from bringing in their bullion into the Mint. 2. That the said Colonel Lunsford is a man of a desperate condition, he having been formerly censured in the Star Chamber, for lying in wait and besetting Sir Thomas Pelham, knight, as he came in his coach upon a Sunday from church, and did discharge two pistols into the coach; also, being challenged into the field by one Captain Buller, upon some injury offered to him by the said Colonel Lunsford, Colonel Lunsford refused to answer him, but sent him word he would cut his throat, and would meet him with a pistol, and put out his other eye. 3. That they are informed that Colonel Lunsford is not right in principles as to religion, for they understand that when he was a commander in the north, in the king's army, he did not go to church, though he was desired."

* On the preceding Thursday a number of young men had presented to the House of Commons a petition, running in the name of the apprentices and others whose times are lately expired in and about the city of London; and this petition had been read in the House. The apprentices complained that trade was decaying, that they were "nipped in the bud, when first entering into the world," the cause of which mischief they could attribute to none but the Papists and prelates, and that malignant party which adhered unto them: that they, the apprentices, by *the late protestation*, stood so-

Barrington reported to the Commons that the Earl of Newport had been with him on Sunday evening, to tell him that the king had discharged him from the constableship of the Tower. This earl, though very acceptable to the citizens, was odious to the king, who, at this moment—this critical moment—had an altercation with him, which was reported to the House of Lords on the same Monday morning. It was stated that some of the Peers had been injured by false reports and rumours at court; and the following story was told. During the king's absence in Scotland somebody had informed the queen, that at a meeting at Kensington, where the Earl of Essex, the Earl of Newport, the Lord Saye, the Lord Mandeville, the Lord Wharton, members of the House of Peers, and the Lord Dungarvon, Mr. Nathaniel Fiennes, Sir John Clotworthy, and Mr. Pym, members of the Commons, were present, there occurred a discourse about some plots against parliament, that were hatching in this country or in Scotland; and that the Earl of Newport said, "If there be such plots, yet we have his wife and children,"—meaning thereby that the persons of the queen and her children should be seized. When the story was ended, the Earl of Newport stood up and gave the Lords this account:—that, upon hearing that such a report had been presented to the king, he went with some other lords and waited upon her majesty, and assured her that never any such words had been spoken; that the queen then seemed to rest satisfied; but, upon Friday last, his majesty asked his lordship suddenly whether he had heard of any debate at Kensington, about seizing upon the queen and her children; that he had denied the rumour again, and that thereupon his majesty had told him, that he was sorry for his lordship's memory. The House of Lords, upon this information, applied to the Commons for a conference, that they might jointly proceed against these scandalous reports which concerned both Houses.*

All this day the Houses of Parliament were surrounded by tumultous multitudes—for it was not yet publicly known that the king had removed Colonel Lunsford. The citizens that had petitioned against that officer collected at Westminster for an answer to that petition, and the London apprentices were there also for an answer to their petition. It was a Monday morning, and they made of it a most noisy St. Monday, crying out, "Beware of plots! No bishops! no bishops!" Old Bishop Williams seems to have lost his coolness and circumspection with increase of age. On his way to the House of Lords, with the Earl of Dover, observing a youth crying out lustily against the bishops, he stepped from the earl, rushed into the crowd, and laid hands upon the stripling. Thereupon the citizens rescued the youth, and about a hundred of them coming up so hemmed in the lord bishop, that he could not stir; and then all of them with a loud voice, cried out "No bishops!" The mob let old Williams go, apparently without injuring him; but one David Hide, a reformado in the late army against the Scots, and now appointed to go upon some command into Ireland, began to bustle, and to say that he would cut the throats of those round-headed dogs* that bawled against bishops. Nor did this David Hide stop at threats, for he drew his sword, and called upon three or four others with him to second him; but his comrades refused, and he was soon disarmed by the citizens and carried before the House of Commons, who first committed him, and afterwards cashiered him. On the same stormy Monday, Colonel Lunsford went through Westminster Hall, with no fewer than thirty or forty friends at his back. A fray ensued, the colonel drew his sword, and some hurt was done among the citizens and apprentices. Presently there came swarming down to Westminster some hundreds more of apprentices and others, with swords, staves, and other weapons. The Lords sent out the gentleman-

lemnly engaged in the presence of Almighty God, by all lawful means to defend his sacred majesty, the liberties of parliament, and all his majesty's subjects, against papists and popish innovators, such as archbishops, bishops, and their dependents. The petition, which could hardly have been the production of a London apprentice, alluded to the most barbarous and inhuman cruelties perpetrated by the Papists in Ireland, whence there arose a new spring of fears and jealousies as to what the issue of these things might be in England; and it expressed a hope that his majesty would agree with his honourable court of parliament in providing for the danger, in narrowly looking into and securing the popish lords and other eminent and dangerous papists in all parts of the kingdom, in fully executing the laws against priests and jesuits, and in utterly rooting out prelacy, so that the reformation might be prosperously carried on, trade flourish, &c, &c.—*Rushworth.*

* On the 30th of December Charles returned an answer to the petition of the Lords and Commons by the mouth of the Earl of Bath, in which he as good as called Newport a liar. The answer, as recorded by Rushworth, was in these words:—"My lords and gentlemen, it is true that I have heard rumours of some proposition that should have been made at Kensington for the seizing of the persons of my wife and children; and in things of so high a nature, it may be fit for any prince to inquire, even where he hath no belief nor persuasion of the thing; so I have asked Newport some questions concerning that business, but far from that way of expressing a belief of the thing; which Newport hath had the boldness and confidence to affirm; which I could easily make appear, but that I think it beneath me to contest with any particular person. But let this suffice, that I assure you, I neither did nor do give credit to any such rumour. As for telling the name of him who informed me, I do stick to the answer which I gave to your last petition upon the like particular." The whole message gave great offence.

* Rushworth attributes the origin of the term Roundhead to the David Hide:—"Which passionate expression," says he, "as far as I could ever learn, was the first minting of that term or compellation of Round heads, which afterwards grew so general."

Clarendon says, with more pomposity, "All this time the king (who had been with great solemnity invited by the city of London, and desired to make his residence nearer to them than Hampton Court) was at Whitehall, where, besides his ordinary retinue and menial servants, many officers of the late disbanded army, who solicited their remainder of pay from the two Houses, which was secured to them by act of parliament, and expected some further employment in the war with Ireland, upon observation and view of the insolence of the tumults, and the danger that they might possibly bring to the court, offered themselves for a guard to his majesty's person; and were with more formality and ceremony entertained by him, than, upon a just computation of all distempers, was by many conceived seasonable. And from these officers, warm with indignation at the insolences of that vile rabble which every day passed by the court, first, words of great contempt, and then, those words commonly finding a return of equal scorn, blows, were fastened upon some of the most pugnatical of the crew. This was looked upon by the House of Commons like a levying war by the king, and much pity expressed by them that the poor people should be so used, who came to them with petitions (for some few of them had received some cuts and slashes that had drawn blood), and that made a great argument for reinforcing their numbers. *And from those contestations, the two terms of Roundhead and Cavalier grew to be received in discourse, and were afterwards continued for the most succinct distinction of affections throughout the quarrel: they who were looked upon as servants to the king being then called Cavaliers; and the other of the rabble contemned and despised under the name of Roundheads.*"—*Hist.*

usher, to bid them depart in the king's name. The people said that they were willing to be gone, but durst not, because Colonel Lunsford and other swordsmen in Westminster Hall were lying in wait for them with their swords drawn, and because some of them that were going home through Westminster Hall had been slashed and wounded by those soldiers. With great difficulty the lord mayor and sheriffs appeased this tumult, which caused the loss of some blood, and which was the prelude to the fiercer battles that soon followed between the Roundheads and Cavaliers. In the evening the king, who had come to Whitehall, commanded some of the train bands of Westminster and Middlesex to guard the palace, and thenceforward one or two companies remained on duty both day and night. On Tuesday morning the citizens and apprentices flocked anew to Westminster. Some of them were detained in the abbey and examined before the Archbishop of York (our old friend Williams). Their fellow-apprentices would have set them at liberty, and threatened to pull down the organs; but the doors were secured against them, and some persons from the abbey leads endeavoured to beat them off with stones, whereby several of the citizens were hurt, and amongst the rest Sir Richard Wiseman, who, it was said, died of the injuries he there received.

The thirteen bishops impeached for their share in the obnoxious canons and Laud's last convocation, had been admitted to bail, and, after a short time, to their seats in the House of Lords. Now twelve of them drew up a protest and petition to the king, stating, that they could not attend in their places in parliament, where they had a clear and indubitable right to vote, because they had several times been violently menaced, affronted, and assaulted by multitudes of people, and had lately been chased away from the House of Lords, and put in danger of their lives—for all which they could find no redress or protection, though they had lodged several complaints in both Houses. "Therefore," continued the document, "they (the bishops) do in all duty and humility protest before your Majesty and the peers against all laws, orders, votes, resolutions, and determinations, as in themselves null and of none effect, which in their absence have already passed; as likewise against all such as shall hereafter pass in the House of Lords, during the time of this their forced and violent absence from the said most honourable house; not denying but, if their absenting themselves were wilful and voluntary, that most honourable House might proceed in all these premises, their absence or this their protestation notwithstanding." To the surprise of most men, the first signature to this protest and petition was that of old Williams, who had been translated to the archbishopric of York a very few days before. The other eleven bishops that signed were Durham, Lichfield, Norwich, St. Asaph, Bath and Wells, Hereford, Oxford, Ely, Gloucester, Peterborough, and Llandaff. If the Lords had acquiesced in the views of the petitioners, the Long Parliament might have been ended now, in so far at least as the Upper House was concerned, and the slur of illegality might have been cast upon all the acts that had been passed during the last year in the frequent absence of the Lords spiritual. The move on the part of the Court was a bold one; but the revolution was now in progress, and, without even offering to provide for the bishops' safety, so that they might come to their House, or be accused of staying away wilfully and voluntarily, the Lords desired a conference with the Commons, and denounced the petition and protest as highly criminal and subversive of the fundamental privileges and the very being of parliament. We have seen what was the affection of the Commons towards bishops: they instantly re-echoed the charge, accused these twelve bishops of high treason, and sent Mr. Glynn to the bar of the Lords, to charge the prelates in the name of the House of Commons, and all the Commons of England, and to desire that they might be forthwith sequestered from parliament and put into safe custody. As soon as Mr. Glynn had delivered this message at the bar, "the Lords sent the black rod instantly to find out these bishops and apprehend them; and by eight o'clock at night they were all taken, and brought upon their knees to the bar, and ten of them committed to the Tower; and two (in regard of their age, and indeed of the worthy parts of one of them, the learned Bishop of Durham) were committed to the black rod."* Thus ten more prelates were sent to join Laud in his captivity—twelve votes were lost to the court party in the House of Lords.

On the last day of this eventful year the Commons sent Mr. Denzil Hollis to the king, with what they called an *Address* to his majesty, praying for a guard, and an answer without delay. Hollis told the king, by word of mouth, that the House of Commons were faithful and loyal subjects, ready to spend the last drop of their blood for his majesty, but that they had great apprehensions and just fears of mischievous designs to ruin and destroy them; that there had been several attempts made heretofore to bring destruction upon their whole body at once, and threats and menaces used against particular persons; that there was a malignant party daily gathering strength and confidence, and now come to such height as to imbrue their hands in blood in the face and at the very doors of the parliament; and that the same party at his majesty's own gates had given out insolent and menacing speeches against the parliament itself. And in the end Hollis informed him, that it was the humble desire of the Commons to have a guard to protect them out of the city, and commanded by the Earl of Essex, Chamberlain of his majesty's household, and of equal fidelity to his majesty and the Commonwealth. Charles desired to have this message in writing; the paper was sent to him accordingly,

* Rushworth.

and he replied to it, *not* without delay, as the Commons had requested, or enjoined, but three days after. In the interval the Commons had ordered that halberts should be provided and brought into the House for their own better security. The halberts were brought in accordingly, and Rushworth informs us that they stood in the House for a considerable time afterwards. Then understanding that the Lords would not sit on the morrow, which was New Year's Day, they adjourned till Monday, the 3rd of January, resolving, however, that they should meet on the morrow, in a grand committee at Guildhall, leaving another committee at Westminster, to receive his Majesty's answer to their petition, if it should come in the mean time.

On the 3rd of January the Commons, meeting in their usual place, received the king's tardy and unsatisfactory answer to their petition for a guard. Charles expressed his great grief of heart at finding, after a whole year's sitting of this parliament, wherein so much had been obtained for the happiness and security of subjects, that there should be such jealousies, distrusts, and fears; he protested his ignorance of the grounds of their apprehension, vowing before Almighty God, that if he had any knowledge of the least design of violence against the Commons, either formerly or at this time, he would pursue the plotters to condign punishment. And he continues, "We know the duty of that place where God hath set us, the protection we owe to all our loyal subjects, and most particularly to you, called to our service by our writs: and we do engage unto you solemnly the word of a king, that the security of all and every one of you from violence is, and shall ever be, as much our care as the preservation of us and our children; and if this general assurance shall not suffice to remove your apprehensions, we will command such a guard to wait upon you as will be responsible for you to Him, who hath charged us with the safety and protection of our subjects." A guard of the king's appointing was precisely the thing that the Commons did not want. While they were debating upon the message they received a communication from the Lords, the effect of which was galvanic. That morning Herbert, the king's attorney, was admitted into the House of Lords at the request of the lord keeper, and, approaching the clerks' table (*not the bar*),† Herbert said that the king had commanded him to tell their lordships that divers great and treasonable designs and practices, against him and the state, had come to his majesty's knowledge. "For which," continued Herbert, "his majesty hath given me command, in his name, to accuse, and I do accuse, by delivering unto your lordships these articles in writing, which I received of his majesty, the six persons therein named of high treason, the heads of which treason are contained in the said articles, which I desire may be read." The Lords took the articles, and commanded the reading of them. They were entitled "Articles of high treason, and other high misdemeanours, against the Lord Kimbolton, Mr. Denzil Hollis, Sir Arthur Hazlerig, Mr. John Pym, Mr. John Hampden, and Mr. William Strode." These memorable charges were presented in the following words:—"1st. That they have traitorously endeavoured to subvert the fundamental laws and government of the kingdom of England, to deprive the king of his royal power, and to place in subjects an arbitrary and tyrannical power over the lives, liberties, and estates of his majesty's liege people; 2nd. That they have traitorously endeavoured, by many foul aspersions upon his majesty and his government, to alienate the affections of his people, and to make his majesty odious unto them; 3rd. That they have endeavoured to draw his majesty's late army to disobedience to his majesty's command, and to side with them in their traitorous designs; 4th. That they have traitorously invited and encouraged a foreign power to invade his majesty's kingdom of England; 5th. That they have traitorously endeavoured to subvert the rights and the very being of parliaments; 6th. That, for the completing of their traitorous designs, they have endeavoured, so far as in them lay, by force and terror, to compel the parliament to join with them in their traitorous designs, and to that end have actually raised and countenanced tumults against the king and parliament; 7th. And that they have traitorously conspired to levy, and actually have levied, war against the king." Lord Kimbolton, who was in his seat, stood up, and expressed his readiness to meet the charge, offering to obey whatever the House should order; but praying that, as he had a public accusation, so might he have a public clearing. None of the courtiers had courage to move his arrest as a traitor. The Lords wavered, stood still, and then appointed a committee, consisting of the lord-steward, and the Earls of Essex, Bath, Southampton, Warwick, Bristol, and Holland, to consider precedents and records touching the regularity of this accusation, and to discover whether such an accusation might be brought by the king's attorney into their house against a peer, &c. Thus they avoided committing themselves, gained time, and no doubt made sure that the Commons, whom they warned by message, would take the affair upon themselves.* And nearly at the same moment that their message was delivered in the Lower House, information was also carried thither that several officers were seal

* Rushworth. This establishing a committee in the city before the king's violent act of attempting to seize the five members has been generally overlooked.

† The attorney and solicitor-general are legally considered to be attendants upon the House of Lords, and have, as well as the judges, their regular writs of summons issued out at the beginning of every parliament, *ad tractandum et consilium impendendum*, though not *ad consentiendum*, with their lordships.—*Blackstone*, Com. i. 168.

* Rushworth.—Parl. Hist.—Clarendon says, "The House of Peers was somewhat appalled at this alarum, but took time to consider of it till the next day, that they might see how their masters, the Commons, would behave themselves; the Lord Kimbolton being present in the House, and making great professions of his innocence; and no lord being so hardy to press for his commitment on the behalf of the king."

ing up the doors, trunks, and papers of Hampden, Pym, and the other accused members. Upon which the Commons instantly voted "That if any person whatsoever shall come to the lodgings of any member of this House, and offer to seal the trunks, doors, or papers of any of them, or seize upon their persons, such member shall require the aid of the constable to keep such persons in safe custody till this House do give further order; and that if any person whatsoever shall offer to arrest or detain the person of any member without first acquainting this House, it is lawful for such member, or any person, to assist him, and to stand upon his or their guard of defence, and to make a resistance, according to the protestation taken to defend the privileges of parliament."* They also ordered that the serjeant-at-arms attending their House should proceed and break open the seals set upon the doors, papers, &c. of Mr. Hampden and the rest; and that the speaker should sign a warrant for the apprehension of those who had done the deed. The House then desired an immediate conference with the Lords; but, before they could receive an answer, they were told that a serjeant-at-arms was at their door, with a message to deliver from his majesty to their speaker. Forthwith they called in the said serjeant to the bar, making him, however, leave his mace behind him. "I am commanded by the king's majesty, my master," said the serjeant, "upon my allegiance, to come and repair to the House of Commons, where Mr. Speaker is, and there to require of Mr. Speaker five gentlemen, members of the House of Commons; and those gentlemen being delivered, I am commanded to arrest them, in his majesty's name, of high treason: their names are Denzil Hollis, Arthur Hazlerig, John Pym, John Hampden, and William Strode." When he had delivered this message the House commanded him to withdraw, and sent Lord Falkland, and three other members, to acquaint his majesty that the matter was of great consequence, and that the House of Commons would take it into their serious consideration, holding the members ready to answer any legal charge made against them.

All this was on the 3rd of January. "The next day after that the king had answered the petition of the House (about the guard), being the 4th of January, 1642," says May, "he gave, unhappily, a just occasion for all men to think that their fears and jealousies were not causeless." He spent the preceding evening in making preparations. Arms were removed from the Tower to Whitehall, where a table was spread in the palace for a band of rash young men, who were ready to proceed to extremities for the re-establishment of royalty in its pristine state. Charles had determined to charge the five members with private meetings and treasonable correspondence with the Scots (a case met and provided for by the amnesty which had been procured both in Scotland and England), and with countenancing the late tumults from the City of London; and now he resolved to go in person to seize the five members of the House of Commons. It is not very clearly stated what led him to adopt this desperate design: according to one account he was urged on by the violence of his wife, who said to him, "Go, you coward, and pull those rogues out by the ears, or never see me more;" according to others, he apprehended that the Commons, if not stopped, would impeach the queen. On the morning of the 4th the five accused members attended in their places, as they had been ordered. Lord Falkland stated, that he was desired to inform the House that the serjeant-at-arms had done nothing the preceding day but what he had it in command to do. Then Hampden rose, and powerfully repelled the vague accusations which had been brought against them by the king. If to be resolute in the defence of parliament, the liberties of the subject, the reformed religion, was to be a traitor, then he acknowledged he might be guilty of treason, but not otherwise. Hazlerig followed Hampden: he maintained that one of the worst kinds of treason, or of attempts to subvert the fundamental laws, was that which should be aimed against the privileges of parliament; that his acts, and those of the gentlemen with him, particularly with reference to Scotland, had been in accordance with votes and resolutions of that House; and that the charge of promoting tumults and insurrection was utterly groundless. The House being informed that it was Sir William Fleming and Sir William Killigrew, with others, who had sealed up the studies and papers of the five members, ordered that they should be forthwith apprehended, and kept in the custody of the serjeant-at-arms till further notice. They also voted that a conference should be desired with the Lords, to acquaint them of *a scandalous paper*, published, with articles of high treason, against their five members, and the Lord Kimbolton, a peer; and, forasmuch as the paper was against both Houses, to desire their lordships that right might be done, and inquiries instituted as to the authors and publishers, in order that they might receive condign punishment, and that the commonwealth might be secured against such persons. The House rose at the usual dinner-hour, but met again immediately after. They had scarcely taken their seats when intelligence was brought by Captain Langrish, who had passed the party in the streets, that the king was advancing towards Westminster Hall, guarded by his gentlemen-pensioners, and followed by some hundreds of courtiers, officers, and soldiers of fortune, most of them armed with swords and pistols. The House was bound by its recent and solemn protestation to protect its privileges and the persons of its members: there were halberts, and probably other arms at hand; but could they defend their members against this array, led on by the king in person? Would it be wise, on any grounds, to make the sacred inclosures of parliament a scene of war and bloodshed? They ordered the five members to withdraw; "to the end," says Rush-

* Whitelock.

worth, "to avoid combustion in the House, if the said soldiers should use violence to pull any of them out." Four of the members yielded ready obedience to this prudent order, but Mr. Strode insisted upon staying and facing the king, and was obstinate till his old friend Sir Walter Earle pulled him out by force, the king being at that time entering into New Palace Yard, and almost at the door of the House. As Charles passed through Westminster Hall to the entrance of the House of Commons, the officers, reformados, &c. that attended him made a lane on both sides the Hall, reaching to the door of the Commons. He knocked hastily, and the door was opened to him. Leaving his armed band at the door and in the Hall, he entered the House, with his nephew Charles, the Prince Palatine of the Rhine, at his side. He glanced his eyes towards the place where Pym usually sat, and then walked directly to the chair, saying, "By your leave, Mr. Speaker, I must borrow your chair a little." Lenthall, the Speaker, dropped upon his knee, and Charles took his seat; the mace was removed; the whole House stood up uncovered. Charles cast searching glances among them, but he could nowhere see any of the five members. He then sat down and addressed them with much agitation:—"Gentlemen," said he, "I am sorry for this occasion of coming unto you: yesterday I sent a serjeant-at-arms upon a very important occasion, to apprehend some that upon my commandment were accused of high treason, whereunto I did expect obedience, and not a message; and I must declare unto you here, that, albeit no king that ever was in England shall be more careful of your privileges, to maintain them to the utmost of his power, than I shall be; yet you must know, that in cases of treason no person hath a privilege, and therefore I am come to know if any of those persons that I have accused, for no slight crime, but for treason, are here. I cannot expect that this House can be in the right way that I do heartily wish it, therefore I am come to tell you, that I must have them wheresoever I find them." Then he again looked round the House, and said to the speaker, now standing below the chair, "Are any of those persons in the House? Do you see any of them? Where are they?" Lenthall fell on his knees, and told his majesty, that he had neither eyes to see, nor tongue to speak in that place, but as the House was pleased to direct him. Then again casting his eyes round about the House, Charles said, "Well, since I see all the birds are flown, I do expect from you, that you do send them to me, as soon as they return hither. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other. And now, since I see I cannot do what I came for, I think this no unfit occasion to repeat what I have said formerly;—that whatsoever I have done in favour, and to the good of my subjects, I do mean to maintain it. I will trouble you no more, but tell you I do expect, as soon as they come to the House, you will send them to me; otherwise I must take my own course to find them." With these words the disappointed king rose, and retired amidst loud cries of "Privilege! Privilege!"—and the House instantly adjourned. "This action of the king," says Whitelock, "filled the discourses of all people; and it was much wondered at by many sober men, and judged extremely to his prejudice, and to the advantage of those that were disaffected to him. The notorious breach of the privilege of the House of Commons by that action could not but be foreseen by any who had knowledge of parliament affairs: and to advise the king to such a sudden and intemperate act, so justly liable to exception, and without any probability of service to himself, was held very strange.* . . . . None could make a satisfactory apology for it, and the king himself afterwards acknowledged his too much passion in it. . . . . It was believed that if the king had found them there, and called in his guards to have seized them, the members of the House would have endeavoured the defence of them, which might have proved a very unhappy and sad business: and so it did, notwithstanding that was prevented; this sudden action being the first visible and apparent ground of all our following miseries."

In the mean while the five members were safe in the heart of the City of London, where a committee of parliament was appointed to meet during the recess. "The same evening his majesty sent James Maxwell, the usher of the House of Peers, to the House of Commons, to require Mr. Rushworth, the clerk-assistant, whom his majesty had observed to take his speech in characters at the table in the House, to come to his majesty; and, when Maxwell brought him to the king, his majesty commanded him to give him a copy of his speech in the House: Mr. Rushworth humbly besought his majesty (hoping for an excuse) to call to mind how Mr. Francis Nevil, a Yorkshire member of the House of Commons, was committed to the Tower but for telling his majesty what words were spoken in the House by Mr. Henry Bellasis, son to the Lord Falconbridge: to which his majesty smartly replied, 'I do not ask you to tell me what was said by any member of the House, but what I said myself.' Whereupon he readily gave obedience to his majesty's command; and in his majesty's presence, in the room called the Jewel House, he transcribed his majesty's speech out of his characters, his majesty staying in the room all

* Whitelock adds,—"The five members received a secret notice from a great court lady, their friend, who overheard some discourse of this intended action, and gave timely notice to those gentlemen, whereby they got out of the House just before the king came." Warwick says that "Charles's going to the Lower House was betrayed by that busy stateswoman, the Countess of Carlisle, who had now changed her gallant from Strafford to Mr. Pym, and was become such a she-saint that she frequented their sermons and took notes; and so he (the king) lost the opportunity of seizing their persons." But the French ambassador, Montreuil, says that he was the first to warn the members of their danger. It appears, however, that the warning was really given by Captain Langrish; and we know from Rushworth, who was in the House at the time, that the five members did not quit their seats till the king and his armed followers were close to the House.

the while; and then and there presented the same to the king, which his majesty was pleased to command to be sent speedily to the press; and the next morning it came forth in print."* That night the city was a gayer place than the court. Early on the following morning the Commons, safe in "that mighty heart," sent Mr. Fiennes with a message to the Lords, to give them notice of "the king's coming yesterday," and to repeat their desires that their lordships would join with them in a petition for a guard to secure them, and also to let them know that they were sitting at Guildhall, and had appointed the committee for the pressing Irish affairs to meet there. The Commons then appointed that a permanent committee should sit at Guildhall, in the City of London, with power to consider and resolve of all things that might concern the good and safety of the city; and thereupon adjourned till Tuesday, the 11th of January, at one in the afternoon. In the mean time Charles had sent orders to stop the sea-ports, as if the five members could be scared into a flight. It is said that the Lord Digby offered to go into the city with Colonel Lunsford and his band, and there seize them alive or dead, and that the king rejected this perilous advice. On the morning, after a night of painful doubt and debate, Charles set off to the city in person, with his usual attendants, but without any reformados or bravoes. On his way he was saluted with cries of "Privileges of parliament! Privileges of parliament!" and one Henry Walker, an ironmonger and pamphlet-writer, threw into his majesty's coach a paper, whereon was written, "To your tents, O Israel."† The common council had assembled at Guildhall, and they met the king as he went up to that building almost alone. Concealing his ill-humour, and his irritation against the citizens, he thus addressed them: "Gentlemen, I am come to demand such persons as I have already accused of high treason, and do believe are shrouded in the city. I hope no good man will keep them from me; their offences are treasons and misdemeanors of a high nature. I desire your loving assistance herein, that they may be brought to a legal trial. And whereas there are divers suspicions raised that I am a favourer of the popish religion, I do profess in the name of a king, that I did, and ever will, and that to the utmost of my power, be a prosecutor of all such as shall any ways oppose the laws and statutes of this kingdom, either Papists or separatists; and not only so, but I will maintain and defend that true Protestant religion which my father did profess, and I will continue in it during life."‡ This conciliatory speech produced little or no effect; Charles did not get the five members, but he got a very good dinner at the house of one of the sheriffs, and after dinner returned to Whitehall without interruption or tumult.

The Lords, on receiving the Commons' message, had also adjourned to the 11th of January. The permanent committee, which sat sometimes at Guildhall, sometimes at Grocers' Hall, proceeded actively in drawing up a declaration touching his majesty's intrusive visit to their House; and this occupied them till the 9th of January, many witnesses being examined to prove the words, actions, and gestures of that array of men who had followed his majesty and stood near the door of the House of Commons. Papers and records were also sent for. It was reported to them, that on the 4th of January the lieutenant of the Tower had permitted one hundred stand of arms, two barrels of powder, and match and shot proportionate, to go out of the Tower to Whitehall; and the committee, upon examination, found this report to be true. The common council, who went hand in hand with the committee, drew up a petition to the king, representing the great dangers, fears, and distractions of the city, by reason of the prevailing progress of the bloody rebels in Ireland; the dangerous putting out of persons of honour and trust from being constable and lieutenant of the Tower; the fortifying of Whitehall; the wounding of unarmed citizens in Westminster Hall; the strange visit paid to the House of Commons by his majesty, attended with a great multitude of armed men; and the effect these fears produced upon the trade of the city and kingdom, &c.; and in the end, the petitioners prayed his sacred majesty to put the Tower into the hands of persons of trust; to remove from about Whitehall and Westminster all doubtful and unknown persons; to appoint a known and approved guard for his own safety, and for the safety of parliament; to give up his intention of arresting the Lord Kimbolton and the five members, and not to proceed against them otherwise than according to the privileges of parliament. Charles, in his answer to this petition, justified his late proceedings, and declared that, as for the accused gentlemen, he ever intended to proceed against them with all justice and favour, according to the laws and statutes of the realm. At the same time he published a proclamation, charging the Lord Kimbolton and the five members with high treason, and commanding the magistrates to apprehend them, and carry them to the Tower. Forthwith many mariners and seamen went to the committee with a petition signed by a thousand hands, tendering their services and offering to escort the committee by water to Westminster on the appointed day. The committee accepted their offer, and ordered them to provide such artillery as was necessary, and to take care that all great guns and muskets in their vessels should be cleared beforehand, *to the end that there might be no shooting that day, except in case of great necessity.* When the sailors were gone, the London apprentices flocked in great numbers to the committee, and offered their services as guards for the journey from the city back to Westminster. Serjeant

* Rushworth.

† Rushworth. The pamphleteer was committed, and afterwards proceeded against at the sessions.

‡ Rushworth.

Wild gave the apprentices thanks for their affection and willingness to serve the parliament, but told them that they were already provided with a sufficient guard. At this critical moment a ship from Berwick, with arms and ammunition, arrived off the Tower. The committee instantly commanded her to fall down the river out of the reach of the Tower guns, and at the same time ordered the captain to call in the assistance of sailors and others, if any one should offer to take arms or ammunition out of her. On Saturday there was a rumour that the king intended paying the committee a visit in person. Thereupon they ordered the captains of the city train-bands that now attended them as a guard, to take especial care that his majesty and the nobility should have way made for them to come in, and all duty and respect shown to them. But the captains were also ordered not to suffer any other sorts of persons to come in. On the Monday following the committee declared that the proclamation of treason was a great scandal to his majesty and his government,—a seditious act, manifestly tending to the subversion of the peace of the kingdom, and to the injury and dishonour of the accused members, against whom there was no legal charge or accusation whatever. And they further added, "that the privileges of parliament and the liberty of the subject, so violated and broken, cannot be fully and sufficiently vindicated, unless his majesty will be graciously pleased to discover the names of those persons who advised his majesty to the sealing of the chambers and studies of the said members, to send a serjeant-at-arms to the House of Commons to demand the said members, to issue several warrants under his majesty's own hand to apprehend the said members, his majesty's coming thither in his own royal person, the publishing of the said articles and printed papers in the frame of a proclamation, against the said members (in such manner as is before declared); to the end such persons may receive condign punishment."*

On the afternoon of the same day, Charles, with the queen, his children, and the whole court, left Whitehall and went to Hampton Court. He never entered London again until he came as a helpless prisoner, whose destinies were in the iron hand of Oliver Cromwell. On the morrow afternoon the committee, together with the Lord Kimbolton and the five accused members, took water at the Three Cranes, attended by thirty or forty long boats, with guns and flags, and by a vast number of citizens and seamen in other boats and barges; and thus they proceeded triumphantly to their old port at Westminster, some of the train-bands marching at the same time by land, to be a guard to the two Houses of Parliament. The next day they received a very humble message from Hampton Court: "His majesty, taking notice that some conceive it disputable whether his proceedings against the Lord Kimbolton, Mr. Hollis, Sir Arthur Haslerig, Mr. Pym, Mr. Hampden, and Mr. Strode, be legal and agreeable to the privileges of parliament, and being very desirous to give satisfaction to all men in all matters that may seem to have relation to privilege, is pleased to waive his former proceedings; and all doubts by this means being settled, when the minds of men are composed, his majesty will proceed thereupon in an unquestionable way, and assures his parliament that upon all occasions he will be as careful of their privileges as of his life or his crown." On the same day, "divers knights, gentlemen, and freeholders of the county of Bucks, to the number of about four thousand, as they were computed, came to London, riding every one with a printed copy of the protestation lately taken in his hat."* These countrymen of Hampden presented a petition, not to the House of Commons, but to the House of Peers, praying them to co-operate with the Lower House in perfecting the great work of reformation, in bringing to exemplary punishment wicked counsellors, evil plotters and delinquents, in relieving Ireland, in fortifying the privileges of parliament against all future attempts, &c. At the same time, these Buckinghamshire petitioners, who received the thanks of both Houses, acquainted the Commons that they had another petition which they wished to present to his majesty on behalf of their loyal countryman, neighbour, and member, Mr. John Hampden, in whom they had ever found good cause to confide. They asked the Commons which would be the best way of delivering this petition; and the Commons selected six or eight of their members to wait upon his majesty with it. These members accordingly went to Hampton Court; but Charles was not there, having gone on to Windsor Castle. The members followed him to Windsor, and presented the paper, which told him that the malice which Hampden's zeal for his majesty's service and the service of the state had excited in the enemies of king, church, and commonwealth, had occasioned this foul accusation of their friend. Charles instantly repeated his determination of waiving the accusation. And yet this was not done very clearly or very graciously. On the following day he sent another message to the two Houses, assuring them that he had never the least intention of violating the least privilege of parliament, &c. But notwithstanding these assurances, the House of Commons proceeded against Herbert, the attorney-general, who had presented the articles of impeachment against Lord Kimbolton and the five members. At their instigation Herbert was examined before the Lords, where he pleaded in excuse the duty of obedience which he owed to his master, and professed his ignorance of the grounds of the charge of high treason. On the morrow, the 15th of January, it was resolved by the Commons that Herbert had violated the privileges of parliament in preferring the articles of accusation; and that a charge should be sent up to the Lords against him, to have satisfaction for this great scandal and injury,

* Rushworth.

* Rushworth.

unless he could prove the said articles within six days. The charge was a regular impeachment for high crimes and misdemeanors. Herbert put in an answer, solemnly averring that he had no hand in contriving the articles against the members; that he was so far from any malice, falsehood, or scandal in the advising and contriving of the same, or any of them, that he never knew or heard of them until he received them from his majesty's hands ready ingrossed on paper. He referred to a letter written by the king to Lord Littleton, wherein his majesty took the whole of the unfortunate transaction upon himself. But these excuses were not admitted, and, after many months, the House of Lords declared—"1. That Sir Edward Herbert, his majesty's attorney-general, is, by sentence of this House, disabled, and made incapable of being a member, assistant, or pleader, in either House of Parliament, and of all offices saving that of attorney-general, which he now holds. 2. That Mr. Attorney-General shall be forthwith committed to the prison of the Fleet during the pleasure of this House."*

On the 12th of January, the day after Charles's departure from Whitehall, information was brought to the House of Commons, that the Lord Digby and Colonel Lunsford, with other disbanded officers and reformados, were gathering some troops of horse at Kingston-upon-Thames, and appearing in arms there in a disorderly manner, and, moreover, that there were two cart-loads of ammunition going to them. The alarm was the greater, because the magazine of arms for that part of Surrey was at Kingston. The Lords and Commons ordered the sheriffs and justices of peace to suppress the gathering with the train-bands, and secure the magazine. The like orders were soon sent into every part of the kingdom; and nearly everywhere they were readily obeyed. Lord Digby escaped and fled beyond sea; Colonel Lunsford was taken and safely lodged in the Tower. The parliament sent for Sir John Byron, the new lieutenant of the Tower, to question him concerning his sending arms to Whitehall; but he refused to attend, telling the messenger that he had an order from the king not to stir out of the Tower, and giving him a copy of a royal warrant, which was to that purpose. He was then sent for again, and ordered to come at his peril. Byron now attended, gave an account to the Lords of what arms and ammunition he had sent, and afterwards he gave the same account to the Commons—first kneeling at the bar of both Houses for his contempt in not attending to the first summons; and so he was dismissed. On the same day (the 12th of January) the lord steward reported to the Lords that his majesty would command the lord mayor to appoint two hundred men out of the train-bands of the city to wait on the two Houses, under the command of the Earl of Lindsay, his chamberlain. The House of Commons, without regarding this message, called up two companies of the train-bands of the city and suburbs, and placed them under the command of Serjeant-Major Skippon. They also ordered, in conjunction with the Lords, that the Earl of Newport, Master of the Ordnance, and the Lieutenant of the Tower should not suffer any arms or ammunition to be removed without their express orders; and that, for the better safeguard of the Tower, the sheriffs of London and Middlesex should appoint a sufficient guard to watch that fortress both by land and water. Their minds, indeed, were now almost wholly occupied by the thoughts of arsenals, arms, and ammunition. Mr. Bagshaw of Windsor informed the Commons that he had seen several troops of horse gathering in that town, where the court still was, and that there had gone in there a waggon loaded with ammunition. Serjeant-Major Skippon was hereupon ordered to send out troops of horsemen as scouts from time to time, to give intelligence if any force should approach the city; and at the same time a number of boats and small vessels were sent up the river beyond Kingston for the like service. Information was given that some ships laden with arms, ammunition, and provisions, for the rebels in Ireland, were about to sail from Dunkirk: both Houses represented this dangerous circumstance to the Dutch ambassador, who undertook that the Dutch ships that were lying before Dunkirk should intercept any vessels so laden. An order was sent from both Houses to Colonel Goring, who was then governor of Portsmouth, requiring him not to deliver up that town, nor receive any forces into it, without their authority. The Commons sent a message to the Lords, informing them that there was at Hull a magazine of arms of the king's for sixteen thousand men, with ammunition in proportion; that the country adjacent was full of papists and ill-affected persons; and that, therefore, they desired their lordships' concurrence in an order that some of the train-bands of Yorkshire should be put into the town of Hull, under the command of the trusty Sir John Hotham. Their lordships consented, and, that their order might make the greater speed down to Hull, the Commons requested Mr. John Hotham, a member of their House, and son to Sir John, to go immediately with it. This service was not without danger; but young Hotham stood up in the gallery, and exclaimed, "Mr. Speaker! fall back, fall edge, I will go down and perform your commands." A committee was then appointed to attend especially to the best means of putting the kingdom in a posture of defence. The members of this committee were Mr. Pierpoint, Sir Richard Carr, Mr. Hollis, Mr. Glynn, Sir Philip Stapleton, Sir Henry Vane, the Chancellor of the Exchequer, and the Solicitor-General St. John. The Lords, however, refused to join with the Commons in the petition to the king for the removal of Sir John Byron from the lieutenancy of the Tower.

A few days after his majesty's departure from Whitehall, the Earl of Essex acquainted the Lords

* Rushworth.

that the king had laid his commands upon him as lord chamberlain of the household, and upon the Earl of Holland as groom of the stole, to attend his majesty at Hampton Court; but the House would not dispense with their absence at a moment when so many great and urgent affairs were depending; and thereupon Essex and Holland excused themselves to his majesty as well as they could, telling him that, in obedience to his own writ, they were obliged to assist in parliament, and that their attendance there would be truer service to his Majesty than any they could do him at court. Charles, some weeks after, sent a messenger to demand the staff of the one, and the key of the other, which the two lords resigned accordingly.

It was now apparent to most men that the kingdom was about to blaze with the long-conceived flame of civil war.* The Scottish commissioners, raised into vast importance by their skilful management of affairs, chose this moment to offer their mediation between the king and his English parliament. On the 15th of January they presented a paper of humble desires to Charles, telling him that the disturbance of England must needs disquiet and distemper the peace of Scotland,—that the two countries were mutually bound to maintain the peace and liberty of one another,—that they (the commissioners) conceived that the present distractions were maintained by the wicked plots and practices of papists, prelates, and their adherents, whose aim was to prevent all further reformation, and to subvert the purity and truth of religion, for which end they had constantly laboured to stir up divisions, by their questioning the authority of parliaments, the liberties of the subject, &c. "And to acquit ourselves of the trust imposed in us," said the Scottish commissioners, "and to testify our brotherly affection to this kingdom, we do make offer of our humble endeavours for composing of these differences; and to that purpose do beseech your majesty, in these extremities, to have recourse to the sound and faithful advice of the honourable houses of parliament; and to repose thereupon as the only assured and happy means to establish the prosperity and quiet of this kingdom; . . . . . and we are confident that, if your majesty shall be graciously pleased to take in good part, and give ear to these our humble and faithful desires, that the success of your majesty's affairs, howsoever perplexed, shall be happy to your majesty and joyful to all your people."† On the same day the Scottish commissioners sent a paper to the parliament, offering their mediation with the king, and thanking them for their assistance lately given to the kingdom of Scotland, in settling the troubles there. They declared that next to the providence of God, and his majesty's justice and goodness, they were most beholden to the mediation and brotherly kindness of the English parliament. They told them that they had "taken the boldness" to send their humble and faithful advice to the king, and that they hoped the two honourable houses would "think timeously" of the fairest and fittest ways for composing all present differences. On the 19th of January, Charles, in a letter from Windsor, let the Scottish commissioners know that he had expected, before they should have intermeddled, that they would have acquainted him with their resolution in private; and that he trusted that, for the time coming, they would no way engage themselves in these *private differences*, without first communicating their intentions to him in private. He also wrote to the Earl of Lanark, now secretary for Scotland, to whom he bitterly complained of the course pursued by the commissioners in meddling and offering to mediate betwixt him and his English parliament. The letter was sent down by his confidential servant Mungo Murray, who was to tell Lanark some things which his majesty did not think fit to write. The House of Commons, of course, received the offer of mediation in a very different manner. On the day after it was presented they ordered Sir Philip Stapleton to return thanks to the Scottish commissioners, assuring them that what they had done was very acceptable to the House, who would continue their care to remove the present distractions, as also to confirm and preserve the union between the two nations. A few days after this the commissioners concluded an arrangement for the sending of 2500 men of the Scotch army into Ireland, to make head against the rebellion, which now threatened the entire loss of that country.

The Lords joined the Commons in petitioning the king to proceed with the impeachment of Lord Kimbolton and the five members. Charles again offered a free pardon. With this the two Houses would not rest satisfied; and they both demanded justice against the informers on whose testimony his majesty had acted. On the 20th of January the king, by message, desired the parliament to digest and condense into one body all the grievances of the kingdom, promising his favourable assent to those means which should be found most effectual for redress; but the Commons scarcely heeded this message, knowing at the moment that Charles had already sent Lord Digby abroad in search of foreign assistance.* Charles's conduct with regard to the Irish rebels also excited their discontent and vehement suspicions. "It was then also generally talked, and much complained of among the well-affected people, that the king had been so backward in proclaiming those barbarous Irish rebels; and not only talked among the people, but alleged by the parliament itself (in their own declaration afterwards, when the breach between king and parliament grew greater) as a sign that those inhuman rebels had been countenanced by the court of England, in that the

* Mrs. Hutchinson's Memoirs.

† Rushworth.

* Admiral Pennington was examined by the Commons about the flight of Lord Digby; and the admiral declared that his lordship had produced to him his majesty's warrant, dated the 13th of January, at Windsor, signed with his majesty's own hand, and commanding him (the admiral) to carry the Lord Digby to any place beyond sea, either in France or Holland.

proclamation whereby they were declared traitors was so long withheld as to the 1st of January, though the rebellion broke forth in October before, and then no more than forty copies were appointed to be printed, with a special command from his majesty not to exceed that number, and that none of them should be published till the king's pleasure were further signified, as by the warrant appears (a true copy whereof was printed), so that a few only could take notice of it. And this (say they) was made more observable by the late contrary proceedings against the Scots, who were in a very quick and sharp manner proclaimed, and those proclamations forthwith dispersed with as much diligence as might be through all the kingdom, and ordered to be read in every church, accompanied with public prayers and execrations."*

The Irish insurgents, or rebels, had styled themselves the queen's army, and professed that the cause of their rising was to maintain the king's prerogative and the queen's religion against the puritan parliament of England. There was also observed, on the part of Charles, a backwardness to send over assistance to the Protestant party in Ireland, who were as much puritans as his English subjects, and a forwardness to expedite men who were notorious for their attachment to the old Roman church. Some of the incidents that came to light are not of the greatest importance, but every indication of a leaning to the insurgents now excited suspicion in the minds of the English people. When the Earl of Leicester, the new lord-lieutenant, waited upon his majesty to receive his instructions, he was for a long time put off with excuses. The ships directed to lie upon the coast of Ireland to annoy the insurgents, and prevent the introduction of ammunition, arms, and other assistance from foreign parts, were called off, and powder and arms were actually thrown in during their absence, and it was afterwards shown that Charles himself had withdrawn the ships. Great numbers of papists, both English and Irish, some of whom had served the king in his unlucky campaigns against the Scottish Covenanters, went out of England immediately before or shortly after the insurrection, and joined their co-religionists in arms; others remaining in England prepared, or were said to be preparing, arms, ammunition, money, corn, and other victuals for the assistance and encouragement of the Irish. On the 29th of January the Lords and Commons issued strict orders to the sheriffs, justices of peace, &c., to stay and prevent these perilous enterprises. At the same time the Commons plainly asserted that Charles had granted licenses to papists of this class to pass over to Ireland, in doing which they only echoed the opinion expressed in petitions from the City of London, from the knights, gentlemen, ministers, and others of the counties of Essex, Hertfordshire, &c. The Commons had found it necessary to apply to the city for a loan of 100,000*l.* for the service in Ireland; and the citizens, after reminding them that they had not yet been paid for money already lent, complained bitterly that the brotherly offers of Scotland to send troops into Ireland had been shamefully rejected, or the acceptance of them deferred, while their brethren were yet daily massacred there; that commissions to proper officers were slowly issued; that the money already sent thither had been exhausted in maintaining forces which were so situated as to be of little use; that the malignant faction of papists here were encouraged, and the Irish rebels so much emboldened as to boast that they would first extirpate the British nation there, and then make England the seat of war; that the not disarming of papists in England, after so many discoveries of their treacheries and bloody designs against parliament—that the great decay of fortifications, block-houses, and other sea-forts—the not placing all of them in the hands of men in whom the parliament might confide—the not removing the present lieutenant of the Tower, the maintenance of whom in his command had caused merchants to desist from bringing money to the Mint, —all tended to overthrow trade more and more, and make money scarce in the city and kingdom; that the king's ships, which ought to be a wall of defence to the kingdom, were not employed as they ought to be, but used for the conveying away of delinquents, who durst not abide the test of the parliament; that the not questioning those many thousands of unknown persons who were collected and sheltered in Covent-Garden and thereabouts, without any lawful calling, and probably with a design of lying in readiness for some desperate attempt, was a thing that might endanger the welfare and safety of his majesty, the parliament, and city; that the misunderstanding between the king and the parliament, the not vindicating the privileges of parliament, the not suppressing of protections, the not punishing of delinquents, and *the not executing of all priests and jesuits legally condemned*, while others, contrary to the privilege of parliament, had been illegally charged with treason, did most exceedingly fill the minds of men with fears and discouragements, and so disable them from lending that cheerful assistance which they were well inclined to. The citizens of London, and the petitioners of Essex, Hertfordshire, &c., humbly conceived that the great evils under which they laboured and languished had sprung from the employing of ill-affected persons in places of trust and honour, and near to his majesty's person, and were still continued by means of the votes of bishops and popish lords in the House of Peers. And they begged leave to protest before God and the high court of parliament, that if any further miseries befell their brethren in Ireland, or any mischief broke in upon England, it ought to be imputed wholly to such as endeavoured to hinder the effectual and speedy cure of these state evils.

Upon these remarkable petitions the Commons desired a conference with the Lords, and ap-

* May.

pointed Pym to manage it. The Lower House had been for some time apprehensive of a falling off on the part of the Upper House. Pym now flatly told their lordships that they must either join the Commons in the cure of this epidemical disease, whereof the commonwealth lay gasping, or be content to see the Commons do without them. "I am now," said Pym, "come to a conclusion, and I have nothing to propound to your lordships by way of request or desire from the House of Commons: I doubt not but that your judgments will tell you what is to be done; your consciences, your honours, your interests, will call upon you for the doing of it; the Commons will be glad to have your help and concurrence in saving of the kingdom, but, if they should fail of it, it shall not discourage them of doing their duty. And whether the kingdom be lost or saved (as, through God's blessing, I hope it will be), they shall be sorry that the story of this present parliament should tell posterity that, in so great a danger and extremity, the House of Commons should be enforced to save the kingdom alone, and that the House of Peers should have no part in the honour of the preservation of it, you having so great an interest in the good success of those endeavours, in respect of your great estates and high degrees of nobility. My lords, consider what the present necessities and dangers of the commonwealth require, what the Commons have reason to expect, to what endeavours and counsels the concurrent desires of all the people do invite you: so that, applying yourselves to the preservation of the king and kingdom, I may be bold to assure you, in the name of all the Commons of England, that you shall be bravely seconded."* The House of Commons forthwith ordered that the Speaker, in the name of all, should give thanks to Mr. Pym for his able performance of the service in which he had been employed; and they further desired that Mr. Pym would deliver in writing to the House the speech he had made at this conference, in order that it might be printed.

A few days after Charles sent a message to the Commons, telling them that he had taken notice of a speech pretending in the title to have been delivered by Mr. Pym, and printed by order of their House, in which it was affirmed that, since the stopping of the ports, many of the chief commanders now at the head of the Irish rebels had been suffered to pass by his majesty's immediate warrant. Charles said that, having been very certain of having used extreme caution in the granting of passports for Ireland, he conceived either that this printed speech had not been so delivered, or that the House had received some misinformation; that he wished to know from them the truth, and called upon them to review their information, that either it might be found to have been false and injurious both to the House and to his majesty, or that he might know by what means and by whose fault his authority had been so highly abused as to be made to conduce to the assistance of that rebellion which he so much detested and abhorred. The Commons instantly replied that they acknowledged that the said speech was delivered by Mr. Pym, and printed by their order; that its contents were agreeable to the sense of the House, which had received advertisements concerning several Irish papists and others who had obtained his majesty's immediate warrant for their passing into Ireland since the orders issued by both houses of parliament, and that they had been informed those men had since joined the rebels and become commanders amongst them. The Commons added, that others had been stayed, and were yet in safe custody, particularly the Lord Delvin and some other persons in his company, including, as was thought, a priest; one Colonel Butler, brother to the Lord Minyard, now in rebellion; Sir George Hamilton, a known papist, like the rest; and a son of Lord Nettersfield, whose father and brother were both in rebellion. "We, your most faithful subjects," said the Commons, "are very sorry that the extreme caution which your majesty hath used hath been so ill seconded by the diligence and faithfulness of your ministers, and that your royal authority should be so highly abused, although, as it was expressed in that speech by Mr. Pym, we believe it was by the procurement of some evil instruments too near your royal person, without your majesty's knowledge and intention." And, in the end, the Commons called upon Charles to vindicate his honour for the time past, and secure his kingdom from like mischief for the time to come. Charles replied, that no such persons as those complained of had passed into Ireland with his warrant or privity; that there were not grounds enough for such a direct and positive affirmation on their parts; that Pym's speech, in respect of the place and person, and its being now acknowledged to be agreeable to the sense of the House, might injure his majesty in the affections of many of his good subjects, considering the many scandalous pamphlets imputing to him in like manner an indifference in regard to that rebellion, so horrid and odious to all Christians. He called upon them to name the persons who, by his license, had passed into Ireland to join the rebels; he asked them again to re-examine their evidence; and, as he was confident they could never prove what they had asserted, he trusted they would publish such a declaration as might discover their mistake and exculpate his majesty, who, from his soul, was resolved to discharge his duty for the relief of his poor Protestant subjects in Ireland. It was true, he said, he had given his warrants to Colonel Butler and the son of Lord Nettersfield; but this was when he was in Scotland, and long, as he thought, before the order of the parliament for closing the ports. Butler, he said, was uncle to the Earl of Ormond, a good Protestant; and, to his majesty's knowledge, there was no suspicion attached to the son of Lord Nettersfield. As for the others, he said it might be

* Rushworth.

they had obtained warrants from him since the order of the two Houses; but he assured the parliament that he had no intimation of any such order till their arrest of Sir George Hamilton, the last he had licensed to pass into Ireland. He had examined his own memory, and the notes of his secretaries, to find what other warrants had been granted, but could find none for Irish, except to the Earl of St. Albans and two of his servants, and to one Walter Tyrrell, a poor man, none of whom, he was assured, were with the rebels. It might be that the persons named by the Commons were papists; but the local government of Ireland, whose letters were not disapproved by the parliament here, had thought fit to arm several Catholic noblemen of the pale, who had made professions of their loyalty, and therefore he could not imagine it unsafe to give licenses to some few, who, though papists, professed due allegiance. The Commons rejoined that it was notorious, both in England and Ireland, that many priests, jesuits, and popish commanders had passed over to the latter country; that Colonel Butler, who had been opportunely stayed, was expected and much desired by the rebels, who for a long time kept a regiment to be commanded by him; that the colonel's brother was general of the rebels in Munster; that the colonel's friend and travelling companion, one Captain Sutton, had actually got over to Ireland, and obtained the place of a colonel among the rebels; that all the sons of Lord Nettersfield were dangerous persons, papists bred in the wars in the service of the King of Spain, and one of them lately become a jesuit; that two of these, the jesuit and a soldier, had passed into Ireland by virtue of his majesty's warrant, as they had cause to believe. They hinted that a warrant made for one or two might, by the subtlety of the enemy, be extended to many; that warrants might have been obtained without the king's knowing of them or being fully aware of their intention; and they hoped that all this would be sufficient to convince him that, as they had some cause to give credit to the information they received, so they had no intention of making any ill use of it to his majesty's dishonour, but imputed the blame to his ministers. This exchange of messages was prolonged for many weeks. It ended (at the end of March, when Charles was at York) by the king's declaring that he should expect the House of Commons to publish a declaration that they had been deceived, that his majesty had been very cautious in giving passes, and that his ministers had not abused his trust by granting surreptitious warrants; and on the other side, by the Commons persisting in their disbelief of all his protestations. We believe that in some respects their suspicions were unfounded; but it is extremely difficult, with all the evidence we have before us, which is probably more than what was in the hands of the Commons, to separate Charles's dislike of the monstrous massacre by the infuriated papists, from his hopes and designs of strengthening himself by Irish means; and there were indisputably constantly recurring circumstances which tended to keep alive all kinds of jealousies and alarms, particularly in a state of the public mind which had long ceased to respect the royal word in anything.

A few days after Lord Digby's escape, a packet, addressed by his lordship to his brother-in-law, Sir Lewis Dives, was intercepted and read in the House of Commons.* A letter for the queen inclosed in the packet was opened and read with just as little ceremony. In the letter Digby said, "If the king betake himself to a safe place, where he may avow and protect his servants (from rage I mean, and violence, for from justice I will never implore it), I shall then live in impatience and misery till I wait upon you. But if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident that then I shall serve him more by my absence than by all my industry." At the very opening of this letter was an offer to correspond with the queen in ciphers, and to do service abroad, for which the king's instructions were desired. The Commons were naturally thrown into a great heat by the strain in which their proceedings were now spoken of by one who, like Strafford, had formerly been among the most zealous asserters of popular rights. They appointed a committee to consider the intercepted letters, and, with little loss of time, both Houses joined in the following representation to his most gracious majesty: "Most gracious sovereign, your majesty's most loyal and faithful subjects, the Lords and Commons in parliament, have received your message sent at the instance of the queen's majesty, and upon consideration thereof, to our great joy and content, find clear expressions of grace and favour from both your majesties, for which we return our most humble thanks, and have herewithal sent the transcript of that letter required by your majesty, as likewise of two other letters directed to Master Secretary Nicholas and Sir Lewis Dives, all which were brought to us under one cover, indorsed to Mr. Secretary, with information that they were written by the Lord Digby; who, being a person fled from the justice of parliament, and one who had given many evidences of disaffection to the public good, we conceived it necessary to open the two former; and finding sundry expressions in them full of asperity and malignity to the parliament, we thought it very probable that the like might be contained in that to her majesty, and that it would be dishonourable to her majesty, and dangerous to the kingdom, if it should not be opened, wherein we were not a whit deceived, as your majesty may conceive by the contents thereof. And although we cannot but be very sensible of the great dishonour therein done to your majesties,

* According to Clarendon, Digby's letter was brought to the House of Commons by the treachery of the person to whose care it was entrusted for conveyance. We learn from Rushworth that, besides writing to Dives, Digby also wrote to Secretary Nicholas, who was now trusted with most of the secret plans of the court.

and the malicious endeavours of fomenting and increasing the jealousies betwixt your majesty and your people, yet we are far from reflecting anything upon the queen, or expecting any satisfaction from her majesty, but impute all to the bold and envenomed spirit of the man; only we most earnestly beseech your majesty to persuade the queen that she will not vouchsafe any countenance to or correspondence with the Lord Digby, or any other the fugitives or traitors, whose offences now depend under the examination and judgment of parliament; which we assure ourselves will be very effectual to further the removal of all jealousies and discontents betwixt your majesty and your people, and the settling the great affairs of your majesty and the kingdom in an assured state and condition of honour, safety, and prosperity."

This was worse than gall and wormwood to the court. Nor did the parliament stop here: a committee of the Commons drew up a charge of high treason against Lord Digby. Henrietta Maria, who never was the heroine that some have delighted to picture her, who in no particular of her life showed any high-mindedness, was terrified almost out of her senses by the notion that the Commons meant to impeach her, and self-preservation, and wounded pride, and an indefinite hope of doing great things against the parliament of England among the absolute princes on the continent, all prompted her to be gone. Both Houses intimated to her through the Earl of Newport and the Lord Seymour, that there was no ground for the fears they were aware she entertained of the intention of the Commons to accuse her of high treason. She replied that she had, indeed, heard a general report of an accusation intended against her, but that having seen no articles in writing, she gave little credit to such rumours, and would now give less, as the House of Commons had assured her that they had never entertained a thought of any such proceeding. But there was now an excellent pretext for Henrietta Maria's departure. In the midst of this unhappy turmoil with his parliament, Charles had married his daughter Mary to the young Prince of Orange, and it seemed proper and expedient that the young lady should be conducted by her mother to her betrothed husband. The king readily entered into the scheme of this journey, but it was necessary to obtain the consent of the parliament. He therefore acquainted both Houses with the matter; and, as neither of them raised any very strong opposition, the royal party got ready for the coast, Charles resolving to accompany them as far as Dover. The plate of the queen's chamber was melted down for the expenses of the journey, and the whole of the crown jewels were secretly packed up to be converted on the other side of the water into arms and gunpowder. On the 9th of February Charles, with his wife and children, came back from Windsor to Hampton Court; on the 10th he proceeded to Greenwich; on the morrow to Rochester, and so by slow stages to Dover, where the queen and princess embarked for Holland on the 23rd of February.*

While he was yet at Canterbury, and his wife with him, Charles's assent was demanded to two bills which the Commons had got carried through the Lords; the one was to take away the votes of the bishops in parliament, and to remove them and all others in holy orders from all temporal jurisdiction and offices whatsoever; the other for pressing of soldiers for the service of Ireland. The latter, after reciting that, by the laws of the realm, none of his majesty's subjects ought to be impressed or compelled to go out of their country to serve as soldiers, except in urgent necessity or in case of their being bound by tenure of their lands, enacted that, for the prevention of the plots and conspiracies in the kingdom of Ireland and also in that of England, it should be lawful, from the 1st of December, 1641, to the 1st of November, 1642, for the justices, &c., to raise as many men, by impress, for soldiers, gunners, and chirurgeons, as might be appointed by his majesty and *both Houses of Parliament.* Charles passed the two bills, and, in a message to both Houses, said he felt assured that his so doing (the bill about the bishops he had formerly declared he would die rather than pass) would convince them that he desired nothing more than the satisfaction of his kingdom. He then spoke of his zeal for executing the penal statutes against recusants; of his determination to banish by proclamation all Romish priests within twenty days; of his readiness to refer all matters concerning the troubles likely to arise in the hearts of the people about the government and Liturgy of the church to the sole consideration of the wisdom of his parliament. He desired that they would not press him to any single act on his part, till the whole church system should be so digested and settled by both Houses, that he might clearly see what was fit to be left, as well as what was fit to be taken away. But of the bishops, whose political existence was annihilated by the passing of the first of these two acts, —of Laud, who lay in the Tower uncertain of his fate,—Charles breathed not a syllable. And, from his promptness in passing the Bill, and his unmurmuring silence upon it, all thinking men concluded that he was acting with mental reservation, and with the determined purpose of declaring that bill and others null and void, and his consent as a painful but necessary sacrifice to the present violence and strength of the parliament, as soon as ever he should be in a condition to do so. The Lords and Commons, however, professed to acknowledge, with much joy and thankfulness, his majesty's grace and favour in giving his royal assent to these two bills. But on the morrow a committee of the Lords, appointed to discover and prevent evil counsellors about his majesty, passed several stinging votes, which were all reported to the Commons. They proposed that all privy counsellors and great officers of state,

* Rushworth.—May.—Clarendon.

except such as held their places by inheritance, should be removed, and that none should be received into those places but such as should be recommended by the humble advice of both Houses of Parliament; that Endymion Porter, William Murray, Sir John Winter, and others, should be removed for ever from the persons of the king and queen. On the next day the House of Commons suggested new modes of raising money for the reduction of Ireland, grandly proposing to apply to that purpose a million of money—the first time, we believe, that so large a sum was ever mentioned in a parliamentary estimate. On the 17th of February they went into committee on a bill for the suppressing of innovations in the church, for the abolishing of superstitious and scandalous ministers, and all idolatrous practices, for the better observance of the Lord's day called Sunday, and for the settling of preaching and preachers. By these and the like proceedings the religious zeal of the people was kept warm and active, and the petitions and addresses of the masses in town and country encouraged the Commons by the agreeable consciousness of their own power.

But there was another bill which the Commons had at heart, and which Charles was resolute not to pass, wishing, however, it should seem, to get the queen safely out of the country before he should declare this resolution. The Commons felt that they could never be safe until they had the whole power of the sword in their own hands. It was undeniably Charles's attempt to seize the five members, which induced them to insist peremptorily upon vesting the command of the militia in officers of their own choice and nomination. There had been a strong tendency this way before: for example, on the 5th of May, 1641, upon the discovery of Percy's and Jermyn's conspiracy to ride over the parliament with the army of the north, an order was made that the members of each county, &c., should meet to consider in what state the places for which they served were in respect of arms and ammunition, and whether the deputy-lieutenants and lord-lieutenants were persons well affected to religion and the public peace; and the members were also to present the names of these lord-lieutenants, &c., to the House, and to report who were the governors of the forts and castles in their respective counties.* On the 7th of December, 1641, when the storm was thickening and the whole atmosphere overcast by the horrors from Ireland, Hazlerig brought in a bill for appointing certain persons, whose names were left in blank, to the offices of lords-general of all the forces within England and Wales, and lord-admiral of England. The bill, however, was laid aside, and a new plan devised, it being ordered, on the 31st of December, that the House should resolve itself into a Committee on Monday next, to take into consideration the militia of the kingdom. That Monday—that black Monday—was the day on which Charles sent his first message by the attorney-general Herbert about Lord Kimbolton and the five members. On January the 13th, of the present year, 1642, the second day after the triumphant return of the Commons from the city, a declaration, as we have mentioned, was passed for providing for the defence of the kingdom, by which all officers, magistrates, &c., were enjoined to take care that no soldiers should be raised, nor any castles or arms given up without his majesty's pleasure *signified to both Houses of parliament*. The Lords at first refused to concur in this declaration;* but when the danger thickened, their lordships changed their minds, and only a few days after their refusal (on February the 16th) they resolved to go along with the other House. This ordinance concerning the militia, however, had not even been carried through the Lower House without opposition, for while the majority maintained that the power of the militia was not in the king but solely in the parliament (and that if the king refused to order the same according to the advice of his parliament, they might then lawfully do it without him); the minority insisted that the power of the militia was solely in the king, that it ought to be left to him, and that the parliament never did or ought to meddle with it. Whitelock gave it as his humble opinion that the power of the militia was neither in the king alone nor in the parliament alone; but if anywhere in the eye of the law, it was in the king and parliament both consenting together. He afterwards said that he could not join in advice with those who wished to settle the militia of themselves without the king, but rather went with those who moved that they should again petition his majesty that the militia might be settled in such hands as both he and his parliament might agree upon to trust, and who, it was hoped, would be more careful to keep the sword sheathed than to draw it. But this proposition was about the most impracticable that could be made; for those whom the king trusted the parliament distrusted, and those who enjoyed the confidence of parliament were objects of hatred and disgust to the king. In fact, the entire business was now in such a state that the appeal to the sword was inevitable, and, constitutionally or unconstitutionally, parliament determined not to resign the command of troops who might be on the very morrow employed against them. They therefore resolved to place the command of the sword in the hands of those whom they could both trust and control, and they nominated in their bill the lord-lieutenants of all the counties, who were to obey the orders of the two Houses of Parliament, and to be irremovable by the king for two years. This was an open death-blow to the prerogative, but it is difficult to con-

* Commons' Journals.

* Thirty two peers declared that the demand of the Commons was reasonable and necessary, and protested against the vote by which their lordships rejected the declaration about the militia. These protesting peers were Essex, Warwick, Pembroke, Holland, Stamford, Bedford, Leicester, Clare, Lincoln, Sarum, Bolingbroke, Peterborough, Thanet, Nottingham, Saye and Sele, Conway, Paget, Kimbolton, Brooke, Roberts, Fitzwalter, Wharton, St. John, Spencer, Newnham, Willoughby, Bruce, Dacres, Howard de Escrick, Grey de Werk, Chandos, Hunsdon.

ceive by what other fence the members of that parliament could have secured their existence, or guaranteed for a week the many great and many good things they had obtained for the nation.*

The Militia Bill was tendered to Charles on the 19th or 20th of February: he was then on the Kentish coast, and the queen had not yet got off. On the 21st the Lord Stamford reported to the House of Peers the king's answer to their petition respecting the ordering of the militia of the kingdom, which was, that this being a business of the highest importance, not only for the kingdom in general, but also for his majesty's regal authority, he thought it most necessary to take some time to advise thereupon, and that therefore he could not promise a positive answer until he should return, which he intended to do as soon as he should have put his dearest consort the queen, and his dear daughter the Princess Mary, on board. When this message was brought down to the Commons, though it fell far short of an absolute refusal (and that, we believe, solely because the queen was not safely off), it excited great discontent, and led to the immediate drawing up of another petition more energetic than its predecessor. The Lords joined in this petition, and it was ordered to be presented by the Earl of Portland and two members of the Lower House. Charles was told that they had, with a great deal of grief, received his last answer; that his majesty, by a gracious message formerly sent unto them, had been pleased to promise that the militia should be put into such hands as parliament should approve of or recommend unto him, the extent of their power and the time of their continuance being declared; that after that was done, and the honourable persons who should hold the command nominated by both Houses, his majesty nevertheless was now deferring his resolution to a longer and very uncertain time, which delay, in the midst of the present dangers and distractions, was as unsatisfactory as an absolute denial; that they once again besought him to give them such an answer as might raise in them a confidence that they should not be exposed to the practices of those who were thirsting after the ruin of the kingdom; that nothing but the instant granting of their humble petition could enable them to suppress the rebellion in Ireland, or secure themselves; and that the laws both of God and man enjoined them to put this bill in execution, as several counties by their daily petitions had desired them to do, and in some places were beginning already to do it of themselves.† Charles was now less courteous than before, for by the time this petition was presented, the queen was on shipboard.* On the day on which she sailed, the 23rd of February, he wrote an extraordinary letter to the Earl of Berkshire, who produced it in the House of Lords, where several other peers affirmed that they had received letters from the king to the same effect; whereupon the House went into committee to consider what ill counsels had been given to his majesty, &c. On the 25th Charles returned to Canterbury, and sent orders that the Prince of Wales should meet him at Greenwich. This order was instantly communicated to parliament, apparently by the Marquess of Hertford, the governor of the young prince. Both Houses joined in a message, representing that it was their humble desire that the prince might not be removed from Hampton Court, and that for these reasons;—that they had conceived that the prince was to stay at Hampton Court until his majesty's return; that the Lord Marquess of Hertford, appointed by his majesty to be governor of the prince, and approved of and commanded by the parliament to give his personal attendance on the prince, was now so indisposed in his health that he was not able to attend the prince to any other place; and that the removal of the prince at this time might be a cause to promote jealousies and fears in the hearts of his majesty's good subjects, which they conceived it very necessary to avoid. To this Charles answered, that the prince's going to meet him at Greenwich was no way contrary to his former intention,—that he was very sorry to hear of the indisposition of the marquess,—and that, as for the fears and jealousies spoken of, he knew not what answer to give, not being able to imagine from what grounds they proceeded. In the mean time Hertford, who had got as suddenly well as he had fallen sick, had been at Greenwich, and, in defiance of parliament, had put the young prince into his father's hands. On Sunday the 27th of February, some of the lords were sent to Greenwich to endeavour to bring the prince back to London; but the king told them haughtily, that he would take charge of the prince himself, and carry him along with him wherever he went, repeating that he knew not the grounds of such fears and suspicions. Charles then moved from Greenwich to Theobalds, being now, as he conceived, ready for a longer journey. He was followed to Theobalds by an urgent petition of both Houses, entreating him to yield the point about the militia, and telling him that if he did not they should be compelled, and were re-

* Clarendon himself says, that Charles's violent proceedings in the case of the five members made the House feel that they had no security except in this militia bill. "When this bill had been with much ado accepted, and first read, there were few men who imagined it would ever receive further countenance; but now there were very few who did not believe it to be a very necessary provision for the peace and safety of the kingdom. So great an impression had the late proceedings made upon them that, with little opposition, it passed the Commons, and was sent up to the Lords."—*Hist.*

† Parl. Hist.

* His answer, usually called the king's final answer, was not received in parliament till the 28th of February. In it Charles referred at some length to his mad attempt to seize in person the five members, and laboured to excuse his conduct in that particular. He said, "For the persons nominated to be lieutenants of the several counties of England and Wales, his majesty is contented to allow that recommendation; only concerning the city of London, and such other corporations as, by ancient charters, have granted unto them the power of the militia, his majesty doth not conceive that it can stand with justice or policy to alter their government in that particular. (He was suspected at that very moment of a design of getting the train bands of the city of London at his disposal.) . . . As to the time desired for the continuance of the powers to be granted, his majesty giveth this answer; that he cannot consent to divest himself of the just power which God and the laws of this kingdom have placed in him for the defence of his people, and to put it into the hands of others for any indefinite time."

solved, to take that matter into their own hands for the safety of the kingdom. They moreover besought him to return to his capital and parliament, and not to remove the young prince to a distance from them. "And they beseech your majesty," continued this petition, "to be informed by them, that, by the laws of the kingdom, the power of raising, ordering, and disposing the militia, within any city, town, or other place, cannot be granted to any corporation, by charter or otherwise, without the authority and consent of parliament; and that those parts of the kingdom which have put themselves in a posture of defence against the common danger have therein done nothing but according to the declaration and direction of both Houses, and what is justifiable by all the laws of this kingdom." This was plain speaking. Charles also thought that the time was now come for him to adopt the same kind of language. He said hastily, "I am so much amazed at this message that I know not what to answer. You speak of jealousies and fears: lay your hands to your hearts and ask yourselves whether I may not likewise be disturbed with fears and jealousies; and, if so, I assure you this message hath nothing lessened them. For the militia, I thought so much of it before I sent that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honour grant, that I shall not alter it in any point. For my residence near you, I wish it might be so safe and honourable that I had no cause to absent myself from Whitehall; ask yourselves whether I have not. For my son, I shall take that care of him which shall justify me to God as a father, and to my dominions as a king. To conclude: I assure you, upon my honour, that I have no thought but of peace and justice to my people, which I shall, by all fair means, seek to preserve and maintain, relying upon the goodness and providence of God for the preservation of myself and rights."* As soon as this answer from Theobalds was made known in the House, the Commons resolved that the kingdom should be forthwith put into a posture of defence by authority of parliament alone; and that a committee should be appointed to prepare a declaration laying down the just causes of their fears and jealousies, to clear their House from any jealousies conceived of it, and to consider and declare their opinion as to all matters that might arise out of this crisis. Then the Commons demanded a conference with the Lords, and invited them to join in these their resolutions. The first resolution about putting the kingdom on its defence was carried in the Upper House, but not till after a serious debate, nor without some protests; the second resolution was adopted unanimously. Instantly an order was issued by the two Houses for fitting out the entire fleet, and for putting it under the command of the Earl of Northumberland, Lord High Admiral of England, who was instructed to see all the royal ships rigged and put in readiness, and to make known to all merchants, masters, and owners of trading-vessels, that it would be an acceptable service to the king and parliament if they likewise would cause all their ships to be rigged and equipped, so that they might put to sea at the shortest notice. Both Lords and Commons then adjourned for two days to give time for their joint committee to meet at Merchant Tailors' Hall, and there prepare other matters. On the 5th of March the former militia ordinance was read again in the Lords; but this time the king's name and authority were wholly left out, and the blanks for the names of the lord-lieutenants were all filled up by noblemen and gentlemen who had been recommended by the Commons. Many of these lieutenants of counties who were to have the command of the militia were royalists,—nearly all were men of the highest rank and attached to monarchy; but then there were many hated names in the list, and Charles was convinced, and probably upon good grounds, that, in the case of a civil war, the majority of them would lean rather to the parliament than to him. He seems to have felt that the array of the aristocracy would have been against him in any attempt to restore the old despotism. To strengthen the ordinance, the Commons sent up to the other House the following resolutions:—That the commissions recently granted under the great seal for lieutenantcies for counties were illegal and void; that such commissions should be all called in and cancelled; and that whosoever should attempt to execute any such power without consent of parliament should be accounted a disturber of the peace of the kingdom;—and these resolutions were adopted by the Lords with a feeble murmur of dissent from three voices. After this the Commons sent up their famous Declaration, setting forth the causes of their fears and jealousies, linking the king and the court with the Irish rebellion and massacre, asserting that all along there had been a plan for the altering of religion and breaking the neck of parliament,—that the kings of France and Spain had been solicited by the pope's nuncio to lend his majesty 8000 men, to help to maintain his royalty against the parliament; and, in the end, inviting his majesty to return to Whitehall, and bring the prince with him, as one of the best ways of removing their apprehension. The Lords, after some debate, resolved that they agreed with the House of Commons in this declaration, and that it should be sent after the king. But fourteen peers entered their names as dissenting from this vote.

The king had removed from Theobalds to Royston on the 3rd of March, and, on the 7th, he proceeded from Royston to Newmarket, many persons joining him on the road. On the 9th his "revolted courtiers," the Earls of Pembroke and Holland, were after him, and presented at Newcastle this unreserved declaration of the parliament. Holland, it appears, the man who had formerly been the queen's favourite, read the provoking paper. When he came to the passages which related to

* Rushworth.

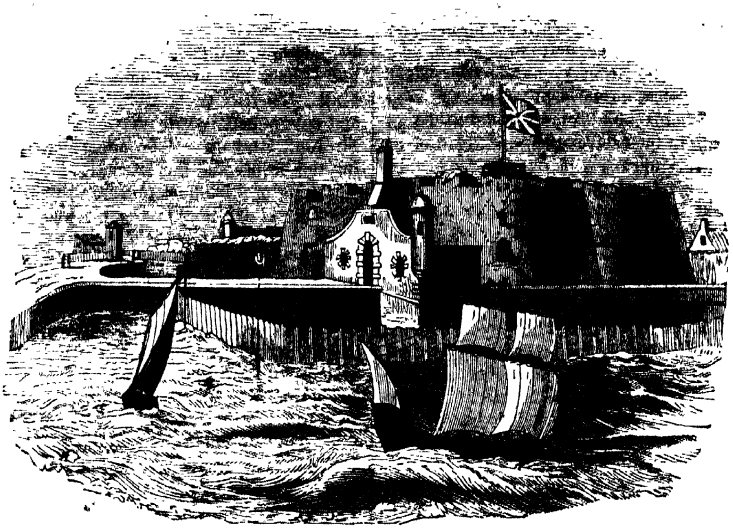
the royal warrants granted to the two fugitives from parliament, the Lord Digby and Mr. Jermyn, Charles interrupted him by crying, "That is false!" and when Holland went on and touched again upon the same subject, his majesty exclaimed, "'Tis a lie!" He said that it was a high thing to tax a king with breach of promise; that, for this declaration, he could not have believed the parliament would have sent him such a paper if he had not seen it brought by such persons of honour. "I am sorry for the parliament," continued he, "but am glad I have it (the declaration), for by that I doubt not to satisfy my people. Ye speak of ill counsels, but I am confident the parliament hath had worse information than I have had counsels." He then asked them what he had denied the parliament. The Earl of Holland instanced the militia. "That was no bill," cried the king. "But it is a necessary request at this time," said Holland. "But I have not denied it yet," retorted Charles. On the following day the king delivered his deliberate answer to the declaration. Holland read it, and then endeavoured to persuade his majesty to return to his capital. "I would," said Charles, "you had given me cause, but I am sure this declaration is not the way to lead me to it. In all Aristotle's rhetoric there is no such argument of persuasion as this." Then the Earl of Pembroke told him that the parliament had humbly besought his majesty to come near them. "I have learnt by their declaration," said Charles, "that these words are not enough." Pembroke then entreated him clearly to express what he would have. "I would whip a boy in Westminster School," said Charles, "who could not tell that by my answer." The king was coarsely oracular, and inclined to play at cross purposes—that wretched game which had brought him to his present straits. Presently he told the messengers of parliament that they were much mistaken if they thought his answer a denial. "Then," said Pembroke, "may not the militia be granted as desired by the parliament *for a time?*" "No, by God!" exclaimed Charles, "not for an hour. You have asked that of me that was never asked of any king, and with which I will not trust my wife and children."* Charles then turned to Ireland, saying, "The business of Ireland will never be done in the way that you are in. Four hundred will never do that work; it must be put into the hands of *one*. If I were trusted with it, I would pawn my head to end that work; and though I am a beggar myself, by God I can find money for that." He proceeded to observe, that this declaration of Parliament was strange and unexpected, and said he would take time to answer, particularly concerning the grounds of their fears and jealousies. "In the mean time," he continued, "I must tell you that I rather expected a vindication for the imputation laid on me in Master Pym's speech, than that any more general rumours and discourses should get credit with you. For my fears and doubts, I did not think they should have been so groundless or trivial, while so many seditious pamphlets and sermons are looked upon, and so great tumults are remembered, unpunished, uninquired into: I still confess my fears, and call God to witness, that they are greater for the true Protestant profession, my people, and laws, than for my own rights or safety; though I must tell you, I conceive that none of these are free from danger. What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask you what you have done for me. Have any of my people been transported with fears and apprehensions? I have offered as free and general a pardon as yourselves can desire. All this considered, there is a judgment from heaven upon this nation, if these distractions continue. God so deal with me and mine, as all my thoughts and intentions are upright, for the maintenance of the true Protestant profession, and for the observation and preservation of the laws of this land; and I hope God will bless and assist those laws for my preservation." These were solemn asseverations: nevertheless at that very moment, the queen was selling and pawning the crown jewels of England, in order to purchase arms and ammunition, and to bring in a foreign army upon the English people.* There was truth in the assertion that he had passed many bills for the ease and security of his subjects,—that he had made great and valuable concessions; but then, unfortunately for him, it was equally true—as it was equally well known—that he had yielded later than at the eleventh hour, and only in the face of a power rising paramount to his own,—that, as long as he could, he had proudly and scornfully resisted the slightest concession. Could such a prince get credit for a sudden conversion? The thing was scarcely to be expected, even had there been no circumstances to provoke suspicion; and there were a thousand such circumstances. Every wind that blew from the continent brought reports of foreign alliances

* Rushworth.—May says, "The king expressed much indignation when he received this remonstrance, complaining of the manner of it, that it was only an upbraiding, not an invitation or persuasion of him to return to the parliament; and told them, that in all Aristotle's rhetoric there was no such argument of persuasion: and that he would answer it in another declaration, which, within a few days after, was drawn up, and published; wherein, with deep protestations, he vindicates the truth of his religion, and justifies his other proceedings, denying those warrants for transporting Master Jermyn and others, in that manner which they urge them; taxes them with their needless fears and uncertain expressions of advertisements from Rome, Venice, Paris, and other places; recites the many gracious acts which he had already passed this parliament, to satisfy his people; and protests, in conclusion, that he is most desirous to reside near his parliament, and would immediately return to London, if he could see or hear of any provisions made for his security."

* "It was not unknown to the parliament, at least not unsuspected (for it was usually talked among the people of that time), that the queen, when she passed into Holland, carried with her the crown jewels, to pawn or sell them: which, if she did, they could not be ignorant what the intention was, or what the effect was likely to prove; nor could it be unknown to them how unlawful the act was, and therefore how fit to be prevented; for they indicted her afterwards of high treason for that fact, and were able to tell the world, in a declaration, how great a crime it is in a king himself to make away the ornaments of the crown, and in particular the jewels of it; yea, in such kings as did it only to spend or give away, not to maintain war against their own people, for whose preservation not only those, but whatsoever they possess, was first bestowed on them."—*May.*

and projected invasions. The fanatics of royalty did not scruple to assert, in safe places, that a foreign army would soon reduce this rebellious people to a proper submission to the crown.

At the same time Charles edged away to the north-east, towards the very coast which had been mentioned as the spot selected for the landing of the invading army. On the 14th of March he went from Newmarket to Huntingdon, whence he dated an elaborate message to the two Houses, and then proceeded to Stamford. In this message he announced to them that he intended fixing his residence for some time in the city of York. He again exculpated himself at the expense of parliament; forbade them to presume upon any pretence to settle the militia, and protested that all their acts to which he was no party would and must be illegal and void. Thereupon it was voted by both Houses—"1. That the king's absence so far remote from his parliament is not only an obstruction, but may be a destruction, to the affairs of Ireland. 2. That, when the Lords and Commons in Parliament shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of parliament. 3. That they which advised the king to absent himself from the parliament are enemies to the peace of this kingdom, and justly to be suspected as favourers of the rebellion in Ireland." On the same day (the 16th of March) the Commons voted that the kingdom had been of late, and still was, in imminent danger, both from enemies abroad and from faction at home; that, in this case of extreme danger, seeing his majesty's refusal, the ordinance agreed upon by both Houses for the militia ought to be obeyed according to the fundamental laws of the kingdom; and that such persons as should be nominated to take the command should execute their office by the joint authority of the two Houses. The Lords agreed; and the lieutenants and deputy lieutenants of counties began to organise the militia. On the 18th of March Charles was at Doncaster; on the 19th at York, where he began to organise a separate government. On the 26th the Lord Willoughby, Lord Dungarvon, and Sir Antony Ereby arrived at York to present to him the parliament's justification of their late declaration. This document accused him of being the cause of all the troubles by resisting the militia bill; told him that his fears and doubts were unfounded; besought him to remember that the government of the kingdom before the beginning of the present parliament consisted of many continued and multiplying acts of violation of the laws; "the wounds whereof were scarcely healed, when the extremity of all those violations was far exceeded by the strange and unheard-of breach of law, in the accusation of the Lord Kimbolton and five members of the Commons' House," for which they had as yet received no full satisfaction. With much thankfulness, they acknowledged that his majesty had passed many good bills, full of contentment and advantage to his people; but truth and necessity enforced them to add, "*that ever in or about the time of passing those bills, some design or other had been on foot, which, if successful, would not only have deprived them of the fruit of those bills, but would have reduced them to a worse condition than that in which this present parliament had found the nation.*" They threw back his offer of a pardon with cold disdain, telling him that it could be no security to their fears and jealousies, which arose, not from any guilt of their own, but from the evil designs and attempts of others. "To this our humble answer," continued the document, "we desire to add an information, which we lately received from the deputy governor of the merchant adventurers at Rotterdam, in Holland, that an unknown person, appertaining to the Lord Digby, did lately solicit one James Henely, a mariner, to go to Elsinore, and to take charge of a ship in the fleet of the King of Denmark there prepared, which he should conduct to Hull; in which fleet likewise he said a great army was to be transported: and, although we are not apt to give credit to information of this nature, yet we cannot altogether think it fit to be neglected, but that it may justly add somewhat to the weight of our fears and jealousies, considering with what circumstances it is accompanied, with the Lord Digby's preceding expressions in his letters to her majesty and Sir Lewis Dives, and your majesty's succeeding course of withdrawing yourself northward from your parliament in a manner very suitable and correspondent to that evil counsel, which we doubt will make much deeper impression in the generality of your people." They ended by advising and beseeching his majesty to return to his capital and parliament with all convenient speed, where he should find dutiful affections and earnest endeavours to establish his throne upon the sure foundation of the peace and prosperity of all his kingdoms. In his reply, Charles assumed a haughty and sarcastic tone, telling them that they need not expect his presence until they should both secure him concerning his just apprehensions of tumultuary insolences, and give him satisfaction for those insupportable scandals that had been raised against him. He, however, again protested that he neither desired nor needed any foreign force to preserve him from oppression. But about Hull he said not a word. The fact was, that he and his parliament were now scambling for arms and warlike means, and, having entirely failed in getting possession of the Tower of London, Charles had his eyes fixed upon Hull, as a place, in present circumstances, more important than his capital. Nor was that city, with its magazines of arms, much less important in the eyes of parliament. The reader will remember the appointment of Sir John Hotham to be governor there, and the zeal with which the younger Hotham undertook in the House of Commons to carry down their orders. Nearly at the same moment the king hurried off



Castle of Hull, temp. Charles I. From an old plan of the Town.

the Earl of Newcastle, with most gracious letters in his majesty's name, full of clemency and fine promises to the townsmen of Hull, who were commanded to deliver instantly to the said earl the keys of the ports, magazines, block-houses, &c. Newcastle, whose heart misgave him, assumed the name of Sir John Savage, and tried to pass into the town unknown; but he was recognised by some by-standers, and presently forced to own both his name and his errand. The mayor, aldermen, and townsmen of Hull, foreseeing the coming tempest, and knowing that the parliament had resolved to place the government of their town in the hands of Sir John Hotham, resolved upon a petition to beseech his majesty to be pleased to agree with his parliament in this business, that so, without breach of fealty or incurring the displeasure of either king or parliament, they might know in whose hands they were to intrust that strength of the kingdom, and their own lives and property. The king took no notice of this petition; but the House of Lords instantly summoned the Earl of Newcastle to attend at his place in parliament. Charles, it appears, then requested the townsmen to keep Hull themselves, with their mayor as sole governor; and the earl and Captain Legg bestirred themselves among the people: but all was of no avail, the courtiers were driven out, and the younger Hotham was received in the town with three companies of train-bands. The authorities freely surrendered into his hands the magazines and block-houses, and shortly after Sir John Hotham arrived with more companies of the train-bands of Yorkshire. The garrison of Hull was thus raised to about eight hundred men. Parliament then sent a petition to the king for the removal of the stores of arms and ammunition from Hull to the Tower of London, where they might be kept with less charge and more safety, and transported with much more convenience to Ireland, where they were most wanted.* Charles, in reply, told them that he rather expected they would have given him an account of their conduct in placing a garrison and a governor in his town of Hull; that he could not think it fit, or consent to the removal of the magazine; that Hull was a more convenient port for shipping for Ulster or Leinster than London; and that they would do well to leave him to look after his own magazines, which were his own property. At the same time a counter-petition was got up among the royalists of Yorkshire, who prayed that the arms and ammunition might be left at Hull for the better securing of the northern parts; "and the rather," said these petitioners, "because we think it fit that that part of the kingdom should be best provided, where your sacred person doth reside—your person being like David's, the light of Israel, and more worth than ten thousand of us." From the 19th of March to the 22nd of April, Charles resided at York: a court was formed around him; a crazy, tottering, timid ministry was put in action, and nights as well as days were spent in deep deliberation, and in the drawing up of declarations, protestations, and other state papers. On the 24th of March, the day on which the act granting him tonnage and poundage expired, Charles issued a proclamation, commanding the continuance of the payment of that tax or duty, and charging all

* In the same petition the Lords and Commons call for the immediate execution of six condemned priests in Newgate, who had been reprieved by the king.

his customers, comptrollers, collectors, searchers, waiters, &c., and all justices of the peace, mayors, sheriffs, bailiffs, constables, headboroughs, and others, his majesty's officers and ministers, to take care that the proclamation should be fully executed and the orders performed. Upon the very same day the Lords and Commons published an order, retaining to themselves the entire control of that source of revenue.*

On the 8th of April Charles sent to acquaint the parliament with his resolution of going into Ireland for suppressing the rebellion there, being most tenderly sensible of the false and scandalous reports dispersed amongst the people, which not only wounded his honour, but likewise greatly retarded the reducing of that unhappy kingdom. He assured them, and all his loving subjects, that he would earnestly pursue the design for the defence of God's true religion, not declining any hazard of his person; and he called God to witness the sincerity of his professions, and the further assurance that he would never consent to a toleration of the popish profession in Ireland. He then lamely re-introduced the great subject of Hull, telling them that he intended forthwith to raise, by his own commissions, a guard for his person, which was to consist of 2000 foot and 200 horse, all to be armed from his magazines at Hull. He added that he had sent dispatches into Scotland to quicken the levies there making for Ireland, and that he hoped the encouragement given to adventurers would facilitate the raising of men and money for that service. He then spoke once more of the great matter in debate, telling them that he had prepared a bill, to be offered to them by his attorney-general, concerning the militia, whereby he hoped the peace and safety of the kingdom might be secured to the satisfaction of all men, without violation of his majesty's just rights, or prejudice to the liberty of the subject: if this should be thankfully received he would be glad of it; if refused, he called God and all the world to judge on whose part the fault was. Charles was perfectly well aware that the Commons would oppose with all their might his entrance into Hull. Days wore away, and he received no answer to this his last message. On the 22nd of April he sent the young Duke of York, his nephew the Prince Palatine, the Earl of Newport, the Lord Willoughby, and "some other persons of honour," but without any armed force, to see the town of Hull. These visitors were respectfully received and entertained by the mayor and the governor, Sir John Hotham. They spent that day in viewing the beauty and the strength of the place, and partaking of a banquet prepared by the mayor and aldermen of Hull. On the morrow, the 23rd of April, being St. George's Day, they were all invited to dine with the governor; but a little before dinner-time, Sir John Hotham, being busy in discourse with their highnesses, was suddenly saluted by Sir Lewis Dives, the brother-in-law and correspondent of the fugitive Lord Digby. Sir Lewis delivered to Sir John a message from his majesty, purporting that his majesty also intended to dine with him that day, being then within four miles of Hull with an escort of 300 horse and upwards. Old Hotham was startled, but, perceiving what was intended, he hastened to consult with Mr. Pelham, a member of the House of Commons and alderman of Hull, and with some others who were equally pledged to the parliament side. These gentlemen presently decided (there was short time for deliberation) that a messenger should be sent to his majesty, humbly to beseech him to forbear to come, forasmuch as the governor could not, without betraying his trust, admit him with so great a guard. As soon as this messenger had returned, and had brought certain information of the king's advance, Hotham drew up the bridge, shut the gates, and commanded his soldiers to stand to their arms. This was scarcely done when Charles rode up to Beverley gate, called for Sir John Hotham, and commanded him to open the gate. To that frequently repeated command Sir John's only answer was, that he was intrusted by the parliament with the securing of the town for his majesty's honour and the kingdom's use,—that he intended, by God's help, to do this duty,—that his majesty ought not to misinterpret his conduct into disloyalty,—that, if his majesty would be pleased to come in with the Prince of Wales and twelve more, he should be welcome. The king refused to enter without his whole guard. The altercation began at eleven o'clock; at one o'clock the Duke of York, the Elector Palatine, and their attendants, were allowed to go out of the town to join the king. Charles stayed by the gate till four o'clock, when he retired, and gave Sir John Hotham one hour to consider what he did. Perhaps, by thus exhibiting himself, the king hoped to work upon the feelings of the people; but the townsmen of Hull rather offered the parliament soldiers encouragement and assistance. At five o'clock Charles returned to the gate, where he received from the governor the same answer. Thereupon he caused two heralds-at-arms to proclaim Sir John Hotham a traitor; and then, disappointed, enraged, humiliated, he retreated to

* The order of parliament was in these words:—"Whereas the bill of tonnage and poundage is this day expired, and a new bill passed both Houses for the continuance of those payments until the 3rd day of May, which cannot as yet receive the royal assent, in regard of the remoteness of his majesty's person from the parliament, which moneys to be collected by that bill are to be employed for the necessary guarding of the seas and defence of the commonwealth; it is, therefore, ordered by the Commons now assembled in parliament, that the several officers belonging to the Custom House, both in the port of London and the out-ports, do not permit any merchant or other to lade or unlade any goods or merchandises before such persons do first make due entries thereof in the Custom House; and it is also declared by the said Commons that such officers, upon the respective entry made by any merchant as aforesaid, shall intimate to such merchant that it is the advice of the Commons, for the better ease of the said merchants, and in regard the respective duties will relate and become due as from this day, that the said merchants, upon entry of their goods, as usually they did, when a law was in force for that purpose, would deposit so much money as the several customs will amount unto in the hands of such officers, to be by them accounted to his majesty, as the respective customs due by the said bill, when the said bill shall have the royal assent; or otherwise, his majesty refusing the passing thereof, the said moneys to be restored, upon demand, unto the several merchants respectively."

Beverley, where he lodged that unhappy night.* The next morning he sent a herald and some others back to Hull to offer the governor a pardon and tempting conditions if he would yet open the gate. Hotham replied as he had done the day before; and Charles then rode away to York, whence he dispatched another message to the parliament. He began with a ridiculous allusion to the petition of the Yorkshire gentry, who had desired the stay of his majesty's arms and ammunition in his magazines at Hull. He told them that he had thought fit to go in person to view his said arms and ammunition, but, contrary to his expectation, he had found all the gates shut upon him; that he had offered to go into the town with only twenty horse, &c.; and that he now thought it expedient to demand justice of his parliament against Sir John Hotham, who had seditiously and traitorously rejected him, and disobeyed his orders. On the next day (the 25th) he sent another message to parliament, and a very gracious letter to the mayor, aldermen, and burgesses of Hull. Both were worse than useless. The Lords and Commons declared instantly that his stopping up the passages between Hull and the parliament, and intercepting of messengers employed by parliament,† was a high breach of their privileges; that the sheriffs and justices of the peace of the counties of York and Lincoln, and all other his majesty's officers, should be called upon to suppress all forces that should be raised in those counties, either to force the town of Hull, or to stop passengers to and from it; that Sir John Hotham had done nothing but in obedience to the command of both houses of parliament; that the declaring Sir John a traitor, he being a member of the House of Commons, was a high breach of the privileges of parliament, and, being without due process of law, was against the liberty of the subject and the law of the land. On the same day that these last resolutions were carried, they drew up a petition against his majesty's going over to Ireland, telling him plainly that they could never consent to any levies or raising of soldiers to be made by his majesty alone for this his intended expedition, or to the payment of any army except such as should be employed and commanded according to the advice and direction of parliament; that he was bound to leave the management of that war to them by his promise pledged unto them; that his presence was required much more in his capital with his parliament than in Ireland, where they had made a prosperous beginning by many defeats of the rebels, who would soon be disheartened if the proceedings of parliament should not be interrupted by his protracted absence. And all this was accompanied by an energetic declaration, in which they insisted that their precaution in securing Hull had been necessary to the safety of the country; and that it was the king and his adherents, and not Sir John Hotham, that had transgressed. This petition was delivered to his majesty by the Earl of Stamford, who was also intrusted with other duties; for this earl, with the Lord Willoughby, Sir Edward Askell, and three other commissioners, was appointed to act in concert with Sir John Hotham and a committee sitting in Hull, and carried with him the parliament's order for aid and assistance, directed to the lord-lieutenant, deputy lieutenants, sheriffs, justices, constables, &c., of the county. On the 4th of May Charles gave a long answer to the petition and to the declaration of the two Houses. He began by complaining that his message demanding justice for the high and unheard of affront offered to him at the gates of Hull by Sir John Hotham had not been thought worthy of an answer, but that, instead thereof, parliament had thought it fit, by their printed votes, to own and avow that unparalleled act as being done in obedience to the command of both houses of parliament. All this, he said, he knew to be very unsuitable to the modesty and duty of former times, and unwarrantable by any precedents but what themselves had made. He claimed an entire right of property in the towns, forts, and magazines of the kingdom. "And we would fain be answered," said he, "what title any subject of our kingdom hath to his house or land that we have not to our town of Hull? Or what right hath he to his money, plate, or jewels that we have not to our magazine or munition there? . . . . We very well know the great and unlimited power of parliament, but we know as well that it is only in that sense, as we are a part of that parliament. Without us, and against our consent, the votes of either or both Houses together must not, cannot, shall not, forbid anything that is enjoined by the law, or enjoin anything that is forbidden by the law." He said that Lord Digby's intercepted letters, wherein mention was made of his retreat to a place of safety, ought not to hinder him from visiting his own town and fort; and, quitting this ticklish point with the fewest words possible, he protested with all solemnity that his heart bled at the apprehension of a civil war, and that, if any such should arise, the blood and destruction must be laid to the account of parliament, his own conscience telling him that he was clear. He re-asserted the notorious falsehood, that he had offered to go into Hull with twenty horse only, his whole train being unarmed. As for Hotham, he said, "We had been contemptibly stupid if we had made any scruple to proclaim him traitor. . . . . And that, in such a case, the declaring him traitor, being a member of the House of Commons, should be a breach of privilege of parliament, we must have other reasons than bare votes to prove." He had rather happily quoted before from Pym's speech on the trial of Strafford, and he ended his answer with another extract from the same "great driver:—" "We conclude with Mr. Pym's own

* "The news of Sir John's behaviour was carried up by his own son, Mr. John Hotham, unto the two Houses: whom I heard in the House of Commons give the relation of what his father had done: and he concluded with this—*Thus hath my father and myself served you, fall back, fall edge!*"—*Sir Philip Warwick's Memoirs.*

† Charles had laid scouts to intercept all letters passing between the parliament and Hull.—*Whitelock.*

words. If the prerogative of the king overwhelm the liberty of the people, it will be turned to tyranny; if liberty undermine the prerogative, it will grow into anarchy."

On the 26th of May the parliament sent him their remonstrance, or declaration, in answer to his declaration concerning the business of Hull. The royal declaration, which, like most of these papers, is supposed to be the composition of Hyde, was considered by the two Houses in the light of an appeal to the people, and a declining of further negotiation between the king and them. "Therefore," said they, "we likewise shall address our answer to the people, not by way of appeal, but to prevent them from being their own executioners, and from being persuaded, under false colours of defending the law and their liberties, to destroy both with their own hands, by taking their lives, liberties, and estates out of their hands whom they have chosen and intrusted therewith, and resigning them up to some evil counsellors about his majesty, who can lay no foundation of their own greatness but upon the ruin of this, and in it of all parliaments, and in them of the true religion and the freedom of this nation. And these are the men that would persuade the people that both houses of parliament, containing all the peers and representing all the commons of England, would destroy the laws of the land and the liberty of the people, wherein, besides the trust of the whole, they themselves in their own particulars have so great an interest of honour and estate, that we hope it will gain little credit with any that have the least use of reason, that such as must have so great a share in the misery should take so much pains in the procuring thereof, and spend so much time, and run so many hazards, to make themselves slaves, and destroy the property of their estates." They then defended the instructions which they had given to Sir John Hotham, the conduct of that governor, and their own subsequent votes of approval. They next announced, in the highest and most intelligible tone, their conceptions as to the king's right of property. Referring to Charles's assertion that he had the same property in the town of Hull, and in the magazines there, that any of his subjects had in their houses, lands, or money, they said, "Here that is laid down for a principle which would indeed pull up the very foundation of the liberty, property, and interest of every subject in particular, and of all the subjects in general; . . . . for his majesty's towns are no more his own than the kingdom is his own; and his kingdom is no more his own than his people are his own: and, if the king had a property in all his towns, what would become of the subjects' property in their houses therein? And if he had a property in his kingdom, what would become of the subjects' property in their lands throughout the kingdom? or of their liberties, if his majesty had the same right in their persons that every subject hath in their lands or goods?" They went on to observe that the erroneous notion being infused into princes that their kingdoms were their own, and that they might do with them what they would,—"as if their kingdoms were for them, and not they for their kingdoms,"—was the root of all their invasions of their subjects' just rights and liberties; and that so far was the notion in question from being true, that in fact their kingdoms, their towns, the people, the public treasure, and whatsoever was bought therewith, were all only given to them in trust: by the known laws of England, the very jewels of the crown were not the king's property, but were only confided to his keeping for the use and ornament of his regal dignity. They argued that the trust so given for the public advantage ought to be managed by the advice of parliament, whose duty it was by all means to prevent its abuse. On that principle they hoped that in what they had done in regard to the town of Hull, it would appear clearly to all the world that they had discharged their own trust, and not invaded that of his majesty, much less his property, which in this case they could not do. This was flat blasphemy to the fanatic royalists, who had swallowed the dogmas of King James and of the court bishops; but it sounded like right and reason to the ears of the mass of the people, whose descendants have adopted at least the general principles of the reasoning of the parliament on this occasion into their political creed as incontrovertible and sacred truths. The remonstrance of the two Houses went on to affirm that they had given no occasion to his majesty to declare with so much earnestness that their votes would be nothing without or against his consent; that they were very tender of the law themselves, and so would never allow a few private persons about his majesty, nor his majesty himself out of his courts, to be judge of the law, and that, too, contrary to the judgment of the highest court of judicature; that it might be that his majesty had not refused to consent to anything which *he* considered proper for the peace and happiness of the kingdom, but that he had taken the measure of that peace and happiness from some few ill-affected persons about him, contrary to the advice and judgment of his great council of parliament; that of late the advice of both Houses had been undervalued, rejected, and absolutely refused; and that this obliged them to declare and explain to the nation what was the privilege of parliament, what the duty of the king. They then returned to Lord Digby's intercepted letter. "We appeal," said they, "to the judgment of any indifferent man that shall read that letter, and compare it with the posture that his majesty then did and still doth stand in towards the parliament, and with the circumstances of that late action of his majesty in going to Hull, whether the advisers of that journey intended only a visit of that fort and magazine?" They told the king that it was a resolution most worthy of a prince to shut his ears against any that would incline him to a civil war; but they could not believe that spirit to have animated

those that came with his majesty to the House of Commons; or those that accompanied him from Whitehall to Hampton Court, and appeared in a warlike manner at Kingston; or those that followed him to Hull; or those that, after that expedition, drew their swords at York, demanding who would be for the king; or those that advised his majesty to declare Sir John Hotham a traitor. And then they imitated Charles in casting the weight of blood from themselves, declaring that they stood acquitted by God and their consciences if those malignant spirits should ever force them to defend their religion, their country, the privileges of parliament, and the liberties of the subject with their swords. They placed the conduct of the Earl of Newcastle at Hull in a very humiliating light; and they contended that ever since the failure of the attempt to seize the five members, there had been a design to get possession of the arms and ammunition in that town. They declared it to be a notorious fact, that Sir Lewis Dives, a person that had not the least part in this late business of Hull, was dispatched presently after into Holland, where his near relative the Lord Digby had continual recourse unto and countenance from the queen, and they left the world to judge for what purpose this was. To this long paper Charles returned a still longer reply, and both were printed and published in the form of pamphlets. The two Houses again took up the controversial pen shortly afterwards; but their rejoinder was of such a length as to appear very tedious, even to the patient and long-winded Rushworth. Of course neither party thought to finish the war upon paper. Each was making active preparation for a contest in which blood was to be shed, not ink. Charles issued a proclamation stating that, for some months, his town and county of Kingston-upon-Hull had been withheld from him, and his entrance traitorously resisted, by Sir John Hotham; and charging and commanding all his loving subjects not to aid, or abet, or assist in conveying into the said town men, money, arms, ammunition, or victuals, or in any other way contribute towards the keeping or defending Hull against his majesty or any force which he might think fit to send against it, to drive out the unlawful band there, and take possession of his own fort, port, arms, and ammunition there. But not hoping to gain so important a prize by a proclamation, the royalists had recourse to stratagem and bribes. There was one Fowkes, a lieutenant to Captain Lowinger, a Dutch soldier of fortune, who was serving in Hull under Sir John Hotham, and this Lieutenant Fowkes had married the daughter of a Mr. Beckwith of Beverley, who was occasionally with the king's friends at York. About the middle of May, Fowkes received a letter from his father-in-law, earnestly requesting him to give him a meeting. The lieutenant showed this letter to Hotham's secretary, who laid it before the governor. It was arranged that the lieutenant should go to the meeting with his father-in-law, and return next day with a true account of what had passed. On his arrival at his father-in-law's, the poor lieutenant was kindly received; but, in the parlour, he found about fourteen or fifteen gentlemen, one of whom had a vizor on. This masked gentleman was supposed to be Sir Jocelyn Percy, a papist that dwelt in Beverley: the rest were all strangers to him. After many civilities and assurances of their belief that neither Fowkes nor his captain could possibly have any design of disloyalty to the king, but merely did what they were doing in Hull for their better support as soldiers, they made him an offer of 500*l.* in money and 500*l.* per annum for himself, and 1000*l.* in money and 1000*l.* per annum for his captain, if they would think of some safe way to deliver up Hull to the king. The lieutenant seemed to comply,—took fifty pieces of gold as an earnest,—agreed to correspond with them through his father-in-law, and then hastened back to old Hotham with intelligence of all that had passed at this secret meeting. The governor made Fowkes write a letter to say that he had found his captain compliable, and that Hull should be the king's. Several letters were permitted to pass and repass to humour the design, till Sir John thought fit to bring it to an issue by making the lieutenant write to the royalists that, on Tuesday night, he and his captain would be upon guard, and would open the gates if the king would send 1000 horse and 500 foot to ride behind the horse for expedition, so that they should be at Hull by two o'clock in the morning. An answer was received through the lieutenant's father-in-law Beckwith; the king's troops would be there at the time appointed. Then Hotham opened the matter to a council of war. The majority of the officers wished to carry on the stratagem, to admit the royalists and then cut them to pieces; but Sir John said he would not shed blood when he could save it, and rather chose to give notice to his majesty that the plot was discovered. The parliament had probably instructed him to avoid the collision. He sent his secretary post-haste to York to deliver a letter into the royal hands. On reading the letter, the king seemed pleased at the timely warning, for some gentlemen of quality were already on horseback for the intended surprise of Hull. The parliament voted thanks to Sir John Hotham, and dispatched a messenger for Beckwith of Beverley, who was arrested at York by virtue of an order of both Houses. But Beckwith was taken out of the hands of the messenger by the followers of the king, who said, that when the parliament gave him justice against Sir John Hotham, he would deliver Beckwith to them. Seeing that the king's troops were daily increasing at York, and that they were bent upon the capture of Hull, Hotham, for his own security, and to prevent any practices of bribery within the town, exacted from the inhabitants a solemn protestation or oath that they would faithfully maintain Hull for the king and parliament and kingdom's use. The greater part of the in-

habitants took the protestation willingly, and those that refused it were expelled the town. As the great aim of Charles was to get possession of the magazines, Hotham, by order of parliament, sent all the great ordnance and most of the arms and ammunition back to the Tower of London. Hotham was authorized by his warrants to raise some of the train-bands in Yorkshire, who were to march with their arms into Hull; but it was the arms, not the men, that were wanted, and as soon as they were within the town, the governor disarmed them all and sent them back to their homes.

Charles now issued a proclamation, forbidding the muster of any troops or any militia without his commands and commission; but several days before this (on the 5th of May) the parliament had issued a declaration, in which, after condemning the king's refusal to give his assent to an amended bill for settling the militia, they stated that they should forthwith carry into effect their own ordinance respecting the militia, and required all persons in authority to put the said ordinance into execution. They grounded the indispensable necessity of this measure upon the king's prolonged absence, his gathering of warlike forces around him, and the evident intentions of his evil counsellors to bring back popery and tyranny. But the most powerful and active members had protested in the debate upon the measure that they had not the least purpose or intention of any war with the king, arming only for self-defence. The lords-lieutenants being named for their several counties, nominated their deputy-lieutenants, subject to the approbation of parliament. Thus the Lord Paget being named in the ordinance for Buckinghamshire, he named Hampden, Goodwin, Grenville, Tyrrell, Winwood, and Whitelock as his deputy-lieutenants; and these gentlemen, being approved by the two Houses, entered upon the command of the Buckinghamshire militia.* St. John, Selden, Maynard, Glyn, Grimston, and many other members of the House of Commons, accepted the like commissions, and turned their attention from oratory and debate to drilling and tactics. The king declared that there was now no legal power in the Houses to do what they had done, commanded all men to refuse obedience to the parliament's "pretended ordinance," and summoned a county meeting at York for the purpose of promoting the levy of troops for his own service. But there were more men attended this meeting than Charles had wished, and Sir Thomas Fairfax boldly laid upon the pummel of the king's saddle the warm remonstrance and petition of the lesser gentry and farmers and freeholders of Yorkshire, who asserted their right of being present, and desired the king to agree with his parliament. Even the aristocracy of the county were divided, and all that Charles obtained was one troop of horse, composed of gentlemen volunteers, who were nominally to be under the command of the boy Prince of Wales, and a foot regiment formed out of some of the train-bands. This paltry gathering at York was no sooner reported in parliament than the three following resolutions were hurled at the king and his throne: 1. That the king, seduced by wicked counsels, intended to make war on the parliament. 2. That whensoever the king made war upon the parliament, it was a breach of the trust reposed in him by his people, contrary to his oath, and tending to the dissolution of the government. 3. That whosoever should assist him in such war were traitors by the fundamental laws of the kingdom. After this the Houses published another remonstrance, exposing the king's misdeeds, and explaining their own privileges and intentions. Charles answered, and they rejoined, and then they ordered that all sheriffs, justices of the peace, &c., within 150 miles of that city, should stop all arms and ammunition going to York, and apprehend the conveyers, and also suppress all forces coming together by the king's commission. "This," says Whitelock, "was an unhappy condition for the poor people, none knowing what to do, or whom to obey; nor what would be the consequence of these thwartings between the great powers and authorities of king and parliament." The ordinance of parliament was more effective than the proclamations and summonses of the king. In London alone a little army was raised. In the month of May the train-bands had a general muster in Finsbury Fields, where Major-general Skippon appeared as their commander, and where tents were pitched for the accommodation of the members of both Houses. Eight thousand men were under arms. These were divided into six regiments, and officered by men hearty in the cause. The civic review ended in a great dinner, given at the expense of the city of London.

The king, it is said, had given offence to the English sailors by calling them "water-rats," and whether the story be true or not, it seems certain that his government was unpopular with the navy. It will be remembered that the Houses had commissioned the Lord High Admiral, the Earl of Northumberland, to put the fleet into a warlike attitude. This nobleman, who enjoyed the confidence of neither party, was, or pretended to be, very sick. The Commons voted that he should be desired to appoint the Earl of Warwick to the command of the fleet, and requested the concurrence of the Lords. The Lords scrupled and hesitated, objecting that the appointment required the sanction of the king. But thereupon the Commons, without the consent of the Lords, and against the command of Charles, compelled Northumberland to depute his authority to Warwick, and actually put Warwick, who was acceptable to the sailors, into the command of the fleet. Charles revoked Northumberland's commission,

* "The Lord Paget, not long after this, began to boggle, and was unfixed in his resolutions; and upon the king's publishing of his commission of array, and declaration against the ordinance of parliament for the militia (his lordship's heart failing him, and being unsatisfied in his judgment), he revolted from the parliament and went to the king."—*Whitelock.*

and appointed Pennington to the command of the fleet; but the sailors would not receive this officer, and the parliament declared his appointment to be illegal. Charles, according to Clarendon, concealed his displeasure at the conduct of Northumberland, thinking it not then seasonable to resent it, because he had nothing to object against him but his complying with the command of the parliament, who would have made it their own quarrel, and must have obliged that Earl to put his whole interest into their hands, and "to have run their fortune, to which he was naturally too much inclined; and then his majesty foresaw that there would have been no fleet at all set out that year, by their having the command of all the money which was to be applied to that service. Whereas, by his majesty's concealing his resentment, there was a good fleet made ready, and set out; and many gentlemen settled in the command of ships, of whose affection and fidelity his majesty was assured that no superior officer could corrupt it, but that they would at all times repair to his service whenever he required it. And, indeed, his majesty had an opinion of the devotion of the whole body of common seamen to his service, because he had bountifully so much mended their condition, and increased their pay, that he thought they would have even thrown the Earl of Warwick overboard when he should command them, and so the respiting the doing of it would be of little importance."* All this means, that the king hoped to gain over the fleet as he had hoped to gain possession of Hull by a ruse; but the event showed that he had widely miscalculated the temper of the English seamen. If we are to believe the royalist historian, the king had not at this time one barrel of powder, nor one musket, nor any other provision necessary for an army; and, what was worse, he was not sure of any port at which warlike stores might be safely landed from the continent. "He expected with impatience the arrival of all those necessaries, by the care and activity of the queen, who was then in Holland, and, by the sale of her own as well as of the crown jewels, and by the friendship of Henry Prince of Orange, did all she could to provide all that was necessary."† The parliament, well aware of these preparations in Holland, decreed, that whosoever should lend or bring money into the kingdom raised upon the crown jewels should be held as an enemy to the state. Some weeks before this, when the act was passed for the speedy reducing of the rebels in Ireland, and the immediate securing the future peace and safety of England, many members of parliament voluntarily subscribed large sums of money, and their example was followed by other gentlemen and freeholders, who set on foot subscriptions in their several counties. The county of Buckingham, for example, advanced 6000*l.* Foremost in the list of the subscribing members in the Commons, we find the names of Sir Henry Martin for 1200*l.*, Mr. Walter Long, Sir Arthur Hazlerig, and Sir John Harrison for the same sum each, Mr. Oliver Cromwell for 500*l.*, John Pym for 600*l.*, John Hampden 1000*l.*, Bulstrode Whitelock 600*l.*, &c.

While the king was lying at York he was writing hard and working by other means to interest the Scots in his favour, and to get up a strong party among them. From the Scottish council he received a dutiful and affectionate answer, and he also got a petition from divers of the nobility and people there full of expressions of zeal and loyalty.* But the English parliament, hearing of these proceedings, "took a course to turn the balance," and, within eight days after, the Scottish council declared both to king and parliament their earnest desire to see them reconciled with one another; and they moreover humbly desired his majesty "to hearken to his greatest, his best, and most unparalleled council." They also dissuaded the king from his journey into Ireland, and prayed that a mediation between him and his English parliament might be set on foot at home ere the breach grew wider; and, in the end, the Scottish council came "to a large manifestation of their true and hearty affection to the parliament of England," protesting that they would never do anything contrary to them or their
The Scottish ministers, indeed, were checked in any exuberance of loyalty by the stern spirit of the people, who still looked upon the king as the enemy to their kirk and their liberties, and upon the English House of Commons as their best friends. No sooner had the people of Edinburgh heard of the correspondence carrying on between Charles and the council, than they petitioned the latter not to take part, by any verbal or real engagement to the king, against the parliament of England. "These passages in Scotland" were of much advantage to the affairs of the English parliament, who still protested their fidelity to the king, at the same time that they courted the Scots with very kind expressions.†

Several members of both Houses—some who were in the service of the court, others who believed that the parliament was going too far or too fast—now withdrew to the king at York. For the present, the Commons satisfied themselves with passing an order that every member should be in his place by a certain day, or forfeit a hundred pounds to the Irish war. The way in which most of the ministers and old servants of the crown had sneaked off to the north seemed to betray not only a wonderful fear of the parliament, but also a want of confidence in the legality or purity of the cause to which they were about to commit themselves for better or for worse. On his first arrival at York, Charles was attended by no other ostensible minister than Secretary Nicholas, a timid and wavering old man, who never knew half of his master's mind, or saw the full intention of any measure proposed by the king. Lord Falkland, Hyde, and Culpeper, who had abandoned the par-

* Clarendon, Hist. † Id.

* Whitelock, Memorials. † Whitelock.

liament, and pledged themselves to the court,* and who were, in fact, the chief directors of the royal councils (though they again scarcely knew more of Charles's mind than Nicholas), remained in London to watch the proceedings of the House of Commons, and to perform secret services of various kinds. According to Clarendon's own account, the Commons had "long detested and suspected Mr. Hyde (himself), from the time of their first remonstrance down to his framing the king's messages and answers, which they now every day received, to their intolerable vexation, yet knew not how to accuse him. But now that the Earls of Essex and Holland had discovered his being shut up with the king at Greenwich, and the Marquess of Hamilton had once before found him very early in private with the king at Windsor, at a time when the king thought all passages had been stopped; together with his being of late more absent from the House than he had used to be; and the resort of the other two every night to his lodging, satisfied them that he was the person; and they resolved to disenable him to manage that office† long." That is, the Commons now suspected not only that he was the writer of the king's declarations, &c., but that he was also engaged in conducting secret manœuvres in and about London and the parliament. Sir John Culpeper, according to the royalist historian, had as many eyes upon the Commons as they had upon him (Hyde), and an equal animosity against them; and, what was a better service to the triumvirate, Sir John "had familiarity and friendship with some persons, who, from the *second or third hand*, came to know many of the greatest designs, before they were brought upon the stage."‡ By these indirect sources of information, Culpeper learned (or so says Clarendon) that it was the intention of the Commons to send himself, Lord Falkland, and Hyde to the Tower, upon the charge of giving evil counsel to the king, and preparing those answers and messages they received from his majesty, whenever they should find them all three in the House together. And hereupon, according to the same authority, the triumvirate agreed that they would never be there altogether, and seldom two at a time; and that when they were in the House they should only listen, and speak no more than was of absolute necessity.

For now," says Clarendon, "it was grown a very difficult thing for a man who was in their disfavour to speak against what they proposed, but that they would find some exception to some word or expression: upon which, after he had been called upon to explain, he was obliged to withdraw; and then they had commonly a major part to send him to the Tower or to expel him the House, or at least to oblige him to receive a reprehension at the bar upon his knees. And so they had used Sir Ralph Hopton at that time; who, excepting to some expression that was used in a declaration prepared by a committee, and presented to the House, which he said was dishonourable to the king, they said, it was a tax upon the committee, caused him to withdraw, and committed him to the Tower; which terrified many from speaking at all, and caused more to absent themselves from the House, where too small numbers appeared any day." About the end of April, Hyde received a letter from the king, commanding him to repair to York as soon as he could be *spared from his business* in London. The historian says, that he communicated this letter to his two friends, Lord Falkland and Sir John Culpeper, who agreed with him that he should defer that journey for some time, there being every day great occasion of consulting together, and of sending dispatches to the king*—which dispatches, like nearly all the state papers, were written by Hyde, the great penman of the royalist party. "And," adds Clarendon himself, "it was happy that he did stay; for there was an occasion then fell out, in which his presence was very useful, *towards disposing the Lord Keeper Littleton to send the great seal to the king at York.*"† It appears that Charles wanted the great seal, but not the lord keeper—for Littleton had made himself very obnoxious to the court, by swimming with the strong stream of parliament. Besides other offences, he had recently voted in favour of the militia ordinance, and had learnedly insisted both on the expediency and on the legality of that measure. Clarendon, however, says, that he had always been convinced of Littleton's loyalty, and he describes him as an honourable and noble person. The historian, however, admits that Charles had reason for suspecting this loyalty of his lord keeper. He says, "From his recovery of a great sickness (which seized on him shortly after he was preferred to that great place, and which, indeed, robbed him for ever of much of that natural vigour and vivacity of mind which he had formerly enjoyed) his compliance was so great and so visible, not only in not opposing that prevalent sense of the House which was prejudicial to the king, but in concurring with it in his own vote, very much against what his friends thought was agreeable to his understanding, insomuch as the potent and popular Lords looked upon him as their own; and the king was so far unsatisfied with his carriage, that once, after his majesty's being at York, he resolved to take the great seal from him, but was

* They had all three been in very decided opposition to the court; they had all been actively concerned in the impeachment of Strafford, and they had all, it should appear, voted for his bill of attainder—certainly not one of the three had voted against it. Hyde, so much better known by his title of Lord Clarendon, had been eloquently fierce against the council of York; Lord Falkland, the idol of his party, had voted for the exclusion of the bishops from the House of Lords. In fact, up to the end of the preceding year, Hyde, Falkland, and Culpeper, were all and each of them as enthusiastic on the side of the parliament as Hampden or as Pym.

† Life. ‡ Life.

* "And it was a wonderful expedition that was then used between York and London, when gentlemen undertook the service, as enough were willing to do; insomuch as when they dispatched a letter on Saturday night, at that time of the year, about twelve at night, they always received the king's answer, Monday, by ten of the clock in the morning."—*Clarendon, Life.* According to this statement, the couriers must have ridden at the rate of twelve miles an hour at the least, an expedition which seems, in the circumstances, not merely wonderful, but incredible.

† Life.

contented to be dissuaded from that resolution, partly from the difficulty, it being probable that the attempt would not have succeeded by the interposition of the extravagant authority of the two Houses, partly that it was not easy to make choice of another fit for that trust who was like to be more faithful in it, the terror of parliament having humbled all men to a strange compliance and submission; but especially that his majesty was assured by some whom he trusted, that the affection of the Lord Littleton was very entire to his service, and his compliance only artificial to preserve himself in a capacity of serving him, *which was true.*"* The copious and magniloquent historian goes on to say, that while Littleton was playing this part, he called upon him one evening, and spoke very freely with him; which he says Littleton always encouraged him to do, as well knowing that he (Hyde) "was not without some trust with his majesty, and of much intimate friendship with some that had more." He told Littleton of the censure and hazard he incurred by his notable compliance and correspondence with "that party" which the king construed to be factious against his just regal power, and that some votes in which his lordship had concurred, and which were generally understood to be contrary to law, in which his lordship's knowledge was unquestionable, were very notorious and much spoken of.† The lord keeper then told Hyde the straits he was in—"that the governing lords had a terrible apprehension of the king's sending for the great seal; and that nothing but his fair deportment towards them, and seeming to be of their mind, prevented their taking the seal into their own custody, allowing it only to be with him whilst he sat in the House and in the court; that they had made some order to that purpose, if, by his interest with them, he had not prevented it, well knowing that it would prove most fatal to the king, who, he foresaw, must be shortly compelled to wish the great seal with him for many reasons. "Now," said he, "let it be considered whether my voting with them in such particulars, which my not voting with them cannot prevent, be of equal prejudice to the king, with the seal's being put into such a condition that the king shall never be able to get it when it is most necessary for him, which undoubtedly will be the case when, by my carriage and opposition against them, the confidence towards me shall be lessened." The end of this long conversation was, that Littleton promised to serve the king "in that article of moment," and even to go to him at York. Hyde and his compeers communicated the happy intelligence to their master, who thereupon dispatched Mr. Eliot, a forward young man and a groom of the bedchamber, with a warrant to receive the great seal, and a very kind letter to the lord keeper, requiring him to make all possible haste to York. Littleton gave up the great symbol to Eliot, who posted back to York with it; and then Littleton posted after the seal, and, though he was indisposed, and a much less active traveller than the groom of the chambers, he arrived at York the next day after that gentleman had delivered the seal to his majesty. This is Clarendon's account—or rather we should say, *one* of Clarendon's *accounts*—and, according to this narrative, he contributed mainly to the great event, by his ingenious conversation with the lord keeper. But Eliot, the active groom of the chamber, told the king a very different story, affirming that he had found the lord keeper altogether averse to the measure, that he had locked the door upon him, and had got the great seal from him only by threatening to blow out his brains. The historian says that Mr. Eliot did this, and told many stories to magnify his own service, not imagining that the lord keeper intended to follow him to York. But may we not, on the other side, suspect that Clarendon magnified *his* service in this particular, as he obviously does in many other cases? His reasoning, indeed, shows that for Eliot to have acted as he said he had done would have been hazardous and rash, but many a desperate or daring young man would have done as much, and many a timid wavering old man, like Littleton, might have been terrified with two pistols at his breast, though he had a house full of servants, or might have been induced wholly to make up his already half made up mind by this exhibition of boldness. May, an excellent authority, says, that the lord keeper had continued in all appearance firm to the parliament for some space of time after the rest were gone to York; "insomuch that there seemed no doubt at all made of his constancy; till, at the last, before the end of the month of June, a young gentleman, one Master Thomas Eliot, groom of the privy chamber to the king, was sent closely from York to him; who, being admitted by the lord keeper into his private chamber, when none else were by, so handled the matter, whether by persuasions, threats, or promises, or whatsoever, that, after three hours' time, he got the great seal into his hands, and rid post with it away to the king at York. The Lord Keeper Littleton, after serious consideration with himself what he had done, or rather suffered, and not being able to answer it to the parliament, the next day early in the morning rode after it himself, and went to the king. Great was the complaint at London against him for that action; nor did the king ever show him any great regard afterwards. The reason which the Lord Keeper Littleton gave for parting so with the great seal, to some friends of his who went after him to York, was this: that the king, when he made him lord keeper, gave him an oath in private, which he took—that, whensoever the king should send to him for the great seal, he should forthwith deliver it. This oath (as he averred to his friends) his conscience would by no means suffer him to dispense withal; he only repented (though now too late) that he accepted the office

* Hist., Oxford edition of 1826.

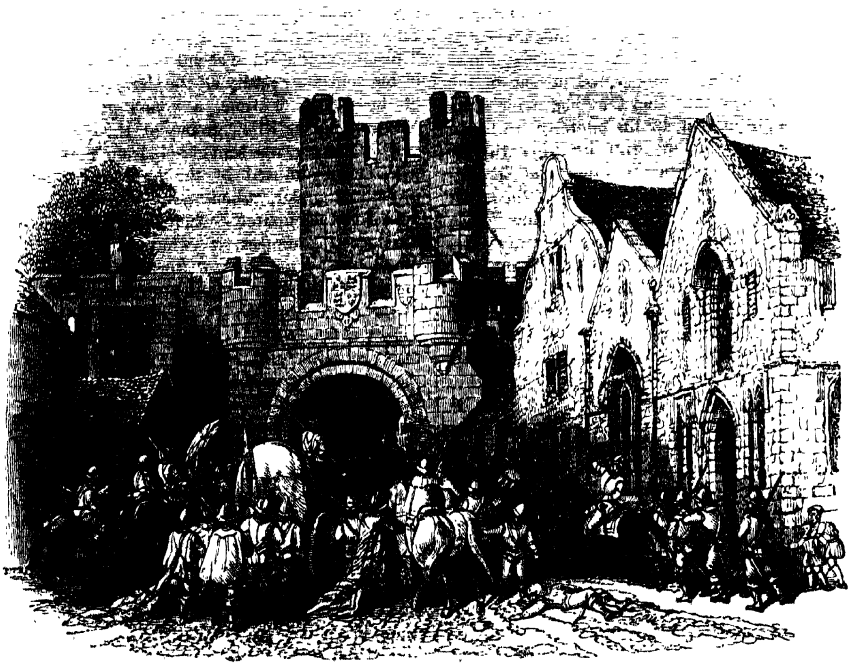
† Clarendon says, that he particularly mentioned to Littleton his late vote upon the militia.

upon those terms." Whitelock says simply, "The Lord Keeper Littleton, after his great adherence to the parliament, delivered the great seal to Mr. Eliot, whom the king sent to him for it; and shortly after Littleton followed the seal to the king, but was not much respected by him, or the courtiers." And all that is perfectly clear in this strange manœuvre, which, like most of Charles's measures, and all other manœuvres, is liable to a contrariety of doubts, is, that a groom of the chamber carried off the seal, and that the lord keeper stole out of London, and by bye-roads got to York, where he was regarded but coldly by his majesty. Clarendon says that the king was not satisfied with Littleton, protesting that he did not like his humours, and knew not what to make of him;* that his majesty would not for a long time redeliver the seal to him, but always kept it in his own bed-chamber, and that men remarked "a visible dejectedness" in the lord keeper. The historian tells us that all this gave him much trouble, as well it might, if his own story were the true one; and he takes to himself the credit of procuring better treatment for the keeper. It is quite certain, however, that Charles never placed any confidence in Littleton, that that adroit lawyer met with the usual fate of double dealers, was despised by both parties, lost all spirit and talent for business, and concluded his career about two years after at Oxford, in neglect, poverty, and mental wretchedness.

* Hist., edition of 1826.

But it was now time for Clarendon himself to steal away to York. Shortly after Littleton's departure, the king told him that he would find him much to do there, and "*that he thought now there would be less reason every day for his being concealed.*"* Before Littleton's flight, Clarendon had arranged all matters for the journey, resolving with Lord Falkland to stay at a friend's house near Oxford, a little out of the road he meant to take for York, till he should hear of the keeper's motion; and to cover his absence from the House of Commons, he had told the Speaker that it was very necessary he should take the air of the country for his health. As soon as the keeper had flown, notice was taken in the House of the absence of his friend Hyde; inquiries were made what was become of him, and it was moved that he might be sent for. The Speaker said that that gentleman had acquainted him with his going into the country to recover his health by fresh air, and that Dr. Winston, his physician, had certified that he was troubled with the stone. Mr. Peard said confidently, "that he was troubled with no other stone than the stone in his heart, and therefore he would have him sent for wherever he was; for he was most confident that he was doing them mischief wherever he was." The House, however, who probably did not consider the historian of quite so much importance as he considered himself, neglected to take any steps for his apprehension for the present; and when

Life.



YORK.

Micklebar Gate, with the arrival of a Royalist Baggage Train.

(as he says) "they had resolved upon his arrest, he was warned thereof by Lord Falkland, and judging it time for him to be gone," he then left Ditchley, the house of the Lady Lee (afterwards Countess of Rochester), and travelled by unusual ways through Leicestershire and Derbyshire, until he came to Yorkshire. At first he fixed himself at Nostall, within twenty miles of the city of York, and there lay close and secret, corresponding daily or hourly with the king, and preparing answers in his name to the papers and manifestos of the parliament. It should appear, that even the courtiers and ministers at York were kept in ignorance as to his whereabout; for he says, that, when, shortly after, he was summoned to York, the king received him very graciously, and asked some questions aloud of him, as if he thought he had then come from London. But it was thus that Charles dealt even with the instruments of his plans and intrigues, concealing from the rest what was done by one, and never imparting to the whole body the schemes in which all were to work blindly, or at least seeing nothing beyond their own fixed path. After this public reception and masking of circumstances, the king called Hyde aside into the garden, saying that they need not now be afraid of being seen together; and he walked with him in consultation for a full hour.*

Clarendon arrived in Yorkshire at the end of May; on the 2nd of June the ship "Providence," freighted by the queen in Holland, escaped the Earl of Warwick's cruisers, and ran ashore on the Yorkshire coast with sixteen pieces of artillery and great store of arms and ammunition, which had long been expected by the royal party, and the want of which had delayed the king's design of attempting Hull by a siege. The cannon, muskets, and gunpowder were all safely landed and carried to York. At this crisis the arrival of such a supply was of more consequence in the eyes of Charles than the coming of a great penman. The parliament, however, by this time began to be excited and convulsed by the great defection that was taking place, particularly among the lords. "They concluded," says May, "that no other way could have been found out to endanger the overthrow of that parliament, which many open attempts and secret conspiracies could not do: that as the ruin of England could not in probability be wrought but by itself, so the parliament could not be broken (a prologue to the other ruin) but by her own members." "Besides," says the same narrator, "there are many whose callings make them capable of easier and greater gratifications from the king than other men, as lawyers and divines, who will therefore be apt to lean that way where the preferment lies." On the 30th of May the parliament, by an order, summoned nine peers, the first that had gone away to York, to appear at Westminster. These nine peers utterly refused to quit the king, returning a slighting and scornful answer to the parliament. The Commons instantly took their resolution, and on the 15th of June sent Denzil Hollis up to the House of Lords to impeach the whole of them. In an eloquent speech Hollis dwelt upon the history of the earlier parts of this reign; showed that it had ever been the policy of the court "to strike at parliaments, keep off parliaments, break parliaments, or divide parliaments;" related the succession of designs recently entered into against parliament, the terrors of the army, the actual assault made in the Commons' House, the flame of rebellion purposely kindled in Ireland, the forces now gathered at York, the declarations, and messages, and bitter invectives against the parliament sent out in his majesty's name. "A new plot," said Hollis, "is this: the members are drawn away, and persuaded to forsake their duty, and go down to York, thereby to blemish the actions of both Houses, as done by a few and inconsiderable number, a party rather than a parliament, and perhaps to raise and set up an anti-parliament there. My lords, this is now the great design against this parliament, which is the only means to continue us to be a nation of freemen, and not of slaves, to be owners of anything: in a word, which must stand in the gap to prevent an inlet and inundation of all misery and confusion." He, then, in the name of all the Commons of England, impeached of high crimes and misdemeanors, Spencer Earl of Northampton, William Earl of Devonshire, Henry Earl of Dover, Henry Earl of Monmouth, Charles Lord Howard of Charleton, Robert Lord Rich, Charles Lord Grey of Ruthven, Thomas Lord Coventry, and Arthur Lord Capel. The lords that remained made little or no attempt to screen the lords that had fled; and, shortly after, "being in their robes," they adjudged the fugitives never to sit more as members of that House, to be utterly incapable of any benefit or privileges of parliament, and to suffer imprisonment during their pleasure. It would perplex the reader to detail all the orders and counter-orders of the king and of the parliament; all the messages and answers, manifestos and counter-manifestos; and the story will be far more intelligible if we keep to the main points of this paper-prelude to a war of bullets and pikes. On the 2nd of June the Lords and Commons sent a petition to the king with nineteen propositions, as the basis of a treaty of concord and lasting peace. They demanded that the king should dismiss all such great officers and ministers of state as were not approved of by both houses of parliament, and that an oath should be taken by all future members of the privy council; that the great affairs of the kingdom should not be transacted by the advice of private men or by any unknown or unsworn counsellors; that he or they unto whom the government and education of the king's children were committed should be approved of by both Houses; that the church government and liturgy should undergo such a re-

* Life.—It seems quite certain that Clarendon's evasion was not considered so very important a matter by the parliament. Neither Whitelock nor May thought it of weight sufficient to merit any particular notice.

formation as both houses of parliament should advise; that his majesty should contribute his best assistance for the raising of a sufficient maintenance for preaching ministers throughout the kingdom, and give his consent to laws for the taking away of innovations, superstitions, and *pluralities;* that he should rest satisfied with the course that the Lords and Commons had taken for ordering of the militia until the same should be further settled by a bill, and that he should recall his declarations and proclamations against the militia ordinance made by parliament; that such members of either house of parliament as had, during this present parliament, been put out of any place and office, might either be restored to that place and office, or otherwise have satisfaction for the same upon the petition of that House of which they were members; that all privy counsellors and judges should take an oath for the maintaining of the Petition of Right, and of other wholesome statutes made by this present parliament; that all the judges, and all the officers appointed by approbation of parliament, should hold their places during good behaviour; that the justice of parliament should be left to take its course with all delinquents, and that all persons cited by either House should appear and abide the censure of parliament; that the forts and castles of the kingdom should be put under the command and custody of such persons as his majesty should appoint, *with the approbation of parliament;* that the extraordinary guards and military forces now attending his majesty should be removed and discharged, and that for the future he should raise no such guards or extraordinary forces, but, according to the law, in case of actual rebellion or invasion; that his majesty would be pleased to enter into a closer alliance with the states of the United Provinces and other neighbouring princes and states of the Protestant religion, for the defence and maintenance of the true faith against all designs and attempts of the pope and his adherents;* that he should, by act of parliament, clear the Lord Kimbolton and the five members of the House of Commons, so that future parliaments might be secured from the consequences of that evil precedent; and that he should pass a bill for restraining peers made hereafter from sitting or voting in parliament, unless they were admitted thereunto with the consent of both houses of parliament.†

Charles, with lords about him, with arms and gunpowder, and with the prospect of more from Holland, thought himself as strong as the parliament: he received these propositions with great indignation, and, in replying to them, he taxed the parliament as cabalists and traitors, as the makers of new laws and new constitutional doctrines; and in the end he told them that their demands were unworthy of his royal descent from so many famous ancestors, unworthy of the trust reposed in him by the laws; protesting that, if he were both vanquished and a prisoner, in worse condition than any of the most unfortunate of his predecessors had ever been reduced to, he would never stoop so low as to grant those demands, and make himself, from a King of England, a Doge of Venice.

And now "the fatal time was come when those long and tedious paper-conflicts of declarations, petitions, and proclamations were turned into actual and bloody wars, and the pens seconded by drawn swords."* Charles sent out commissions of array,† beginning with Leicestershire, and enjoined or invited all men to bring him money, horses, and arms, on security of his forests and parks for the principal and eight per cent. interest. He forbade all levies without his consent, and called upon his subjects to be mindful of their oath of allegiance, and faithful to his royal person. It was now found that he had a strong party in the country: the church, the universities, the majority of the nobles, and perhaps of the country gentlemen,—the loyalty of the latter class being generally great in proportion to their distance from the court and their ignorance of court life,—rallied round him. The austerity of the puritans' manners, their gloomy doctrine, and coarse fanaticism, drove most of the gay and dissolute, and many who were gay without being dissolute, into his party, which was further strengthened by many good, virtuous, and moderate men, who disliked his former conduct, who dreaded his tyrannical disposition, but dreaded the untried democratic violence still more. Nor was Charles wanting in solemn protestations and assurances. To the lords who had gathered around him at York, and to the members of his privy council there, he made a short and comprehensive declaration. "We do declare," said he, "that we will require no obedience from you but what is warranted by the known laws, as we expect that you shall not yield to any commands not legally grounded or imposed by any other authority. We undertake to defend from all danger whatsoever all you, and all such as shall refuse any such commands, whether they proceed from votes and orders of both Houses, or in any other way. We will defend the true Protestant religion established by the laws, the lawful liberties of the subjects of England, and just privileges of all the three estates of parliament; and shall require no further obedience from you than as we accordingly shall perform the same. We will not (as is falsely pretended) engage you in any war against the parliament, except it be for our necessary defence

* In this, their seventeenth proposition, the parliament alluded to the old and now almost forgotten subject of the Palatinate; telling the king that his subjects would be much encouraged by these close Protestant alliances, and enabled in a parliamentary way to give him aid and assistance in restoring his royal sister and her princely issue to those dignities and dominions which belonged to them.

† Rushworth.

* May.

† In these commissions the king set forth the parliament's own declaration, using their very expressions,—"that, whereas it has been declared by votes of both houses of parliament, that the kingdom hath of late been, and still is, in imminent danger both from enemies abroad and a popish discontented party at home, the king concludes that, for the safeguard both of his own person and people, there is an urgent necessity of putting the country into a posture of defence, &c." "And thus," says May, "did the parliament's prologue to their ordinance of militia serve the king's turn for his commission of array, *totidem verbis.*"

against such as do insolently invade or attempt against us or our adherents." And it was upon this express declaration that those lords contracted a solemn engagement, and signed a bond to stand by him, to defend his majesty's person, crown, and dignity, with his just and legal prerogative, against all persons, parties, and powers whatsoever.*

At the same time the parliament, declaring all these measures to be against law and the national liberties, made their preparations with at least equal vigour. On the 10th of June an order was made by both Houses for bringing in money and plate to maintain horse, horsemen, and arms, for the preservation of the public peace, *and defence of the king's person;* for the parliament, down to the appointment of Oliver Cromwell to the chief command, always joined this expression with that of their own safety. The two Houses engaged the public faith, that whosoever should bring in any money or plate, or furnish men or arms, should be repaid with eight per cent. interest; and they appointed four treasurers, Sir John Wollaston, alderman of London, Alderman Towes, Alderman Warner, and Alderman Andrewes, to grant receipts to the lenders, and certain commissaries to value the horses and arms which should be furnished for the national service. All men living within eighty miles of the capital were invited to bring in their money, &c., within a fortnight. Those living farther off were allowed three weeks; and those who, for the present, were not provided with ready money, arms, or horses, were requested to set down what they would provide when able. Forthwith a great mass of money was heaped up in Guildhall, and daily increased by the free contributions of the people. The poor contributed with the rich. "Not only the wealthiest citizens and gentlemen who were near-dwellers brought in their large bags and goblets, but the poorer sort, like that widow in the gospel, presented their mites also; insomuch that it was a common jeer of men disaffected to the cause, to call this the thimble and bodkin army."†

Charles wrote a letter to the lord mayor of London, the aldermen and sheriffs, forbidding these contributions, and inveighing bitterly against the parliament. This letter was wholly without effect, as was an attempt made at the same time to win over the fleet. Clarendon says that this latter scheme only failed through a mistake or blunder of the king's agents; but it appears evident that the cause of its failure really was the devotion of the captains and seamen to the popular cause. The Earl of Warwick, a great lover of the sea-service and highly popular as a commander, called a council of war, and laid before his officers both the ordinance of parliament which appointed him to the command, and the letters of the king which required him to surrender that command to Sir John Pennington. With the exception of five, all the sea-captains agreed with the earl that at this crisis the orders of the two Houses were more binding than those of the sovereign, and that the fleet could not be put into the hands of Pennington without the greatest peril to the nation's liberties. The five dissenters, the Rear-Admiral, Captain Fogge, Captain Baily, Captain Slingsby, and Captain Wake, put their ships in order of battle, with the intention of resisting the earl; but Warwick presently surrounded them and summoned them to surrender. Three of them instantly submitted, but Slingsby and Wake stood out stoutly. The earl then let fly a gun over them, and, turning up the hour-glass, sent his own boat, with most of the boats of the fleet, to let them know their danger if they did not come in before the sand was run out. Slingsby and Wake were so insolent in their answer, that the officers and sailors sent in the boats lost their patience; and, although they had no arms, they fell upon them on their own quarter-decks, pinioned them, struck their yards and topmasts, and carried them on board to the lord-admiral, who had all his guns shotted, and every thing ready to open his fire upon their ships. A few days after this most important transaction a great and strong ship of the king's, called the Lion, carrying forty-two great brass guns, and a smaller vessel, a tender laden with gunpowder, were driven out of their course, which was from Holland to Yorkshire, and obliged by stress of weather to put into the Downs, where Warwick was lying with his fleet. Captain Fox, of the Lion, saluted the lord admiral, who presently acquainted him with the ordinance of parliament. The captain at first refused to yield, but he was presently clapped in hold, and his officers and men submitted, and struck their topmasts in token of obedience to parliament. Prince Rupert ran a narrow chance of having his career stopped in the beginning; for he, with the Prince Maurice and several other officers raised by the queen in Holland, had embarked on board the Lion, but had landed again after a storm and the disheartening pangs of sea-sickness.

On the 12th of July, the parliament, thus masters of the navy, voted that an army should be raised for the safety of the king's person and defence of the country and parliament; that the Earl of Essex should be captain-general of this army, and the Earl of Bedford general of the horse. They appointed a committee of both Houses to assist the Earl of Essex, and to nominate colonels, field officers, and captains to this army, "which, considering the long peace that had prevailed in England, and the unprovided state of the country in respect of military stores, was not only raised, but also well armed, in a short time." Many of the lords, who still sat in the House at Westmin-

* These are the names of those who subscribed:—The Lord Keeper Littleton, Duke of Richmond, Marquess of Hertford; Earls of Lindsay, Cumberland, Huntingdon, Bath, Southampton, Dorset, Salisbury, Northampton, Devonshire, Bristol, Westmoreland, Berkshire, Monmouth, Rivers, Newcastle, Dover, Caernarvon, Newport; Lords Mowbray and Maltrevers, Willoughby of Eresby, Rich, Charles Howard of Charleton, Newark, Paget, Chandois, Falconbridge, Paulet, Lovelace, Coventry, Savile, Mohun, Dunsmore, Seymour, Grey of Ruthven, Falkland, the Comptroller, Secretary Nicholas, Sir John Culpeper, Lord Chief Justice Banks.

† May.

ster, took commissions as colonels under Essex, and many gentlemen of the House of Commons, of greatest rank and quality there, entered the service, some in the cavalry, some in the common foot regiments. Among these latter were Sir John Merrick, the Lord Grey of Groby, Denzil Hollis, Sir Philip Stapleton, Bulstrode Whitelock, Sir William Waller, and the excellent Hampden, who took a colonel's commission, and went into Buckinghamshire to raise a regiment of infantry among his own tenants and servants, friends, and neighbours. Hampden's regiment was known by its excellent appointments, its green uniform, and its standard, which bore on one side the watchword of the parliament, "God with us," and on the other the patriot's own motto, "*Vestigia nulla retrorsum.*" This high-minded commoner, who had been bred up in wealth and in peace, and who had studied the art of war only in books, presently became one of the best officers in the parliamentary service, and he made his regiment one of the very best. He made himself thoroughly master of his military duties, and, according to Clarendon, he performed them upon all occasions most punctually. He became as conspicuous in the roar and heat of battle as on the drill ground or exercising field, and he exposed his person in every action. "He was," says Clarendon, "of a personal courage equal to his best parts; so that he was an enemy not to be wished wherever he might have been a friend, and as much to be apprehended where he was so as any man could deserve to be."

Meanwhile the king was moving about from place to place to gather forces and draw over the people. His commission of array and the parliament's ordinance of militia were jostling together in nearly every county in England; the greatest of the nobility upon both sides coming forward personally to seize upon those places which they were appointed to look after either by the king or by the parliament. The one party held the ordinances to be illegal, the other denounced the royal proclamations. Yet in some counties there was no struggle at all, but one party wholly prevailed from the beginning. Generally speaking, the more commercial, more civilized and thriving districts were for the parliament, the more remote, the less prosperous, and less civilized, were for the king; but this general rule had its exceptions. In Lincolnshire the Lord Willoughby of Parham, who was appointed lord-lieutenant by the parliament, raised the militia with great vigour and success, and was foremost in securing the services of that portion of the army. In Essex the Earl of Warwick, whose care was not confined to the navy, but who had been also appointed lord-lieutenant, soon completed the levy of militia, which was increased by volunteers in unusual numbers. In Kent there was cheerful obedience shown to the ordinance of parliament. In Surrey and Middlesex the militia was raised with enthusiasm. The eastern part of Sussex, or all that portion which lay upon the sea, was firm to the parliament, but the western part of that county stood for the king under some lords and members who had deserted the parliament. The eastern counties of Suffolk, Norfolk, and Cambridge were kept quiet from the beginning, chiefly through the great wisdom and indefatigable industry of Oliver Cromwell, who had taken out a commission as colonel of horse. There, too, many of the gentry rather inclined in their affections to the king's commission of array, but the traders, the freeholders, and the yeomen in general liked the ordinance, and the militia they raised was too strong to permit the other party to engage in a war; those gentlemen that attempted to raise men or provide arms for the king were crushed at the beginning, and from first to last one of the greatest supports of the parliamentary cause was found in the county of Cromwell's birth. In Berkshire the Earl of Holland, the parliament's lord-lieutenant, raised the militia, in spite of the faint resistance of the Earl of Berkshire, the Lord Lovelace, and others. Hampden fell upon the Earl of Berkshire soon after, made him prisoner while engaged in an attempt to seize the magazine of arms, ammunition, &c., gathered at Watlington, in Oxfordshire, and sent him up to the parliament. Buckinghamshire, Hampden's county, was true almost to a man to the parliament. The county of Southampton was divided at first, and long continued to be so. Colonel Goring, who had disclosed in the House of Commons the conspiracy for bringing up the northern army the year before, and who had been most unwisely trusted and employed by the parliament, seized an early opportunity of making a bargain with Charles; and at the critical moment he declared that he should hold Portsmouth, its fortifications, arsenals, &c., for the king, having previously received a large sum of money from the parliament to put the fortifications into a better state of repair. But the parliament arrested the Earl of Portland, Goring's friend, and governor of the Isle of Wight, and committed the care of that island to the Earl of Pembroke, who had settled the militia in Wiltshire with little trouble. In Warwickshire the Earl of Northampton stood for the king, and the Lord Brooke for the parliament, with forces and party affections nearly equal. In Staffordshire and Nottinghamshire there was a similar equality. In Leicestershire men ranged themselves under the banners of the House of Huntingdon for the king, or under the Earl of Stamford for the parliament. In Derbyshire, where many great lords and gentlemen dwelt, not one of note stood for the parliament, except Sir John Gell and his brother. Farther north the king's party was very prevalent: the Earl of Newcastle kept the town of Newcastle with a strong garrison for the king; and the Earl of Cumberland, Charles's lord-lieutenant of Yorkshire, actively pressed the commission of array, although resisted by the Lord Fairfax and other parliamentarians. In Lancashire the Lord Strange, son to the Earl of Derby, whom Charles had ap-

pointed lord-lieutenant of Lancashire and Cheshire, endeavoured to put in action the commission of array, while Sir Thomas Stanley, the Egertons, and others, urged forward the ordinance. On the 15th of July, Lord Strange made an attempt to gain Manchester; a skirmish ensued, and one man was slain, "which," says May, "was the first blood shed in these civil wars." Some time after Strange returned to Manchester with three thousand men, but he was beaten off, and that time with considerable loss. Nor was he more successful in Cheshire, where Charles had joined in commission with him the Roman Catholic Earl of Rivers. It was in Lancashire and Cheshire that the papists were most numerous: in the first they kept quiet, in Cheshire they were disarmed by the parliamentarians. In the west of England, especially in the extreme west, the king's party was numerous. Charles, in his commission of array, appointed the Marquess of Hertford to be lord-lieutenant-general of Cornwall, Devonshire, Somersetshire, Wiltshire, Gloucester, Dorsetshire, Southampton, Berkshire, Oxfordshire, Herefordshire, and seven counties within the principality of Wales. The holder of this high command was opposed by most of the burghers of considerable towns, but he was assisted by the Lord Paulet, Sir Ralph Hopton, Sir Richard Slany, Sir Bevil Grenville, the Earl of Bath, and other lords and squires too numerous to recount. The most considerable skirmish that occurred before Charles's raising his standard, was in Somersetshire, where the Marquess of Hertford was opposed by the deputy lieutenants of the county, and where ten men were slain and many wounded.*

About the end of July the parliament had sent a commission to the king, who was then at Beverley, to entreat him to forbear his hostile preparations and dismiss his garrisons. His reply was, that they ought to lay down their arms first, and he ordered this answer, which contained many bitter reflections on their proceedings, to be read in all churches. They replied, ordering their answer to be read in churches and every where else. A few days after, Charles published a declaration to all his loving subjects concerning the proceedings of this present parliament. This paper occupied fifty large and close quarto pages of print; it contained a kind of history of all that had passed between him and the Houses, vowed a wonderful love to parliaments, but required that the Lord Kimbolton and the five members of the House of Commons before accused, and two other members, Mr. Henry Martin and Sir Henry Ludlow, should be given up to the king's justice. Charles also desired to have delivered up to him Alderman Pennington, the new lord mayor of London,† and Captain Venn, an officer of the city train-bands, and he required that indictments of high treason should be drawn against the Earls of Essex, Warwick, and Stamford, the Lord Brooke, Sir John Hotham, and Serjeant Major-General Skippon, as likewise against all those who should dare to raise the militia by virtue of the ordinance of parliament. The royal pen was, indeed, "very quick upon all occasions;" and the day after the publication of this long declaration, Charles sent a message upbraiding both Houses for borrowing a sum for their present uses out of a loan made by adventurers for reducing Ireland, and affirming that *they* were the cause of prolonging the bloody rebellion in that country. This was turning upon parliament one of the heaviest accusations they had made against the king. They replied vehemently, and yet circumstantially, calling to remembrance the many particulars of their care for the relief of Ireland, and the many instances in which the king had hindered it. They told the king that, but for his leaving his parliament and making war upon it, a million of money might have been raised at this time by the adventure of private men; that when, at the sole charge of the adventurers, 5000 foot and 500 horse were designed for the relief of Munster, and nothing wanted but a commission to the General Lord Wharton, he had refused that commission, by reason whereof Limerick was lost, and the province of Munster left in great distress; that he had purposely delayed the sailing of twelve ships and six pinnaces, with a thousand land forces, for the service of Ireland; that he had stopped artillery, ammunition, horses, baggage-waggons, clothes, and equipments, intended by parliament for the poor Protestant soldiers in Ireland; that he had treated with and received petitions from those confident rebels, who had presumed very lately to call themselves his majesty's Catholic subjects of Ireland, to complain of the Puritan parliament of England, and to desire that, since his majesty could not go over to them according to their expectation, they might be permitted to come over into England to his majesty.*

Charles flatttered himself that, if he could only obtain possession of Hull, he might soon be undisputed master of all the north. A secret correspondence was opened with Sir John Hotham, who so far departed from his former line of conduct, as to allow the royalists to entertain hopes that he would betray the parliament and deliver up that important city. The king posted Lord Lindsay at Beverley with 3000 foot and 1000 horse, to carry the place by siege, if Hotham should not keep his engagement; and in the meantime he himself visited other points; "and, within three weeks, both in his own person and by his messengers, with speeches, proclamations, and declarations, he advanced his business in a wonderful manner. At Newark he made a speech to the gentry of Nottinghamshire in a loving and winning way, commending their affections towards

* May.—Rushworth.—Whitelock.—Ludlow.

† Sir Richard Gurney, the late lord mayor of London, was at this time a prisoner in the Tower, to which he had been committed by the parliament, for being a mover of sedition in the kingdom, in causing the king's proclamation concerning the commission of array to be cried in the city. He was put from his mayoralty, declared incapable of ever bearing any office in city or commonwealth, and sentenced to imprisonment during the pleasure of both Houses.

* May.—Rushworth.

him; which was a great part of persuasion for the future, coming from a king himself. Another speech he made at Lincoln to the gentry of that county, full of protestations concerning his good intentions, not only to them, but to the whole kingdom, the laws and liberties of it."* From Lincoln Charles went to Leicester, where the Earl of Stamford was executing the parliament's ordinance of the militia. He hoped to take the earl in the fact, but that nobleman fell back upon Northampton, whither Charles durst not follow him; for Northampton was a town so true to the parliament, that it would have shut its gates against the king, as Hull had done. The king, however, seized that noted victim of Laud's barbarity, Dr. Bastwick, who had taken a commission under the Earl of Stamford, and remained doing his duty in levying men when his general beat a retreat. Charles would have had him instantly indicted of high treason at the assizes then sitting, but the judge entreated his majesty not to put a matter of so great moment upon one single judge, but to cause the law in that case to be declared by all the twelve Judges. The latter course he said might do his majesty good, whereas the publishing of *his* particular opinion could only destroy himself, and nothing advance his majesty's service. This judge also expressed his doubts whether any jury suddenly summoned at that moment would have courage to find the bill; and upon this suggestion Charles gave up the idea of hanging, drawing, and quartering the doctor, who had already been scourged, pilloried, mutilated, and branded by Laud. There is a great deal in this little transaction to show that the character of the king had undergone no change. The night before his leaving Leicester, the judge and the gentlemen of the county, including even those that were most loyal, waited upon him with a request that he would liberate the prisoner, or suffer the judge to do so upon his *habeas corpus*. Charles told them "he would think of it till the next morning;" and in the meanwhile he directed a messenger of the chamber very early, with such assistance as the sheriff should give, to carry Bastwick away to Nottingham; and by the help of the sheriff there to the gaol at York: all which was executed accordingly with expedition and secrecy, for fear of a rescue.†

Returning to Beverley, Charles received a letter from Lord Digby, who had returned from the continent in disguise, and smuggled himself into Hull, where he had voluntarily discovered himself to the governor for the purpose of tampering with him. But now Digby, the daring and restless head of the queen's faction, informed Charles that he found Hotham much shaken in his resolution of delivering Hull—seeing, as Sir John said, that his officers were of a temper not to be relied upon, and his own son, the younger Hotham, was grown jealous of some design, and was counter-working it. Presently after this information, the king's army, not confident of carrying the town by open force, and no longer counting on the treachery of the governor, had recourse to another plot; and, knowing some men within the walls fit for their purpose, they arranged that Hull should be set on fire in four several places, and that, while the parliament soldiers and inhabitants were busied in quenching the flames, 2000 men should assault the walls. The signal to those within the town was to be a fire lit in the night on Beverley Minster; but the plot was discovered by one of the instruments, and it so provoked the townsmen of Hull, that the walls could not contain them; but 500 of them, conducted by Sir John Meldrum, made a sortie, and fell fiercely upon the beleaguerers. The king's soldiers seemed inclined to fight bravely, but the train-bands of that county were not forward to be engaged against their neighbours, and horse and foot fled as fast as they could to Beverley. Sir John Meldrum followed in their wake, killed two, took thirty prisoners, and carried some important magazines which the king had placed between Beverley and Hull, where again the train-bands and other Yorkshiremen, bearing no great affection to that war, ran away and left their arms behind them. The king now called a council of war, wherein it was resolved to break up the siege of Hull and march away. Meldrum, that fiery Scot, got back to Hull with a good prize in ammunition and arms; but the elder Hotham, who was still wavering, and who evidently wished to keep well with both parties, safely dismissed to the king the Lord Digby and that other active servant of royalty, John Ashburnham.* Charles dismissed the train-bands, and returned to York, in much less credit than when he came from thence. But his spirits were revived by the news "that so notable a place as Portsmouth had declared for him, . . . and that so good an officer as Goring was returned to his duty, and in possession of that town." Clarendon adds, that the king was not surprised at this matter;—it would have been strange if he had, seeing that he had been for some time in correspondence with Colonel Goring. Hereupon he published a declaration in which he recapitulated all the insolent and rebellious actions of the two Houses, forbidding all his subjects to yield any obedience to what was no longer a parliament, but a cabal and faction. And at the same time he issued his proclamation requiring all men that could bear arms to repair to him at Nottingham by the 25th of August.

"According to the proclamation," proceeds the noble historian, "upon the 25th day of August, the standard was erected about six of the clock in the evening of a very stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill, Varney, the knight-marshal, who was standard-bearer, carrying the standard, which was then erected in that place with little other ceremony than the sound of drums and trumpets. Melancholy men observed many ill presages about

* May. † Clarendon, Hist.

* May.—Rushworth.—Clarendon.—Warwick.

that time. There was not one regiment of foot yet brought thither, so that the trained bands which the sheriff had drawn together were all the strength the king had for his person and the guard of the standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town. The standard was blown down the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the melancholy state of the king's affairs when the standard was set up."*

The king's dejection of spirits was increased by the failure of an attempt which he had made two or three days before upon the town of Coventry. Learning that Hampden's regiment and some other corps of parliamentarians were marching, by order of the Earl of Essex, to garrison Coventry, he had struck aside in that direction at the head of his cavalry, amounting to about 800 men, not doubting that he should secure the town, provided only he could arrive before the parliamentarian foot. But the people of Coventry, like those of most manufacturing places, loved their parliament and their puritan preachers; and, though he did arrive first, the gates were shut in his face and some shots fired from the walls, by which some of his attendants were wounded. He had then retired to Stoncleigh, near Warwick, to pass the night there; and in the morning he had seen his horse in an open plain decline giving combat to Hampden's foot, and retreat before them without making a single charge for the honour of arms. Discouraged, hopeless, and wavering, the royalists at Nottingham proposed the king's immediate return to York, conceiving that not even his person was secure at Nottingham, as Essex was concentrating his forces at Northampton, where in fact that earl soon saw himself surrounded by an army of 15,000 men, composed of substantial yeomen and industrious burghers, the inhabitants of trading and manufacturing towns.* Charles would not hear of this retreat; and when some of his council urged the expediency of making overtures for an accommodation with his parliament, he was so offended at the advice, that he declared he would never yield to it, and hastily broke up the council, that it might be no longer urged. The next day, however, the king yielded to the earnestness of the Earl of Southampton, who suggested to his majesty that if the parliament should refuse to treat, as it was thought they would, they would render themselves odious to the people, and thus dispose men to serve the king. It was upon this plea that Charles reluctantly agreed to send the Earls of Southampton and Dorset and Sir John Culpeper to London on the third day after raising the standard at Nottingham. Culpeper was very obnoxious in the capital, for he was one of those who were considered as renegades; but all three of the king's messengers were watched very suspiciously, and all the answer they

* Clarendon, Hist.—Rushworth says that the standard was raised, not on the twenty-fifth of August, but on the *twenty-second*. His account differs in other essentials:—"Monday being the 22nd of August, in the morning his majesty left his forces before Coventry, and with some lords, and others in company, rode to Leicester, where he dined that day at the Abbey, the Countess of Devonshire's house. Presently after dinner the king again took horse, and with his company rode to Nottingham, where was great preparation for the setting up of the standard that day, as was formerly appointed. Not long after the king's coming to town, the standard was taken out of the castle, and carried into the field a little on the backside of the castle wall. The likeness of the standard was much of the fashion of the city streamers used at the lord mayor's show, having about twenty supporters, and was carried after the same way; on the top of it hangs a flag, the king's arms quartered, with a hand pointing to the crown, which stands above with this motto—*Give Cæsar his due*. The names of those knights-baronets who were appointed to bear the standard, namely the chief of them, were Sir Thomas Brooks, Sir Arthur Hopton, Sir Francis Wortley, and Sir Robert Dadington. Likewise there were three troops of horse to wait upon the standard, and to bear the same backward and forward, with about 600 foot soldiers. It was conducted to the field in great state, his majesty, the prince, Prince Rupert (whom his majesty had lately made Knight of the Garter), going along with it, with divers other lords and gentlemen of his majesty's train, besides a great company of horse and foot, in all to the number of about 2000. So soon as the standard was set up, and his majesty and the other lords placed about it, a herald-at-arms made ready to publish a proclamation, declaring the ground and cause of his majesty's setting up of his standard, namely, to suppress the rebellion of the Earl of Essex, in raising forces against him, to which he required the aid and assistance of all his loving subjects; but, before the trumpeters could sound to make proclamation, his majesty called to view the said proclamation, which, being given him, he privately read the same over to himself, and seeming to dislike some passages therein, called for pen and ink, and with his own hand crossed out and altered the same in some places, and then gave it the herald, who proclaimed the same to the people, though with some difficulty, after his majesty's corrections: after the reading whereof, the whole multitude threw up their hats, and cried God save the King, with other such like expressions. Not long after the reading of the said proclamation, it being towards night, the standard was taken down, and again carried into the castle with the like state as it was brought into the field; and the next day it was set up again, and his majesty came along with it, and made proclamation as the day before; and the like was also done on Wednesday, his majesty being also present; but after that it was set up with less ceremony."

* The instructions given by parliament to the Earl of Essex contained the following clauses:—

"1. You shall carefully restrain all impieties, prophaneness, and disorders, violence, insolence, and plundering in your soldiers, as well by strict and severe punishment of such offences, as by all other means which you in your wisdom shall think fit.

"2. Your lordship is to march with such forces as you think fit towards the army raised in his majesty's name against the parliament and kingdom. And you shall use your utmost endeavours, by battle or otherwise, to rescue his majesty's person, and the persons of the prince and the Duke of York, out of the hands of those desperate persons who are now about them.

"3. You shall take an opportunity, in some safe and honourable way, to cause the petition of both houses of parliament, herewith sent unto you, to be presented unto his majesty; and if his majesty shall thereupon please to withdraw himself from the forces now about him, and to resort to the parliament, you shall cause all those forces to disband, and shall serve and defend his majesty with a sufficient strength in his return.

"4. You shall publish and declare that, if any who have been so seduced by the false aspersions cast upon the proceedings of the parliament as to assist the king in the acting of those dangerous counsels, shall willingly, within ten days after such publication in the army, return to their duty, not doing any hostile act within the time limited, and join themselves with the parliament in defence of religion, his majesty's person, the liberties and laws of the kingdom, and privileges of parliament, with their persons and estates, as the members of both Houses and the rest of the kingdom have done, that the Lords and Commons will be ready upon their submission to receive such persons in such manner as they shall have cause to acknowledge they have been used with clemency and favour; provided that this shall not extend to admit any man into either house of parliament who stands suspended, without giving satisfaction to the House whereof he shall be a member; and except all persons who stand impeached in parliament of treason as have been eminent persons and chief actors in those treasons; and except the Earl of Bristol, the Earl of Cumberland, the Earl of Newcastle, the Earl Rivers, Secretary Nicholas, Mr. Endymion Porter, Mr. Edward Hyde (Clarendon), the Duke of Richmond, the Earl of Caernarvon, the Lord Viscount Newark, the Lord Viscount Falkland, one of the principal secretaries of state to his majesty.

"7. You shall carefully protect all his majesty's loving subjects from rapine and violence by any of the cavaliers or other soldiers of his majesty's pretended army, or by any of the soldiers of the army which you command; and you shall cause the arms and goods of any person to be restored to them from whom they have been unjustly taken."

PRINCE RUPERT'S HOUSE, BARBICAN. As it appeared before it recent demolition.

could get was, that the parliament would enter upon no negotiations whatever until the king should have taken down his standard, and called in those proclamations by which he had declared the Earl of Essex and his adherents to be traitors, and had put the two Houses out of his protection, proclaiming their actions to be treasonable. Another message was sent from the king to the two Houses: but, on every ground, it was now hopeless to think of a peaceful arrangement; and Charles's nephew, Prince Rupert, who had at last arrived in England, insulted all the royalists that still ventured to recommend pacific measures. This rash young man, who was instantly appointed to the highest command, so excited some of the principal officers with indignation at the thought of the overture recently made to parliament, that they were well nigh offering personal violence to the members of the council who had recommended that measure. Rupert, whom the English people soon learned to call Prince Robber, was accompanied by his younger brother Prince Maurice, and both "showed themselves very forward and active . . . and if more hot and furious than the tender beginnings of a civil war would seem to require, it may be imputed to the fervour of their youth, and great desire which they had to ingratiate themselves to the king; upon whom, as being no more than soldiers of fortune, their hopes of advancement wholly depended."* Prince Rupert, the elder brother, and the more furious of the two, within a fortnight after his arrival at Nottingham took the command of a small party and scoured through divers counties, hoping to roll himself, like a snow-ball, into a larger bulk, by the accession of recruits. He flew rather than marched through parts of Nottinghamshire, Warwickshire, Leicestershire, Worcestershire, and Cheshire, not so much inviting the people by fair promises and kind demeanour, as compelling them by extreme rigour to take his side. "Many towns and villages he plundered, which is to say robbed (for at that time first was the word *plunder* used in England, being born in Germany, when that stately country was so miserably wasted and pillaged by foreign armies), and committed other outrages upon those who stood affected to the parliament, executing some, and hanging up servants at their masters' doors for not discovering of their masters."*

Charles vainly loitered at Nottingham, few or none joining his standard, or seeming likely to do so, when Essex was at hand with such a superior force. About the middle of September he began to move towards the West of England, where the Marquess of Hertford engaged to do great things, and where several regiments were actually raised for his service. Essex had tendered to him the parliament's petition, praying for his return to his capital, and for the disbanding of his army; but

* May.

* May.

Charles had refused to receive what he termed the insulting message of a set of traitors. On his march westward the king did not act like the fierce Rupert, but in a gentler and calmer way. "Professions of love, persuasions, and protestations of his affection to his people, were the chief instruments which he used to raise himself a strength, with complaints against the proceedings and actions of the parliament."* Between Stafford and Wellington he halted his troops, and, having caused his orders of the day to be read at the head of each corps, he advanced to the front, and told the men, for their comfort, that they should meet no enemies but traitors, most of them Brownists, Anabaptists, or Atheists, who would destroy both church and commonwealth. He then made one of his solemn protestations, imprecating the vengeance of heaven upon himself and his posterity if his intentions were not solely for the maintenance of the true reformed Protestant religion established in the church of England, the laws and liberties of the kingdom, and the just privileges of parliament. He had already, at York, issued a proclamation against papists, forbidding the resort of any men of that religion to his camp; and yet at this moment he was surrounded by Catholics, and on his way to meet many more. His protestation and declaration only tended, therefore, to confirm his reputation for habitual falsehood and duplicity; but at the same time we cannot pass without reprobation the religious intolerance of the parliament and the great mass of the nation, which seemed in Charles's eyes to render this double course necessary. In the end he told his troops that they were already condemned to ruin for being loyal to him; that, after what they had heard, they must believe they could not fight in a better quarrel, in which he promised to live and die with them.† Clarendon intimates that this conduct, and addresses of this kind, had a wonderful effect in increasing the king's party; but Charles could not always adhere to the line of mildness and persuasion. In part of his march he courteously summoned the county train-bands to attend him and guard his royal person; and, when they were met, he expressed doubts of their loyalty, forcibly disarmed them, gave their arms to others, and sent them away. Besides, he levied contributions, or, to use the quaint language of a contemporary, "he got good sums of money, which, not without some constraint, he borrowed from them." On the 20th of September he reached Shrewsbury, where he was cordially received. There he made a very courteous speech to the gentlemen, freeholders, and other inhabitants of the county, telling them that he had sent for a new mint,—that he would melt down all his plate, and offer all his lands to sale or mortgage, in order to press the less severely upon them for the support of his army. He implored them, however, not to suffer so good a cause to be lost for want of supplying him with that which would be taken from them by those who were pursuing him with such violence. "And," continued Charles, "whilst these ill men sacrifice their money, plate, and utmost industry to destroy the commonwealth, be you no less liberal to preserve it, assuring yourselves, if it please God to bless me with success, I shall remember your assistance." With fresh protestations on his lips that he would never suffer an army of papists to be raised, he wrote away to the Earl of Newcastle in the North, bidding him raise as many men as he could without any regard to their religion;* and at this moment, or a little later, he sent over to Ireland for Anglo-Irish troops, or for troops of native Catholics. Considerable quantities of plate were brought in, both voluntarily and by force; and a mint having been erected, money was struck with great rapidity. The Catholics of Shropshire and Staffordshire advanced the king 5000*l.* in cash; a country gentleman paid him 6000*l.* for the title of baron; and a few sums were secretly remitted by his partisans in London. And, presently, a royal lord had to report that Charles was very averse to peace; that it was conceived that he had taken a resolution not to do anything in that way till the queen should come; and that people's advising the king to agree with the parliament was the occasion of the queen's return, an event which was now daily looked for. The same noble writer also affirmed that the discontent which he and other men received from those about the king was great beyond expression—that, if the king and the papists should prevail, the country would be in a sad condition.†

In the meantime the Earl of Essex, having secured the country round Northampton, put a good garrison into Coventry, and taking possession of Warwick, struck off to the west, in order to throw himself between the king and the capital, and get possession of the important city of Worcester. Prince Rupert and a detachment of the parliamentarians had a struggle for the possession of Worcester, before Essex, whose movements were generally slow and formal, could come up. Colonel Sandys, a gallant officer, fell in charging Rupert up a narrow lane, but, in the end, the Prince was driven from the town and across the bridge, leaving twenty dead, and thirty prisoners behind him. Essex appeared almost immediately after this fight, and took an assured possession of Worcester; Prince Rupert rode back to the king. For three weeks Essex lay at Worcester

* May. † Rushworth.—May.

* This is the king's letter:—

"Newcastle,

"This is to tell you that this rebellion is grown to that height that I must not look what opinion men are who at this time are willing and able to serve me. Therefore I do not only permit, but command you, to make use of all my loving subjects' services without examining their consciences (more than their loyalty to me), as you shall find most to conduce to the upholding of my just regal power.

"Your most assured faithful friend,

"Charles R.

"Shrewsbury, 23rd September, 1642."

(Sir Henry Ellis, iii. 291.)

† Letter from Robert Lord Spencer to his lady (the Saccharissa of Waller), dated Shrewsbury, 21st of September, in Sydney Papers.

doing nothing.* Encouraged by this strange inaction, and by his own great accession of men, arms, and money, Charles quitted Shrewsbury on the 20th of October, with the intention of turning Essex's army, and marching straight upon London by Wolverhampton, Birmingham, and Kenilworth. Essex, it appears, was wholly ignorant of his movements till the king had got behind him; but he then followed with some alacrity, and entered the village of Keinton, in Warwickshire, on the 22nd, the same evening that the royalists halted at Edgehill, a very little in advance. Charles, by the advice of a council of war, resolved to turn round and face his pursuers, who, in their late and sudden movement, had left whole regiments behind them. The night passed tranquilly. On the following morning, Sunday, the 23rd of October, when Essex looked towards Edgehill, he saw that the royalists had not retreated, but were there drawn up in order of battle. He presently arranged his own forces, placing the best of his field-pieces upon his right wing, guarded by two regiments of foot and some horse. But the parliamentarians liked not to charge the royalists up hill, and the royalists seemed determined not to quit their advantageous position. It might well be, too, that other considerations, apart from merely military ones, imposed a long and solemn pause. Many generations of men had gone peacefully to their graves since the last day on which Englishmen had stood opposed to Englishmen on the battle-field; and, from the spirit that animated either party, both must have known that, begin when it would, this would be a bloody conflict. It is also said by one of the royalists, that the king had given orders not to begin, nor engage in any way until the enemy should first have shot their cannon at him;† and it is very probable that Essex had an equal reluctance to fire the first shot. But whatever were the causes of the delay, it is certain that the two armies spent many hours in gazing at each other—long hours, infinitely more trying than the heat and hurry of actual combat to the spirits of men, particularly to men newly, and for the far greater part for the first time in their lives, under arms. Charles was on the field in complete armour, wearing a black velvet mantle, with the star and George, and he addressed an encouraging speech to his soldiers. He had retained to himself the title of generalissimo, naming the Earl of Lindsay, a brave and experienced old soldier, who in former times had been the comrade of Essex in the foreign wars, chief general under him: but Lindsay, disgusted with the petulance and impertinence of Prince Rupert, regarded himself as only a nominal chief, and took his place, pike in hand, at the head of his own regiment. Sir Jacob Astley was major-general under the Earl of Lindsay. Prince Rupert commanded the right wing of the horse, and Lord Wilmot the left, and two reserves of horse were commanded, the one by Lord Digby, and the other by Sir John Byron. The royalists exceeded the parliamentarians in total number and in horse, but Essex had the better train of artillery. Pike in hand, Essex advanced into the broad plain at foot of Edgehill, called the Vale of the Red Horse—"a name," says May, "suitable to the colour which that day was to bestow upon it—for *there* happened the greatest part of the encounter." Sir John Meldrum's brigade was posted in the van, three regiments of horse were on the right wing, commanded by Sir Philip Stapleton and Sir William Balfour. The left wing, consisting of about twenty troops of horse, was commanded by Sir James Ramsay; the foot were considerably behind the cavalry, and the centre was occupied by Colonel Essex's regiment; in the rear were Lord Broke and Denzil Hollis, who were flanked by two reserves of horse. At last, about two o'clock in the afternoon, the Earl of Essex commanded his artillery to fire upon the enemy, and, according to Ludlow, this was done twice upon that part of the army wherein the king was reported to be. The royalists presently replied with their cannon, and "the great shot was exchanged for the space of an hour or thereabout." Then the royalists began to descend the hill, and their main body of foot, surrounding the king's standard, advanced within musket-shot. The parliamentarians made a charge to break them and seize the standard, but they were repulsed with some loss by their pikes. Then Prince Rupert with his cavalry charged the left wing of the parliamentarians, broke it, and pursued it like a madman, as far as the village of Keinton, where his men took to plundering, instead of thinking of the main body which they had left. Though their left wing was thus broken, the right wing of the parliamentarians was intact, and a charge from that quarter, under Sir William Balfour, was so successful, that the king's artillerymen were driven from their guns, and several of the cannons spiked. After this brilliant charge, Sir William Balfour fell back upon the main body, whence the Earl of Essex advanced two regiments of foot to attack the mass of infantry which surrounded the royal standard. This body of royalists stood firm, and fought most gallantly; but presently Balfour came up with his horse, turned them, and attacked them in the rear, while some other squadrons of parliamentarians threatened them in flank; and then the royalists broke and ran back towards the hill. Many of them were killed upon the spot, and amongst these were Sir Edward Varney, (who was engaged on that side, not out of any good opinion of the cause, but "on the point of honour,") and Colonel Munro. The Earl of Lindsay, the nominal general-in-chief under the king, was mortally wounded and taken prisoner, together with his son and Colonel Vavasour. The parliamentarians

* Ludlow accounts for the inactivity of the parliamentary general, by saying that Essex expected an answer to a message sent by him to the king from the parliament, inviting him to return to London, adding that the king took advantage of this time to complete and arm his forces.—*Memoirs.*

† Sir Philip Warwick.

took many colours, and Lieutenant Middleton seized the royal standard and carried it to the Earl of Essex, who delivered it to his secretary, Mr. Chambers, who suffered it to be taken from him, and so "privately conveyed away." The royalists, however, rallied on the hill top, and kept up a fire till nightfall. Rupert returned with his sword red with English blood, with his horses loaded with plunder; but he found the king's left wing broken, and the centre in the greatest confusion, nor could be recover his position on the right wing without sustaining a terrible charge from the parliamentarian horse, led on by Sir Philip Stapleton.* It is said that the parliament foot now began to want gunpowder, and that this was the only reason which prevented Essex from charging up the hill with his whole force of cavalry and infantry. He retained possession of the ground which his enemies had chosen to fight upon—the Vale of the Red Horse—during the night; but the royalists did not move from the top of the hill, where they made great fires all the night long. Great military faults had been committed on both sides, but there was certainly no deficiency of courage on either. In the confusion and excitement of the combat, the parliamentarians had more than once fired upon their own men, mistaking them for the enemy. The substantial yeomen, the burghers, the artisans, were new at the bloody game; but in this first great encounter they taught the cavaliers to respect the valour of the "thimble and bodkin" army. There is a great variety of statements as to the actual number of the slain, but, taking a medium calculation, it appears that 4000 men lay dead that night in the Vale of the Red Horse. The loss of the royalists was greater than that of the parliamentarians, and Charles lost many distinguished officers, while Essex lost only two colonels, the Lord St. John and Colonel Walton. Captain Austen, an eminent merchant of London, was badly wounded, and died in Oxford gaol, through the harsh usage he received from the royalists, into whose hands he fell. "It was observed," says Ludlow, "that the greatest slaughter on our side was of such as ran away, and on the enemy's side of those that stood; of whom I saw about three score lie within the compass of three score yards upon the ground whereon that brigade fought in which the king's standard was." On the following morning the parliamentarians, who had lain all the night on the ground without covering and without provision, received supplies of meat and beer, and shortly after they were reinforced by three regiments commanded by Hampden, Denzil Hollis, and Lord Willoughby. "We hoped," says Ludlow, "that we should have pursued the enemy, who were marching off as fast as they could, leaving only some troops to face us upon the top of the hill; but, instead of that, for what reason I know not, we marched to Warwick; of which the enemy having notice, sent out a party of horse, under Prince Rupert, who on Tuesday night fell into the town of Keinton, where our sick and wounded soldiers lay, and, after they had cruelly murdered many of them, returned to their army." Hampden, Hollis, Stapleton, and other members of parliament commanding militia regiments, urged Essex to follow up the king and renew the battle; but the military men by profession—the officers who had served in regular wars on the continent—thought that enough had been done by an army of recruits, and that it would be wiser to accustom the men by degrees to warfare, and not to risk everything at once. Colonel Dalbier, an old soldier of fortune, who was suspected of a wish to prolong the war, is said to have prevailed with Essex, who loitered far in the rear of the royalists. The king, as if master of the field—and he claimed as a victory the battle at Edgehill—marched to Banbury, and summoned it; and though about a thousand parliamentarians were in the town, they surrendered to him apparently without a blow.*

Charles then proceeded to Oxford, where he was welcomed by the University, which was enthusiastically loyal from the beginning.† "Then, too, many of the greatest gentlemen of divers counties began to consider the king as one that in possibility might prove a conqueror, and many of those who before had stood at gaze as neutral, in hope that one quick blow might clear the doubt, and save them the danger of declaring themselves, came in readily and adhered to that side where there seemed to be least fears and greatest hopes: for from the parliament's side the encouragements were only public—nothing was promised but the free enjoyment of their native liberty—no particular honours, preferments, or confiscated estates of enemies; and on the other side no such total ruin could be threatened by a victorious parliament, as by an incensed prince, and such hungry followers as usually go along with princes in those ways."‡ The cavaliers that flocked to Oxford were generally well mounted,

* Both parties agree in opinion as to Prince Rupert's headlong rashness. Sir Philip Warwick, who was in the battle, says, that the cavalry pursued the chase contrary to all discipline of war, and left the king and his foot so alone, that it gave Essex a title to the victory of that day; which might have been his last day, if they had done their parts and stood their ground. Ludlow says, "And if the time which he spent in pursuing them too far, and in plundering the waggons, had been employed in taking such advantages as offered themselves in the place where the fight was, it might have proved more serviceable to the carrying on of the enemy's designs." May describes his conduct thus: "The parliament army had undoubtedly been ruined that day, and an absolute victory gained on the king's side, if Prince Rupert and his pursuing troops had been more temperate in plundering so untimely as they did, and had wheeled about to assist their distressed friends in other parts of the army; for Prince Rupert followed the chase to Keinton town, where the carriages of the army were, which they presently pillaged, using great cruelty, as was afterwards related, to the unarmed waggoners and labouring men."

* May.—Whitelock.—Rushworth.—Ludlow.—Warwick.

† About a month before, however, when Bulstrode Whitelock and the Lord Saye were at Oxford for the parliament, the mayor, aldermen, vice-chancellor, heads of houses, and proctors, all protested their duty to the parliament, and their desires of peace, and engaged not to act anything against the two Houses, nor to send their plate to the king, which they did two or three days after. But the Lord Saye had then with him 3000 horse and foot! Whitelock blames him for not having secured the place as well as the plate, which would have prevented his majesty's making it his place of arms and head garrison.

‡ May.

and this allowed Charles greatly to reinforce the cavalry under his nephew, who, though (at this time at least) wholly deficient in the qualities of a general, possessed those of a dashing cavalry officer in great perfection. Issuing from Oxford, Prince Rupert scoured the country, visited Abingdon, Henley, and other towns, and returned with great booty. Within a few days he made still nearer approaches towards London, penetrating as far as Staines and Egham, but with a flying army, resting in no place, but moving like a free corps of the partisans of the famous Count Mansfeldt in the Palatinate, the tradition of whose exploits was likely to be deeply impressed on the mind of Rupert. The parliament and the city of London were thrown into consternation, but they provided with spirit for their defence. Trenches were dug, and ramparts thrown up round the capital; seamen were embarked in boats and small vessels, and sent up the river; forces were detached to possess and fortify Windsor Castle. The train-bands of London, Middlesex, and Surrey were concentrated, and kept continually under arms. A declaration was published for the encouragement of apprentices that would enlist, who were to have the time they served in the army allowed in their apprenticeship; and as the London apprentices were very stirring and bold, this little measure contributed greatly to reinforce the parliament army. Associations of counties for mutual defence had already been allowed and recommended by the two Houses, and those bonds were now drawn closer at the approach of danger. In the eastern counties the association, which had been mainly organised and directed by Oliver Cromwell, was exceedingly formidable. The parliament, taking notice that the king had, by a formal commission, empowered Sir William Gerrard, Sir Cecil Trafford, and other popish gentlemen, to take arms with their tenants and servants, resolved to strengthen themselves by the Presbyterian interest, and they applied to the Scots for immediate assistance. Many disaffected persons were seized in the city of London, where plots were suspected similar to those which had been detected at Hull, and preachers and proclamations kept alive the enthusiasm of the citizens. Very varying news blew hot and cold among the Londoners: it was rumoured that Essex was entirely defeated; that he had wavered and gone over to the king; that the king was marching with the two united armies to wreak his vengeance on the capital: but, at last, the Earl of Essex reached the neighbourhood of London, with his army in good condition and disposition; and, quartering his men about Acton, he himself (on the 7th of November) rode into Westminster to give the parliament an account of his campaign. It was clear to most men that Essex had been far from doing the best that might have been done, but the two Houses wisely welcomed him, voted him thanks, and presented him with a gift of 5000*l.*, as an acknowledgment of his care, pains, and valour.

The earl had scarcely arrived in the capital when the king, quitting Oxford, marched upon Reading. Mr. Henry Martin, one of the most remarkable men in the House of Commons, commanded at this town; but, considering the place untenable with the forces he had with him, he evacuated it at the king's approach, and fell back upon London. Charles then advanced to Colnbrook, where he was met by the Earl of Northumberland and three members of the House of Commons, who presented a petition for an accommodation. Charles seemed to receive their address with great willingness, and he returned them a fair and smooth answer, calling God to witness that he was tenderly compassionate of his bleeding people, and so desirous of nothing as for a speedy peace. The deputation, well pleased, returned to the parliament, where the king's gracious answer, wherein he promised to reside near London till commissioners might settle the existing differences, was read to both Houses. Thereupon the Earl of Essex rose, and asked whether he was now to pursue or suspend hostilities? Parliament ordered the earl to suspend them, and dispatched Sir Peter Killigrew to require a like cessation on the part of the royalists, not having, however, the smallest doubt that Charles would consider himself bound by his entertaining their propositions of an accommodation, and by his gracious message of the preceding evening, to remain in a state of truce. But Killigrew was scarcely gone when the loud roar of cannon was heard in the House of Lords. The Earl of Essex rushed out of the House, mounted his horse, and gallopped across the parks and through Knightsbridge, in the direction of the ominous sound. As he approached Brentford the earl learned, to his astonishment, the trick had been played. Prince Rupert, closely followed by the king in person and by the whole royal army, taking advantage of a dense November fog, had advanced and fallen unexpectedly upon Brentford, which was occupied by a broken regiment of Colonel Hollis's, "but stout men all, who had before done good service at Edgehill." The royalists fancied they should cut their way through Brentford without any difficulty, get on to Hammersmith, where the parliament's train of artillery lay, and then perhaps take London by a sudden night assault. But Hollis's men, with unspeakable courage, opposed their passage, and stopped their march so long at Brentford, that the gallant regiments of Hampden and Lord Brooke had time to come up. These three regiments, not without great loss, completely barred the road; and when Essex, who had gathered a considerable force of horse as he rode along, came to the spot, he found that the royalists had given over the attack, and were lying quietly on the western side of Brentford. Charles had kept himself safe at Hounslow, and there he lay that night. "All that night," says May, "the city of London poured out men towards Brentford, who every hour marched thither; and all the lords and gen-

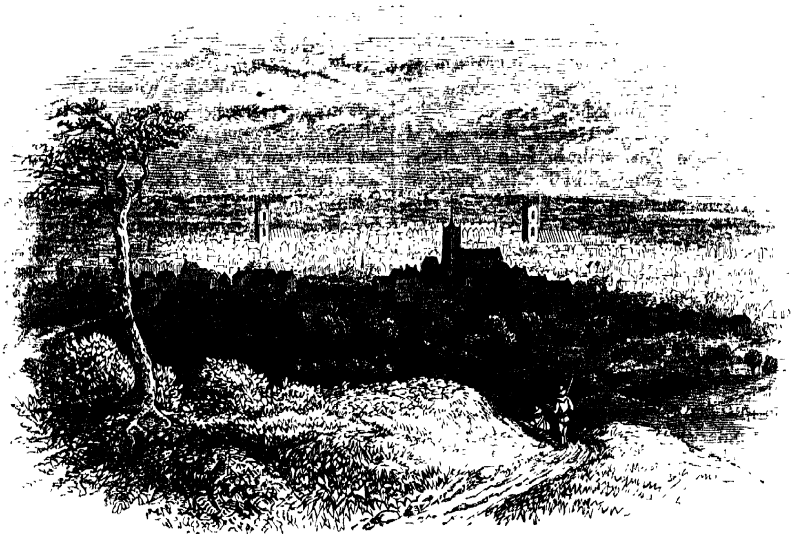
tlemen that belonged to the parliament army were there ready by Sunday morning, the 14th of November." The city bands had marched forth cheerfully under the command of Major-General Skippon, who enjoyed the entire confidence of parliament and the extraordinary favour of the Londoners.* The Earl of Holland, who showed excessive zeal and good skill in martial affairs, assisted Essex, who found himself in the course of this Sunday at the head of 24,000 men, who were drawn up in battle array on Turnham-green, —"stout, gallant, proper men; as well habited and armed as were ever seen in any army, and of as good courage to fight the enemy."† Hampden, with his brave men of Buckinghamshire, by the Lord Essex's orders, began to make a detour with the intention of falling upon the king's rear, while the rest of the parliamentarians should attack him in front and turn his flanks; but they had scarcely marched a mile when Sir John Merrick, Essex's major-general, gallopped after them, and told them that the general had changed his mind as to dividing his forces, and ordered them back. Hampden and his green coats, exceedingly troubled, fell back accordingly. If the business had been conducted with only moderate skill and decision, the king must have been surrounded, and his retreat to Oxford cut off. Three thousand parliamentarians had taken post at Kingston-bridge, but these, too, were removed from the king's rear, and brought round by London-bridge to join Essex and cover the western approaches to the capital. "The reason of that strange command," says May, "as afterwards given, was, that the lord-general was not assured of strength enough to stop the enemy from London, nor could beforehand be assured of so great an army as came thither to join him." And, thus, leaving the king's rear unencumbered, the parliamentarians stood at gaze, facing the royalists, but doing nothing. At last it was consulted whether the parliament army should not advance and fall upon the king's forces, as was advised by most of the members of parliament and gentlemen who were officers, but the soldiers of fortune, who love long campaigns as physicians love long diseases, were altogether against it; and, while they were consulting, Charles drew off his carriages and ordnance, and, when every one had spoken his opinion, the general gave his orders as he thought best. The good wives of the city and others, mindful of their husbands and friends, sent many cart-loads of provisions and wine and other good things to Turnham-green, with which the city soldiers refreshed themselves and made merry; and Whitelock slily adds, that they made merrier still when they understood that the king and all his army were in full retreat. Upon this there was another consultation, whether the parliamentarians should pursue Again, Hampden, Hollis, all the members of parliament, all the gentlemen who had become soldiers only for their principles, were for the bolder course, and all the old soldiers of fortune, the men who had made war their regular trade and profession, were against it, representing that it would be too hazardous to follow the enemy, and that the king's retreat was honour and safety enough to the parliament. Charles, scarcely crediting his good luck, got safe to Kingston, and crossed the bridge there without opposition, and without ammunition enough in his own army to have lasted a quarter of an hour. He then retired more slowly to Reading, and from Reading he repaired to Oxford, his most convenient quarters.*

The parliament, in their indignation, voted that they would never again treat with the king or enter into any accommodation; yet at the opening of the following year (1643) they entertained more pacific notions, and in the month of March they began a hopeless treaty at Oxford, where Charles still lay, to the delight perhaps of the very loyal university, though certainly not to the comfort of the neighbouring country, which was swept, ravaged, and pillaged in all directions by the flying squadrons of Prince Rupert. The parliament commissioners were the Earls of Northumberland, Pembroke, Salisbury, and Holland; the Viscounts Wenman and Dungarnon; Sir John Holland, Sir William Litton, knights; William Pierpoint, Bulstrode Whitelock, Edmund Waller, and Richard Winwood, esquires. These noblemen and gentlemen had their first access to the king in the garden of Christchurch, where he was walking with the young prince. All of them kissed his hand according to their several degrees, for the court, even in these extremities, was mindful of etiquette; thus, Mr. Pierpoint kissed hands before the knights, because he was an earl's son; and Mr. Winwood kissed hands before Mr. Whitelock, he being the eldest knight's son. The last to perform the ceremony was Edmund Waller the poet, who was least in rank. The king said graciously to him, "Though you are the last, yet you are not the worst, nor the least in my favour." We shall find an explanation of this courtesy to Waller presently. But to the very noble Earl of Northumberland, who read the parliament's propositions with a sober and stout carriage, Charles was much less courteous, interrupting him frequently. The blood of the Percy took fire, and the earl said, smartly, "Your majesty will give me leave to proceed?" Charles replied, "Aye! aye!" and so the earl read the proposition all through. The heads were these,—that Charles should disband his army and return to his parliament, leaving delin-

* Skippon was a character. He was accustomed to make very short, pithy, and homely speeches to the train-bands and cockney troops, the most zealous of which were, of course, all puritans. On this occasion, Whitelock tells us, his speech was to this effect:—"Come, my boys, my brave boys, let us pray heartily, and fight heartily. I will run the same fortunes and hazards with you. Remember the cause is for God, and for the defence of yourselves, your wives, and children. Come, my honest, brave boys, pray heartily and fight heartily, and God will bless us." "Thus," continues Whitelock, "he went all along with the soldiers, talking to them, sometimes with one company, sometimes to another; and the soldiers seemed to be more taken with it than with a set, formal oration."

† Whitelock.

* Rushworth.—May.—Ludlow.—Clarendon.—Warwick.



READING, FROM CAVERSHAM HILL. From an Old Print.

quents to trial and papists to be disarmed; pass a bill for abolishing bishops, &c., and such other bills as should be presented for reformation; consent to the removal of malignant counsellors, the settling the militia as parliament desired, &c.; and, further, that he should pass a bill to vindicate the Lord Kimbolton and the five members; that he should enter into an alliance with his Protestant neighbours; grant a general pardon, excepting therefrom the Earl of Newcastle, the Lord Digby, and others; and restore parliament members to their offices, and recompense them for the losses they had sustained. Charles, on the other side, made his demands in the following terms:—"That his revenue, magazines, towns, ships, and forts be restored. That what hath been done contrary to law and the king's right may be recalled. That all illegal power claimed, or acted by order of parliament, be disclaimed. As the king will consent to the execution of all laws concerning popery or reformation, so he desires a bill for preserving the Book of Common Prayer against sectaries. That all persons excepted against in the treaty may be tried *per pares*, with a cessation of arms, and for a free trade." After the negotiations had been drawn through several weeks they ended in nothing. They had not, however, interrupted the progress of hostilities; and the warlike operations in the interval had, on the whole, been favourable to the parliamentarians. The Earl of Essex took Reading after a siege of ten days. Then Hampden, ever the proposer or advocate of bold measures, recommended the immediate investing of Oxford, hoping to finish the war at once by the capture of Charles and his court. Clarendon confesses that, if this measure had been adopted, it could scarcely have failed of success; for Oxford was not even tolerably fortified, nor was that over-crowded city supplied with provisions to stand a siege: but, again, the Earl of Essex, who must ever be suspected of being averse to pushing the war to an extremity, objected, and consulted his professional officers, who agreed in representing the enterprise as too hazardous; and nearly six weeks were wasted in the neighbourhood of Reading. The king, who had already deliberated respecting a retreat into the North, took fresh courage. The parliament at this time, or a little before, entertained the project of superseding Essex, and intrusting the conduct of the war to Sir William Waller, who had driven Goring out of Portsmouth, and taken Winchester, Chichester, and Hereford. His valour and his activity had acquired him such reputation, that Waller was popularly nicknamed William the Conqueror; but the change did not take place, and the favourite general continued to serve under Essex, declining rather than rising in reputation.

Before the beginning of the treaty at Oxford the queen had arrived in Burlington Bay, on the coast of Yorkshire, where the Earl of Newcastle waited upon her with his army to conduct her to York. She remained four months in Yorkshire, exerting herself to the utmost and in all directions to strengthen the royalist party. Again overtures were made to Sir John Hotham and to many of the officers serving under him in Hull; and the Earl of Newcastle was so considerably reinforced (partly by papists, who joined the queen with enthusiastic haste), that Lord Fairfax, the general for the parliament in the North, could scarcely

make head against him. A fierce war of outposts ensued between these two commanders; and Sir Thomas Fairfax, then a young man and general of the horse to his father, began to acquire in this service that military skill and experience which subsequently rendered him one of the best officers in England. By the month of May Henrietta Maria was enabled to send arms and ammunition to her husband at Oxford, who had for some time been lying inactive for want of gunpowder. Charles then prepared to act, but, that he might commence a sanguinary campaign with peaceful professions, he sent a message to the parliament to speak again of accommodation. The Lords, or that minority of them which remained in London, received his message with respect: the Commons threw his messenger into prison, and then impeached the queen of high treason. Pym carried up the impeachment to the Lords, "where it stuck many months." The Commons and the city were at this moment much excited by the discovery of an extensive and formidable conspiracy, headed by Waller the poet, who had been for some time in communication with Lord Falkland, now the king's secretary, and had engaged to do the king's will. The poet, in conjunction with Tomkins, who was his brother-in-law, Challoner, Blinkhorne, and a few others, had undertaken to seize the persons of the leading members of the House of Commons, and to deliver up the city to Charles, who had sent in a commission of array very secretly by means of the Lady Aubigny, whose husband had fallen at Edgehill. A servant of Tomkins overheard the conversation of the conspirators, and revealed what he knew to Pym, who presently seized their chief, and brought him to trial, where he confessed everything with amazing alacrity, and crawled in the dust in the hope of saving his life. The jury in Guildhall found a verdict of guilty against all the prisoners: Tomkins and Challoner were hanged, the one in Holborn, the other in Cornhill, both within sight of their own dwelling-houses; Blinkhorne, Hasell, White, and Waller were, by the mercy of parliament and the lord-general Essex, reprieved, and eventually saved. Waller, the chief of them, was detained in the Tower, but about a year after, upon payment of a fine of 10,000*l.*, he was pardoned, "and released to go travel abroad."*

About the same time, in the busy month of May, the Commons unanimously took a solemn vow never to consent to lay down their arms so long as the papists in open war against the parliament should be protected from the justice thereof, made a new great seal, and passed the act for an assembly of divines to settle religion. The Lords, who now went with them reluctantly in most things, offered some resistance to these measures, but, in the end, they concurred with the Commons. Commissioners were appointed to execute the office of lord keeper, and the first day that the seal was brought into play, which was not until several months after, no fewer than five hundred writs were passed under it. An important plot had also been discovered at Bristol, where Robert Yeomans, late sheriff, William Yeomans, his brother, and some other royalists, had engaged to deliver that city to the king's forces under the command of Prince Rupert. Colonel Fiennes, the governor, son of the Lord Saye and Sele, discovered this plot in good time, apprehended the conspirators, and brought them to trial before a council of war, which condemned four of them to the gallows. The king interfered to save their lives, telling the governor of Bristol that Robert Yeomans had his majesty's commission for raising a regiment for his service; that William Yeomans and the two others had only expressed their loyalty to his majesty, and endeavoured his service; and that if he presumed to execute any of them he (the king) would do the same by four prisoners taken in rebellion and now at York. Governor Fiennes replied, that if Robert Yeomans had made use of his commission in an open way, he would have been put into no worse condition than others, but that the laws of nature among all men, and the laws of arms among soldiers, made a difference between open enemies and secret spies and conspirators. "And we do further advertise you," continued Fiennes, "that if, by any inhuman and unsoldierlike sentence, you shall proceed to the execution of the prisoners by you named, or any other of our friends in your custody that have been taken in a fair and open way of war, then Sir Walter Pye, Sir William Crofts, and Colonel Connesby, with divers others whom we have here in custody, must expect no favour or mercy."* The king ordered the mayor of Bristol to hinder the murder of his loyal subjects, but Fiennes forthwith hanged Robert Yeomans, the chief conspirator, and George Bourchier. Luckily the king did not retaliate as he had threatened. But before this correspondence took place, Charles had been obliged to acknowledge the laws of war, and to treat his prisoners, not as captured rebels, but as soldiers fighting with a sufficient commission. Among the prisoners he had taken at Brentford was that dare-devil John Lilburne—our old acquaintance "Free-born John,"—whom the parliament had liberated from the Fleet prison. Free-born John, then a captain, was obnoxious on many accounts, and he probably, as was his wont, incensed his captors by the violence of his language, and his denunciations of all royalty, all

* Whitelock.—May.—Journals.—May thus comments on the conduct of the poet, who, as the reader will remember, had been one of the most eloquent champions on the popular side in the Lower House:—"It was much wondered at, and accordingly discoursed of by many at that time, what the reason should be why Master Waller, being the principal agent in that conspiracy (where Master Tomkins and Master Challoner, who were drawn in by him, as their own confessions even at their deaths expressed, were both executed) did escape with life. The only reason which I could ever hear given for it was, that Master Waller had been so free in his confessions at the first, without which the plot could not have been clearly detected, that Master Pym, and other of the examiners, had engaged their promise to do whatever they could to preserve his life. He seemed also much smitten in conscience, and desired the comfort of godly ministers, being extremely penitent for that foul offence; and afterwards, in his speech to the House (when he came to be put out of it), much bewailed his offence, thanking God that so mischievous and bloody a conspiracy was discovered before it could take effect."

* Rushworth.

LILBURNE. From an Old Print.

power and dominion, except such as was exercised by and for the people. Charles ordered him to be proceeded against as a traitor; but the parliament instantly declared that they would retaliate, and so no beginning was made in a system which would have rendered the war atrocious.*

By means of the supplies which he had received from the queen, Charles was enabled to renew active operations; and Prince Rupert and the cavalry during the month of June swept the whole country between Oxford and Bath on one side, and on the other, where Essex's lines were too much extended, broke through and pillaged in Berkshire and in Buckinghamshire. At this time Colonel Hurry, or Urrie, one of the lord-general's soldiers of fortune, deserted to the king, and informed Prince Rupert that two parliament regiments, detached and open to attack, lay at Wycombe. The prince resolved upon a night attack. On Saturday, the 17th of June, about four o'clock in the afternoon, his trumpets sounded through the streets of Oxford to boot and saddle; and in less than half an hour his cavalry crossed over Magdalen bridge, and, being joined by some infantry, pushed on rapidly towards the parliament country. They were 2000 men, but they were allowed to pass within two or three miles of Thame, where Essex now lay with the main body of the parliament army, without interruption or challenge. They crossed the Cherwell at Chiselhampton bridge, and, stealing through the woodlands about Stokenchurch, they got to the quiet little hamlet of Postcombe at about three o'clock in the morning. There, apparently to their surprise, they found a troop of horse, who mounted, and, after a slight skirmish, retired in good order, beating up the people, and giving the alarm to other picquets and outposts. Thereupon, instead of pushing forward to the two regiments at Wycombe, Rupert turned aside with his whole force of cavalry to Chinnor, where he slaughtered some fifty parliamentarians, and dragged away half naked at the horses' sides

* The royalists at Oxford had also resolved to treat as traitors Captains Clifton, Catesby, and Vivers, who had been made prisoners with Lilburne, and used, as the parliament said, most barbarously. Both Houses had then regularly voted that, if the said persons, or any of them, or any other, should be put to death, or otherwise hurt, or violently treated, the like punishment should be inflicted upon such prisoners as had been or should be taken by the forces raised by parliament.—*Rushworth.*

about sixscore prisoners. The sun now rose, and a party of the parliament's horse appeared on the side of the Beacon Hill. It was led on by the patriot Hampden, who had slept that night at Watlington, in the neighbourhood, and who had vainly urged Essex the day before to strengthen his line by calling in the remote picquets from Wycombe, from Postcombe, and Chinnor. On the first alarm of Rupert's night irruption he dispatched a trooper to the lord-general at Thame, advising him to detach a force of infantry and cavalry to Chiselhampton bridge, the only point at which the royalists could recross the Cherwell. And, this done, Hampden, against the advice of his friends, who were entertaining the hope of seeing him speedily appointed by parliament commander-in-chief of the army instead of Essex, and who thought he ought not to expose himself in an affair of outposts, instantly mounted his horse, and rode with a troop of Captain Sheffield's horse, and some of Gunter's dragoons, to keep the royalists in play till the slow Essex should have time to come up or send his column to Chiselhampton bridge. Hampden found Rupert on Chalgrove field, and there, among the standing corn, which covered an unenclosed plain of several hundred acres, the prince hastily formed in order of battle. In the mean time, Major Gunter, having joined three troops of horse and one of dragoons, that were spurring on from Easington and Thame, descended Golden Hill, got among the enclosures on the right of Rupert's line, and opened a fire from behind the hedge-row which formed, and still forms, the boundary on that side of Chalgrove field. Colonel Neale and General Percy brought round the left wing to support the right, and after a fierce conflict Gunter was slain, and his party made to give way. Hampden, who expected every moment to see the head of Essex's column, rode up to rally and support the disordered horse of Gunter; and, putting himself at the head of a squadron, he charged Rupert's right. But, as he was spurring up to the royalists, he was struck in the shoulder with two carabine-balls, which broke the bone and entered his body. The reins fell from his disabled arm, and, with his head bent in agony over his horse's neck, he turned away from that fatal charge. His friends then fell into disorder, and, looking in vain for the tardy Essex, they commenced a retreat, leaving many officers and men dead on the field. Rupert pushed on for Chiselhampton bridge. There was no Essex there, nor any troops of his sending. The royalists recrossed the Cherwell, and hurried back with their prisoners and booty to Oxford. Meanwhile Hampden was seen riding off the field before the action was quite over—"a thing," says Clarendon, "he never used to do, and from which it was concluded he was hurt." At first he moved in the direction of his father-in-law Simeon's house at Pyrton, where he had in his youth married the first wife of his love, and whither he would fain have gone to die; but Rupert's cavalry covered the plain in that direction, and so he turned his horse's head and rode towards Thame. There was a brook intervened—a gentle little brook, which he had often leaped in his field sports—but now, disabled and in anguish, it made him pause: but, summoning all his strength, he clapped spurs to his horse and cleared the brook. Fainting with pain, he reached Thame, and was conducted to the house of one Ezekiel Browne. The surgeons at first gave him hopes of life, but he felt himself that his hurts were mortal. The pain of the wounds was excruciating, yet he almost immediately occupied himself in writing letters to the parliament concerning public affairs, which seemed desperate in his eyes, unless the irresolute and lazy spirit which had directed the army should give place to more manly resolutions and more active operations. He again sent to head-quarters, earnestly to recommend the correction of those military errors to which he had fallen a sacrifice; to implore Essex to concentrate his army, so as to cover London and set at defiance the flying incursions of Rupert's horse. After nearly six days of suffering, he felt that the weakness and decay of the body were prevailing over the strength of his soul, and he prepared to die like a Christian. About seven hours before his death he received the sacrament, declaring (according to Baxter) that, though he could not away with the governance of the church by bishops, and did utterly abominate the scandalous lives of some clergymen, he thought the doctrines of the church of England in the greater part conformable to God's word. He was attended by his old friend Dr. Giles, the rector of Chinnor, and by Dr. Spurstow, an independent minister, the chaplain of his Buckinghamshire greencoats, and his spirit passed away in fervid prayers for his country. He expired on the 24th of June, and was buried a few days after in the parish church of Hampden. His gallant greencoats—one of the best regiments that as yet bore arms for the parliament—bare-headed, with their arms reversed, their drums and ensigns muffled, followed him to the grave, singing the 90th Psalm, which in a lofty strain dwells on the immutability of the everlasting God, in whose sight a thousand years are but as yesterday when it is past, and as a watch in the night, and on the weakness and brief existence of us mortal men, who flourish and fade like the grass, and spend our years as a tale that is told. And when those hardy soldiers had seen the dust heaped upon him who had been the friend of all of them from their youth upwards, they returned chanting a more hopeful strain, calling upon the God of their strength to plead their cause, to send out his light and truth, and prevent their soul from being disquieted.* Never in the memory of those times had there been so general a consternation and sorrow at any one man's death as that with which the tidings were received in London, and by the friends of the parliament all over the land:—the consternation was as great to all of that

* 43rd Psalm.

party as if their whole army had been defeated or cut off.*

But other misfortunes came thick upon the parliament about the same time. The Earl of Newcastle had grown so strong in the North, that, on the 30th of June, he entirely defeated the parliamentary army under Lord Fairfax and his son, Sir Thomas, at Atherton Moor; while, in the meantime, he had opened a secret correspondence with the Hothams, who had conceived a great jealousy of the younger Fairfax, who had been spoken of as the successor of Sir John in the governorship of Hull. They agreed to shut out the Fairfaxes, and admit Newcastle, who was to garrison the town for the king. If this plot had succeeded, the parliament must have lost the whole northern country—for, from Berwick to Lincoln, the only place of strength they retained was Hull. But some members gained timely intelligence of the plot, seized the two Hothams, fettered and chained them like the worst of malefactors, and put the Lord Fairfax into the town. Both father and son had done the parliament rare service at the beginning of the war, but their present offence—which was fully proved by intercepted letters and by other documents—could not be forgiven: they were both put on ship-board, carried to London, and committed to the Tower on the 15th of July. A few months after they were tried and convicted of high treason. On the 1st of January, 1644, the younger Hotham was brought to the scaffold on Tower Hill: this time it "fell edge;"—and his father, Sir John, was executed at the same place the day after.

Oliver Cromwell, marching at the head of a thousand horse of his own raising, had before this time fallen upon Newark-on-Trent, where the Earl of Newcastle had introduced a formidable garrison, which kept Nottinghamshire and a great part of Lincolnshire in check. Cromwell failed in his assault, but he gained several advantages in the field, defeating detached bodies, and disarming and dispersing the levies that were repairing to the Earl of Newcastle's standard. At the same time he gave new life to the dispirited levies of the parliament, and with their assistance he gained what may be called a brilliant victory near Grantham. Shortly after the battle at Atherton Moor, Lord Willoughby and the parliamentarians carried the important town of Gainsborough by assault, taking its numerous garrison prisoners. Newcastle presently advanced southward to the scene of action, and, but for the timely arrival of Cromwell, Lord Willoughby had been cut to pieces. Together the two parliamentarian generals defeated the first division of Newcastle's army; but this nobleman, coming up in full force soon after, changed the fortune of the war, and Cromwell was obliged to retreat in his turn, leaving Newcastle to take possession, not only of Gainsborough, but also of Lincoln. Nor was the parliament much more successful in the west, where Sir William Waller was defeated and his whole army dispersed, near Devizes, by the royalist general, Wilmot. And shortly after this serious loss, Prince Rupert, having hovered about Bristol, till he found, by his correspondents, whereof he had many in the city, the points at which it was worst provided for resistance, fell upon it with all his fury. Nathaniel Fiennes, the parliamentary go-

* Clarendon.—In the account of the battle or skirmish and of the death of Hampden, we have chiefly followed Lord Nugent (Memorials of John Hampden, his Party and his Times), whose descriptions are the more valuable from his perfect acquaintance with the scene of the fight and all the localities in Buckinghamshire. His lordship, too, quotes valuable contemporary documents. Mr. Foster (Lives of Eminent British Statesmen) has collected a variety of very interesting particulars concerning the last hours of Hampden and the impression made by his death.

NEWARK CASTLE. From an Original Drawing.

Gloucester. From an Old Print.

vernor, was a better debater in the House than military commander, and he surrendered Bristol after a siege of only three days. For this he was afterwards sentenced by a council of war to lose his life, but he was pardoned by the Earl of Essex, and gave up his military service, which he ought never to have undertaken. Exeter, whither the queen had retired to be delivered of a daughter, was strongly fortified, and the wild and hardy men of Cornwall were furiously loyal. The only strong place in the west which held out for the parliament was the city of Gloucester, wherein lay for some weeks the whole fortune of the war. In her way from the north, the queen, bringing very considerable reinforcements, among whom were many French and Walloons, had passed through Oxford, and spent some time there with her husband. At this moment it was apprehended that Charles would make another attempt upon the capital, and the Londoners set themselves to work to fortify the city. "The example of gentlemen of the best quality, knights and ladies, going out with drums beating, and spades and mattocks in their hands to assist in the work, put life into the drooping people;"* and in an incredibly short space of time entrenchments, twelve miles in circuit, were thrown up round London. Essex, at this crisis, addressed a letter to the Lords, recommending an immediate accommodation with the king; and the Lords forthwith voted a petition to his majesty, which was, however, indignantly rejected by the Commons, and reprobated by the citizens of London and by their preachers in the pulpit. Four lords had been appointed to recruit the parliamentary army; three of them, Pembroke, Bolingbroke, and Lord Howard of Escrick, now declined their commissions, but the fourth peer, the Lord Kimbolton (become Earl of Manchester by the death of his father),* accepted and executed his.† In other respects the section of the lords that yet remained with the parliament in London or in its armies began to betray a very alarming vacillation; and Bedford, general of the horse, Northumberland, Holland, and Clare, the father of Denzil Hollis, were suspected at least of trimming. Essex had already given manifold grounds of complaint, but his name and influence were still considered important; and when the Commons sent him large reinforcements, and a committee of the House waited upon him, even the suspicious St. John and the sagacious Pym were satisfied as to his devotion to the cause. The spirit shown by the people of London was a very discouraging symptom, and Charles, instead of advancing into the south, struck away to the west, to lay siege to Gloucester. Essex soon followed him to relieve that important place; and, by an admirably conducted march, during the greater part of which he had Prince Rupert and Lord Wilmot, each in command of a formidable force, in his van or on his right flank, he got from Hounslow to Gloucester, just in time to save that city, which had made an heroic defence under Colonel Massey. The royalists raised their siege on the 3rd of September, and the cause of the parliament was saved.

* May.

* He had been summoned to the House of Peers during the lifetime of his father, as Baron Montagu of Kimbolton; but was commonly called Lord Kimbolton.

† Godwin, Hist. of the Commonwealth.

Leaving a good garrison and all necessary supplies in Gloucester, Essex turned back to recover his position in front of London. This retrograde march was as well conducted as the advance had been, but, when he got near Newbury, he found the king strongly posted there, and drawn up to cut off his retreat.* The river that ran through the town defended the royalists, so that the parliamentarians could not easily come at them, and on the north-west, within cannon-shot, lay Donnington Castle,—famous for having been the seat, in his old age, of Geoffrey Chaucer,—in which Charles had placed a garrison and artillery. The only feasible approach to the town was from the north-east, but there, too, the royalists had made formidable preparations, throwing up a breastwork, and furnishing some houses with musketeers. "The king," says Clarendon, "seemed to be possessed of all advantages: . . . . so that it was conceived that it was in the king's power whether he would fight or no, and therefore that he might compel them to notable disadvantages, who must make their way through or starve; and this was so fully understood, that it was resolved over-night not to engage in battle but upon such grounds as should give an assurance of victory. But, contrary to this resolution, when the Earl of Essex had, with excellent conduct, drawn out his army in battalia, upon a hill called Bigg's Hill, within less than a mile of the town, and ordered his men in all places to the best advantage, by the precipitate courage of some young officers who had good commands, and who unhappily always undervalued the courage of the enemy, strong parties became successively so far engaged that the king was compelled to put the whole to the hazard of a battle, and to give the enemy at least an equal game to play." The king's horse, with a "kind of contempt" of the enemy, charged with wonderful boldness; but, though successful at some points, they were in general thrown off from the sharp points of Essex's pikes, and the parliamentarian foot behaved admirably, giving their scattered horse time to rally. "For," says Clarendon, "though the king's horse made the enemy's horse often give ground, yet their foot were so immoveable that little was gotten by the other." Night at last came on, and separated the combatants. During the darkness the royalists removed their cannon and other carriages to Donnington Castle, and, having lodged them there, marched off towards Oxford. "At this time," says Clarendon, "Sir William Waller was at Windsor, with above two thousand horse and as many foot, as unconcerned for what might befall the Earl of Essex as the Earl had formerly been on his behalf at Roundway Hill; otherwise, if he had advanced upon the king to Newbury (which was not above twenty miles) when the earl was on the other side, the king had been in great danger of an utter defeat; and the apprehension of this was the reason, or was afterwards pretended to be, for the hasty engagement in battle." In the morning Essex entered Newbury, whence he proceeded without opposition to Read-

* Prince Rupert, who had marched day and night over the hills to get between London and the enemy, attacked Essex with 5000 horse as he was crossing Awborne Chase the day before the battle of Newbury. According to Clarendon, he routed the rear of the parliamentarians, and did good execution; but the thing appears to have been a mere skirmish, in which the royalists got as good as they gave. A French marquis, a very gallant gentleman, who had come over with the queen from Holland, and was serving as a volunteer in the regiment of the Lord Jermyn, her majesty's favourite or lover (he was afterwards her husband by a left-hand marriage), was killed. Many officers were hurt, among whom were the Lord Jermyn himself, who owed his life to the excellent temper of his armour; and the volatile Lord Digby, who got a strange hurt in the face.—*Clarendon.*

NEWBURY: Donnington Castle in the Distance. From an Old Print.

ing, where he was met by a congratulating deputation. In the battle of Newbury, which was fought on the 20th of September, Essex's men "were full of mettle;" and the London recruits, the apprentices, the artisans, and the shopkeepers of London, particularly distinguished themselves.* The parliamentarians lost some five hundred men and very few officers: the king lost treble the number of men and many officers of rank; but the greatest loss of all was estimated to be the accomplished Lord Falkland, then Charles's secretary of state, who was struck with a musket-ball, and died on the field, only three months after the death of his opponent, but once bosom friend, Hampden.

According to Clarendon, from the first entrance into this unnatural war, Falkland's natural cheerfulness and vivacity grew clouded, and a kind of sadness and dejection of spirit stole upon him which he had never been used to. After the retreat from Brentford and the declaration of the two Houses not to admit of any treaty of peace with the king, his melancholy increased, growing into a perfect habit of uncheerfulness,—"and he who had been so exactly easy and affable to all men that his face and countenance was always present, and vacant to his company, and held any cloudiness and less pleasantness of the visage a kind of rudeness or incivility, became on a sudden less communicable, and thence very sad, pale, and exceedingly affected with the spleen. In his clothes and habit, which he had minded before always with more neatness and industry and expense than is usual to so great a soul, he was not now only incurious but too negligent; and in his reception of suitors, and the necessary or casual addresses to his place, so quick and sharp and severe that there wanted not some men (strangers to his nature and disposition) who believed him proud and imperious, from which no mortal man was ever more free. . . When there was any overture or hope of peace, he would be more erect and vigorous, and exceedingly solicitous to press anything which he thought might promote it, and, sitting among his friends, often, after a deep silence and frequent sighs, would, with a shrill and sad accent, ingeminate the word 'Peace! peace!' and would passionately profess, 'That the very agony of the war, and the view of the calamities and desolation the kingdom did and must endure, took his sleep from him, and would shortly break his heart.'"* At Newbury Charles lost two other lords, the Earl of Sunderland, who, having no command in the army, attended upon the king's person "under the obligation of honour," and putting himself that day in the king's guard as a volunteer, was taken off by a cannon-ball; and the Earl of Caernarvon, another young and accomplished nobleman, who, after making a brilliant charge and routing some of the parliamentarian horse, was run through the body with a sword by a trooper as he was returning carelessly back to his position.†

Some mistakes committed by Charles in his court and cabinet were as fatal to his interests as the battle of Newbury,—perhaps more so. The great Earl of Northumberland withdrew (in disgust with the parliament or in the hope of seeing on which side victory would lean) to his castle of Petworth in Sussex; but the other three suspected noblemen, the Earls of Clare, Bedford, and Holland, went to Oxford to join the king. Instead of receiving them with kindness and conciliation,—instead of treating them as policy should have dictated, like men who had discovered their mistake and turned penitently from the error of their ways,—Charles regarded them with suspicion and distrust, treated them like condemned traitors, and permitted his courtiers to heap insults upon them. The three earls presently fled back again to the parliament, which consented to receive them and overlook their backsliding. The people said that the three earls had done good service by showing that, after trying both sides, they preferred that of the patriots; but this escapade tended, with a thousand other things and circumstances, greatly to sink the House of Lords in public estimation.

In the preceding year, when London seemed to be threatened by the king, the parliament had made certain applications for aid to the Scots; but it was not till the middle of the present year (1643) that those negotiations were pressed with any earnestness. In the mean time Charles, by means of the Duke of Hamilton,‡ had required, as the only thing he would ask of them, that his native subjects the Scots would not rebel. But

* May mentions that the two train-bands of London were often charged by both horse and foot, but stood to it with undaunted resolution. Clarendon pays the same compliment, stating that all Essex's foot behaved themselves admirably. He adds,—"The London trained bands and auxiliary regiments (of whose inexperience of danger, or any kind of service beyond the easy practice of their postures in the Artillery Garden, men had till then too cheap an estimation) behaved themselves to wonder, and were, in truth, the preservation of that army that day; for they stood as a bulwark and rampire to defend the rest, and, when their wings of horse were scattered and dispersed, kept their ground so steadily, that, though Prince Rupert himself led up the choice horse to charge them, and endured their storm of small shot, he could make no impression upon their stand of pikes, but was forced to wheel about,—of so sovereign benefit and use is that readiness and dexterity in the use of their arms which hath been so much neglected."—*Hist.*

* Clarendon, Hist. There are some little traits in Whitelock's account of Lord Falkland's death quite as touching as anything in the full, eloquent outpouring of Clarendon.

"The Lord Falkland, secretary of state, in the morning of the fight, called for a clean shirt, and, being asked the reason of it, answered, that, if he were slain in the battle, they should not find his body in foul linen. Being dissuaded by his friends to go into the fight, as having no call to it, and being no military officer, he said he was weary of the times, and foresaw much misery to his own country, and did believe he should be out of it ere night, and could not be persuaded to the contrary, but would enter into the battle, and was there slain. His death was much lamented by all that knew him or heard of him, being a gentleman of great parts, ingenuity, and honour, courteous and just to all, and a passionate promoter of all endeavours of peace betwixt the king and parliament." —*Memorials.*

† Clarendon.—Ludlow.—Warwick.—May.—Whitelock. Whitelock mentions the following irritating fact:—"Amongst the colours taken at Newbury, one cornet was the figure of the Parliament House, with two traitors' heads standing on the top of it, and by them this word *ut extrâ, sic infra;* but the parliament nevertheless exposed them to public view and censure."

‡ The Marquess of Hamilton had been made a Duke by Charles, at Oxford, in April of this year.

Hamilton had failed, and Montrose had again accused him and his brother the Earl of Lanark of treason. Charles hereupon had laid his hands upon Hamilton, but Lanark had the good fortune to escape. After a time the Duke was sent a close prisoner to the castle of Mount St. Michael in Cornwall; his brother Lanark joined the English parliament, and assisted them in their difficult negotiations with the old Covenanters. Those zealots, who were then the masters of Scotland and of its resources, insisted, as a preliminary, that the English parliament should take *their* covenant, and bind themselves to the preservation of the king's person, and to the reducing the doctrine and discipline of both churches to the "pattern of the best reformed," which latter clause meant that the English were to adopt the Presbyterian Kirk of Scotland with all its bigotry and intolerance. But by this time the Independents, who hated Presbyterianism almost as much as Arminianism and Prelacy, were becoming powerful as a party; and Harry Vane, the younger, one of the chiefs of that sect, and one of the most adroit of men, was the negotiator at Edinburgh, charged with the settlement of the treaty.* Vane, besides getting the word "League" inserted in the title with the view of giving the engagement a civil as well as a religious character, contrived somewhat to liberalize its original form by the addition to the first clause about the king's person of the words, "in preservation of the laws of the land and liberty of the subject;" and, to the second clause about doctrine and discipline, of the words, "according to the word of God;" which, being explanatory expressions that could hardly be refused, were in the end accepted by the Scots. Charles sent down his commands to the Scots not to take this covenant: they humbly advised him to take it himself. The English parliament sent down 100,000*l.*, and then the Scots prepared an army to march into England and recover the whole of the north country for the parliament. The covenant was taken in London on the 25th of September, the day on which the Earl of Essex returned to London and received a vote of thanks from parliament. "Both Houses," says Whitelock, "with the assembly of divines and Scots commissioners, met in St. Margaret's Church, Westminster, where Mr. White, one of the assembly, prayed an hour to prepare them for taking the covenant; then Mr. Nye, in the pulpit, made some observations touching the covenant, showing the warrant of it from Scripture, the examples of it since the creation, and the benefit to the church. Mr. Henderson, one of the Scots commissioners, concluded in a declaration of what the Scots had done, and the good they had received by such covenants; and then he showed the prevalency of ill counsels about the king, and the resolutions of the states of Scotland to assist the parliament of England. Then Mr. Nye, in the pulpit, read the covenant, and all present held up their hands in testimony of their assent to it; and afterwards, in the several houses, subscribed their names in a parchment roll, where the covenant was written. The divines of the assembly and the Scots commissioners likewise subscribed the covenant, and then Dr. Gouge in the pulpit prayed for a blessing upon it. The House ordered the covenant to be taken the next Lord's Day by all persons in their respective parishes, and the ministers to exhort them to it." From this date the original NATIONAL COVENANT of the Scots comes to be known as the SOLEMN LEAGUE AND COVENANT of the two kingdoms.

Long before the parliament had settled these arrangements for calling in the Scots, the king had been labouring to bring over the Irish, and to obtain for his own service the troops which the Houses had sent to Ireland and maintained for the suppression of the rebellion there. As we have mentioned incidentally, the parliament, notwithstanding the troubles at home, had succeeded in checking that mighty insurrection, which at one moment threatened the entire expulsion of the English. Badly armed, and scarcely organized at all, the native Irish had nowhere been able to stand in a regular battle against the English army. They had been beaten from post to post; and the victors, animated by religious intolerance, and by the memory of the barbarities practised by the Papists at the commencement of the war, seldom or ever gave quarter, but butchered the vanquished. The conquerors were to be paid by the forfeited and escheated land; and two millions and a half of acres, to be taken out of the four provinces, was set down by the English parliament as a proper reward for the Protestant soldiers, and those private adventurers who chiefly defrayed the expenses of the war. Many Englishmen of rank, tempted by the rich bait, engaged in the undertaking; and General Monro led over a large body of Scots, consisting of gentlemen adventurers, volunteers, and others, who were all infuriated by the massacre of their countrymen in Ulster. By a series of manœuvres Charles had prevented the Earl of Leicester, appointed lord-lieutenant with the approval of the English parliament, from going over to Ireland, and had placed the governing power, on the part of the Protestant interest there, in the hands of Ormond, a determined royalist, whom he had recently gratified with the title of marquess, and with other honours and advantages. Ormond, who hoped, when he had restored tranquillity in Ireland, to be able to assist his master in England with men and arms, entered into negotiations with the Catholics, who by this time had been made humble and reasonable in their demands by repeated defeats. The English Commons perfectly well understood this plan; and moved by the instinct of self-preservation, and by their intolerance of all papistry, they sent over emissaries to talk

* Vane was accompanied by three other commissioners, Armyn, Hatcher, and Darley, and by two ministers of the Gospel, Marshall a Presbyterian, and Nye an Independent. We learn from Baillie's Letters that the Scots were ill pleased at the parliament sending Nye, and not well satisfied with the Independent's manner of preaching when he held forth before the General Assembly.

with the Protestants and Puritans in Ormond's army, and to confirm their aversion to all conciliation with the insurgents. But without their interference, and even without the fanaticism of the Protestants serving in Ireland, the anxiety of the latter for extensive confiscations and seizures of territory was perhaps quite enough to make them averse to any pacific arrangement. If the Papists were allowed to treat, they would also be allowed to retain some of their lands; and the English and Scottish Protestants wanted among them nearly every estate in Ireland. In the autumn of 1642 the parliament sent over two of its members to examine into the real state of affairs, and to cooperate with the lords-justices, and with other Puritans and officers that inclined rather to the English House of Commons than to the king. But, after they had resided some four months in Ireland, the Marquess of Ormond sent the two commissioners back to England, and shortly after he dismissed Parsons, one of the lords-justices, substituting a royalist in his place; and threw Sir John Temple, Master of the Rolls, and two other officers of state, into prison. From the moment of his retiring to York, Charles had maintained an active correspondence with the confederated Irish Catholics, by means of the Lords Dillon, Taaffe, and Castlehaven, and one Cole, a doctor of the Sorbonne. Towards the end of the year 1642 the confederated Catholics at Kilkenny transmitted a petition to the king, professing great loyalty, and imploring him to appoint certain persons to hear what they had to propose and what to *offer* for his service. Ormond recommended this petition to Charles; and in January, 1643, a commission was issued to Ormond, conformably to its prayer, and in the month of March commissioners, regularly appointed by Ormond or the king, met the deputies of the Catholics at Trim, and entered upon negotiations. At this juncture, when envoys were continually passing to and from the king and the Irish, the queen arrived at York, and there, in her court, two extraordinary men, the Scottish Earl of Montrose and the Irish Earl of Antrim, found themselves together, and admitted to those conferences wherein Henrietta Maria was wont to devise every extreme measure. Antrim, an unprincipled adventurer, had alternately served the king and the insurgents. He was caught with the red hand in the province of Ulster by the Scottish general Monro, and sent a prisoner to Dublin; but supple, adroit, and a great master of the arts of persuasion and cajolery, he had made his escape and got over to York. Now, under the auspices of the queen, he concerted daring measures with Montrose; and it was agreed between them that Montrose should excite the royalists to take up arms in different parts of Scotland, while Antrim should go over and raise an army of Irish Catholics to make a descent upon the Scottish coast. But, in addition to this last service, Antrim, who must have had a wonderful share of confidence, undertook to bribe and debauch General Monro and his Presbyterian army, which by this time amounted to nearly 10,000 men, and to induce them to make a simultaneous descent upon the English coast, and then join the king against the parliament. Unsuccessful attempts have been made to throw the odium of these precious arrangements entirely upon the queen, but it appears indisputable that Charles knew of and approved of the scheme; the worst feature of which was the proposed bringing over the Irish hordes into Scotland, and that, too, when he was flattering the Scottish nation with promises and protestations, and when that nation as yet remained quiet, throwing its sword neither into the scale of the one party nor of the other. But this scheme fell to the ground. Antrim was again seized and thrown into prison by General Monro; and Montrose, who afterwards met with different success, found the Scottish royalists timid and lukewarm. In the meantime the Marquess of Ormond had continued his negotiations with the confederated Catholics at Kilkenny, and, after many impediments and delays, a truce for a year was concluded on the 15th of September, 1643.* In the month of November following Ormond shipped off five regiments to join the king. These men had been raised or commissioned by the English parliament, against which they now came to fight, but, during a bloody and demoralizing service, they had contracted the habits and feelings of mere soldiers of fortune, and Ormond had introduced into their ranks a very considerable number of native Irish. The greater part of them, landing at Chester, enrolled themselves under Lord Byron, the royalist governor of that city, whom they enabled to resume the offensive, and to gain several advantages in the field. But, about six weeks after their arrival, Sir Thomas Fairfax fell upon them at Nantwich, and completely defeated them. Two hundred were killed, and fifteen hundred threw down their arms and were taken prisoners.† Among the officers taken was Monk, who had been serving in Ireland, and who was then, if anything, a royalist in politics. The effect of the manœuvres in Ireland was in all respects detrimental to the royal cause. As soon as the news of the treaty with the Papists at Kilkenny reached the Earl of Newcastle's army in the North, many of the men threw down their arms, and refused to fight any longer for the king. Sir Edward Deering, one of the members who had deserted to Oxford, returned to London and threw himself upon the mercy of parliament, protesting that, seeing so many Papists and Irish rebels in the king's army, and a popish party governing his counsels, he could no longer in conscience stay with him.‡

At the close of the present year, 1643, the parliament sustained a great loss in the death of Pym, who had been one of the most popular men of his day, and one of the most distinguished for ability,

* Rushworth.—Whitelock.—Clarendon.—Burnet.—Borlase.

† There were also taken in this battle one hundred and twenty women, many of whom had long knives, with which they are said to have done much mischief.

‡ Whitelock.

eloquence, and untiring activity. He died literally worn out by labour, and as poor as he was when he commenced his career. The House voted a sum of money to pay his debts and bury him honourably in Westminster Abbey.

We may, without injury to the narrative, entirely overlook many of the minor operations in the field, but there were some civil matters transacted during this eventful year which demand particular attention.

The national synod, for the purpose of settling the government and form of worship of the church of England, met at Westminster in the month of July.* The assembly consisted of one hundred and twenty-one clergymen; and, in imitation of the Scottish system, ten members of the House of Lords, and twenty members of the House of Commons, were joined with them as lay assessors. Their first meeting was in King Henry VII.'s Chapel, where a long sermon was preached by Dr. Twiss, their prolocutor, both houses of parliament being present. On the 19th of July the Assembly of Divines, styling themselves divers ministers of Christ, delivered a petition to both houses of parliament. They said that it was evident that God's heavy wrath was lying on the nation for its sins, and that they considered it their duty, as watchmen for the good of the church and kingdom, to present certain earnest requests. The first of these was for a public and extraordinary fast, that every man might bitterly bewail his own sins, and cry mightily unto God: the second was, that the parliament would vouchsafe instantly to take into their more serious consideration how they might set up Christ more gloriously. They prayed for the removing of the brutish ignorance and palpable darkness possessing the greatest part of the people in all places of the kingdom, by a speedy and strict charge to all ministers constantly to catechise all the youth and ignorant people within their parishes. But, immediately after this, they intimated that they alone had the light proper for the dispelling of this darkness,—that they alone possessed the right of telling the people what was black and what white. The following clause of their petition was directed not so much against the preachers of Laud's school, who were pretty well silenced in most parts of the country, as against the variety of sects classed under the general head of Independents, each and all of which pretended at least to hold, with more or less of limitation, the doctrine of liberty of conscience, and of the right of every man to expound the scriptures according to the light of his own reason or imagination: "That the bold venting of corrupt doctrines directly contrary to the sacred law of God and religious humiliation for sin, which open a wide door to all libertinism and disobedience to God and man, may be speedily suppressed everywhere; and that in such manner as may give hope that the church may be no more infected with them." The church, of course, was now the Presbyterian, and these men *unchurched* all the rest of the Protestant world. Their doctrine, their discipline were perfect, their decisions infallible! Everything else was heretical and damnable! After all, the bigotry of Laud was a small matter compared to theirs; for he enlarged the bounds of salvation, while they extended in all directions the limits of eternal damnation. Yet even in this assembly the Presbyterians were not without their opponents. Some eight or ten of the members were Independents or other sectaries; about twenty were Episcopalians; and Selden and Whitelock, who were present among the twenty members of the House of Commons, who had all the same liberty with the divines to debate and give their votes, frequently resisted their gloomy doctrine and their grasping at a spiritual despotism. "Mr. Selden," says Whitelock, "spake admirably, and confuted divers of them in their own learning. And sometimes, when they had cited a text of Scripture to prove their assertion, he would tell them, Perhaps, in your little pocket Bibles, with gilt leaves (which they would often pull out and read), the translation may be thus, but the Greek or the Hebrew signifies thus and thus; and so would totally silence them."* It was lucky that the parliament did not allow this synod to do more than counsel and advise,—that their power was not legislative,—that their decrees required the confirmation of the two Houses. "The Presbyterians," as Baxter observes, "drew too near to the way of prelacy by grasping at a kind of secular power, not using it themselves, but binding the magistrate to confiscate or imprison men merely because they were excommunicated." "I disliked, also," he continues, "some of the Presbyterians, that they were not tender enough to dissenting brethren, but too much against liberty of conscience, as others were too much for it, and thought to do by votes and numbers what should have been done by love and reason."† The Independents, on the other hand, few as they were, pleaded for such a toleration as would include at least all those who held what were regarded as the doctrines of orthodox Protestantism. Even this amount of liberality sounded like horrid blasphemy in the ears of the Presbyterian majority. "Toleration,"

* The ordinance of parliament summoning this assembly was entitled—"An ordinance of the Lords and Commons in parliament, for the calling of an assembly of learned and godly divines and others, to be consulted with by the parliament for the settling of the government and liturgy of the church of England, and for vindicating and clearing of the doctrine of the said church from false aspersions and interpretations." Rushworth gives the whole document, together with the names of the preachers, who were all appointed by parliament. Before the meeting of this assembly the parliament had ordered the Book of Sports to be burned by the common hangman, had shut up all playhouses and other places of amusement, and had otherwise deprived the people of a deal of enjoyment.

* The Scottish ministers and political agents were exceedingly angry with Selden's oriental learning. Baillie says, "This man Selden is the head of the Erastians; his glory is most in Jewish learning; he avows everywhere that the Jewish church and state were all one, and so in England it must be, the parliament being the church. If l'Empereur would beat down this man's arrogance, as very well he can, to show, out of the Rabbins, that the Jewish state was diverse from the church, and that they held the censure of excommunication among them, and a double sanhedrim, one civil and another ecclesiastical,—if he would confound him with Hebrew testimonies,—it would lay Selden's vanity, who is very insolent for his oriental literature."—*Letters.*

† Life and Times.

cried one of their number, "will make the kingdom a chaos, a Babel, another Amsterdam, a Sodom, an Egypt, a Babylon: toleration is the grand work of the devil, his masterpiece and chief engine to uphold his tottering kingdom: it is the most compendious, ready, sure way to destroy all religion, lay all waste, and bring in all evil. As original sin is the fundamental sin, having the seed and spawn of all sin in it; so toleration hath all errors in it, and all evils." The whole body of them some time later joined in a protest against what they called the great Diana of the Independents—toleration. "We detest and abhor," said these intolerant preachers, "this much endeavoured toleration. Our bowels are stirred within us, and we could even drown ourselves in tears when we call to mind how long and sharp a travail this kingdom hath been in for many years together to bring forth that blessed fruit of a pure and perfect reformation; and now, at last, and after all our pangs, and dolours, and expectations, this real and thorough reformation is in danger of being strangled in the birth by a lawless toleration, that strives to be brought forth before it." Even when defeated in their first attempt, the Independents insisted that, whatever the established or dominant religion might be, there should be a provision for the toleration of those who conscientiously dissented from it. Presbyterians might hold the livings and revenues which had been held by the Arminians, but the sectarians, they contended, ought to be allowed to support ministers of their own. But this, of a certainty, would not have been granted but for the rapid rise of Cromwell and the battle of Naseby.

A.D. 1644.—Charles for some time had been contemplating the expediency of making a new parliament at Oxford. At first he had fancied that a dissolution of the parliament sitting at Westminster would be a better thing. "The king," says Clarendon, "called the Chancellor of the Exchequer (that is to say, Clarendon himself) one day to him, and told him that he thought there was too much honour done to those rebels at Westminster, by his mentioning them as part of the parliament; which as long as they should be thought to be, they would have more authority, by their continuing their sitting in the place whither they were first called, than all the other members, though so much more numerous, would have, when they should be convened anywhere else; . . . . and therefore he knew no reason why he should not positively declare them to be dissolved; and so forbid them to sit or meet any more there." Clarendon, according to his account, told his majesty that he was better prepared for that weighty argument than he, his minister, was; adding, however, "that it was of a very nice and delicate nature, at which not only the people in general, but those of his own party, and even of his council, would take more umbrage than upon any one particular that had happened since the beginning of the war. That he could not imagine that his forbidding them to meet any more at Westminster would make one man the less to meet there; but he might forbid them upon such grounds and reasons as might bring more to them; and that they who had severed themselves from them, upon the guilt of their actions, might return and be reconciled to them, upon their unity of opinion. That it had been the first powerful reproach they had corrupted the people with towards his majesty, that he intended to dissolve this parliament, notwithstanding the act for continuance thereof; and if he had power to do that, he might likewise, by the same power, repeal all the other acts made this parliament, whereof some were very precious to the people: and as his majesty had always disclaimed any such thought, so such a proclamation as he now mentioned would confirm all the fears and jealousies which had been infused into them, and would trouble many of his own true subjects." How Clarendon could arrive at the conclusion that the summoning a minority as a new parliament, while the majority forming the old was sitting, was more legal than a dissolution, we cannot conjecture; but he takes credit to himself for recommending that measure. Charles so hated parliaments, that he would not have summoned even this Oxford mockery of one had he not been fully assured that they would be very submissive, and altogether averse to forcing him into a treaty of peace with the Commons at Westminster.

A.D. 1644.—The anti-parliament—"the mongrel parliament," as Charles himself contemptuously and ungratefully called it—met at Oxford on the 22nd of January, 1644. It consisted of the members who had deserted the parliament at Westminster, or had been disabled by it. Forty-three peers and one hundred and eighteen commoners were all that gathered round the king. According to Whitelock, the peers at Westminster were more numerous, while the commoners more than doubled those at Oxford. In the proclamation by which the Oxford parliament had been called, Charles had said that it was upon occasion of the invasion of England by the Scots, and on account of the treason and disloyalty of a *few* members remaining at Westminster, who had grossly imposed upon his people, and expelled by the faction of their malignant party all such as were loyal and wished to do their duty towards him.* He opened the session with a long speech, telling his Lords and Commons that he had called them together to be witnesses of his actions and privy to his intentions; that he doubted not that their concurrence with him would set all things right, and place him above the reach and malice of those who had hitherto had too great an influence over the people. "My hope was," said he, "that, either by success on my part, or repentance on theirs, God would have put an end to this great storm; but guilt and despair have made these men more wicked than ever I imagined they intended to be;

* Rushworth.—This proclamation for the assembling of the parliament at Oxford was dated the 22nd of December, 1643. It was very declamatory, and was ordered to be read in all churches and chapels.

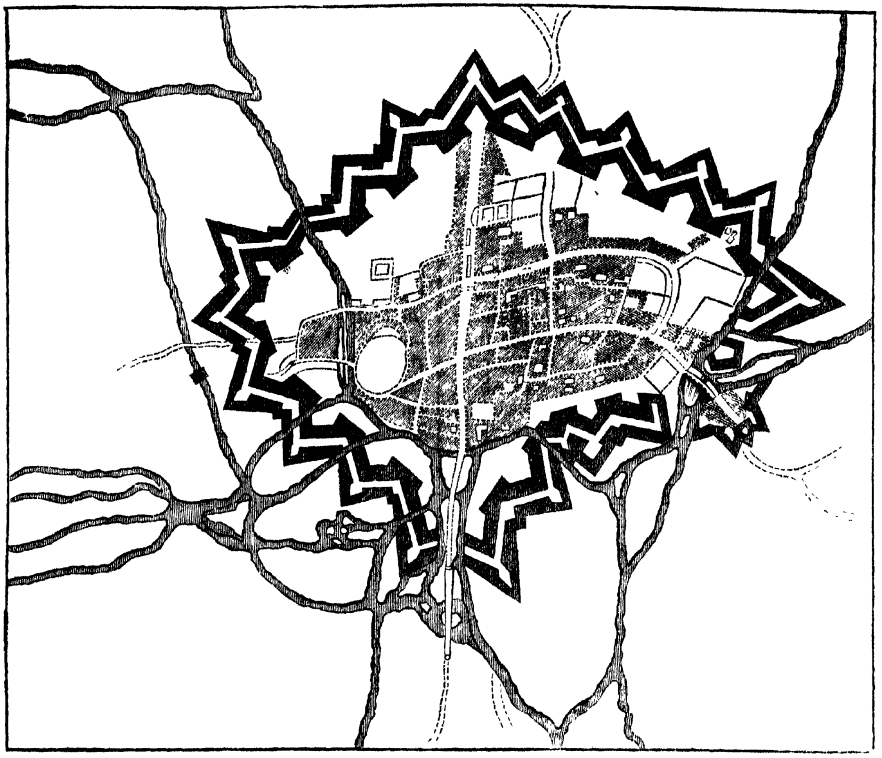
for, instead of removing and reconciling these bloody distractions, and restoring peace to this languishing country, they have invited a *foreign* power to invade this kingdom." Four days after —on January the 26th—the Oxford parliament resolved, *nemine contradicente*, that all such subjects of Scotland as had consented to the present expedition into England had thereby denounced war against the kingdom of England, and forfeited all the advantages of the late act of pacification; that all such of his majesty's subjects of England as did not resist the Scots should be treated as traitors and enemies to the state, &c. On the morrow the Lords and Commons at Oxford drew up a declaration, that they were there to prevent the further effusion of Christian blood; that they and his majesty desired peace above all things; and this was accompanied by an overture for peace addressed to the Earl of Essex, signed by the Prince of Wales, the Duke of York, and forty-three dukes, marquesses, earls, viscounts, and barons of the House of Peers, and 118 members of the House of Commons, there present. The profession thus made was a mere feint. They described the parliament at Westminster as those by whom Essex was trusted. Essex told them that they must acknowledge the two Houses at Westminster as the true parliament of England, and that he could not deliver their letter. Charles then directed a letter "To the Lords and Commons of Parliament assembled at Westminster." This address was unexceptionable, but not so were the contents, wherein the king, "by the advice of the Lords and Commons of Parliament assembled at Oxford," requested them to appoint commissioners to settle their differences, and the manner "how all the members of both Houses may securely meet in a full and free convention of parliament, there to treat, consult, and agree upon such things as may conduce to the maintenance and defence of the true reformed Protestant religion, with due consideration to all just and reasonable ease of *tender consciences*,* to the settling and maintaining of the king's just rights and privileges, the rights and privileges of parliament," &c.† The two Houses looked upon the king's letter as an insult. "We conceive," said they, "that it was intended for us, and we have resolved, with the concurrent advice and consent of the commissioners of the kingdom of Scotland, to represent to your majesty, in all humility and plainness, that as we have used all means for a just and safe peace, so will we never be wanting to do our utmost for the procuring thereof." They then expressed their sorrow at the persons assembled at Oxford—the deserters from the parliament —being put on an equality with it; and they ended their letter by reminding the king of the happy union existing between England and Scotland, and of their late solemn league and covenant. A few days after, the two Westminster Houses addressed a large declaration to the kingdom, in which they denounced this Oxford proposal of a treaty as "a popish and jesuitical counsel." In this they published at length another intercepted letter of the Lord Digby, written from Oxford on the 27th of December, and which they considered as sufficient proof of the evil designs of that popish party, as well as of the existence for some time of this plan to undo the existence of the parliament. Digby's letter, indeed, explained that it was a *sine quâ non* with Charles to get the parliament disowned both abroad and at home. The Lords and Commons at Oxford issued a counter-declaration—the strongest argument in which was, that they had been threatened and coerced when at Westminster by the London populace. They also voted levies of men and money for the king, but these could only be raised in those parts of the kingdom where the royalists were indisputably the strongest; and it appears that Charles got some more money by the issuing of privy seals and contracting loans; and about the middle of April he dismissed his "mongrel parliament"—for so, as before noticed, he himself called it.

Meanwhile the fortune of war was setting strongly against the royalists. That tried soldier of fortune, old Leslie, who now rejoiced in the title of Earl of Leven, once more led a Scottish army across the borders, and advanced without opposition, or without delay, though the winter was dreadful, the roads almost impassable, to the banks of the Tyne. Newcastle, however, was this time well fortified, and, after an ineffectual summons, old Leslie crossed the river and marched upon Sunderland. There he found himself opposed by Newcastle, who had taken up an advantageous position. The Scot took up as good ground, resolving to remain on the defensive till the English parliamentarians of the north should form a junction with him. But the Fairfaxes were engaged elsewhere, and for some time Leslie was obliged to lie inactive between Sunderland and Durham, having, however, secured his communications by sea with Scotland, and presented too formidable a front for the marquess to attack. But the defeat of Lord Byron with his Irish and Anglo-Irish forced Newcastle to move off towards York, which was then threatened by Lord Fairfax. Leslie followed, sorely harassed Newcastle's rear, and joined Lord Fairfax under the walls of York.

Charles was still lying at Oxford with about ten thousand men. A combined attack which was made upon that place by Essex and Waller would have fully succeeded, but for the disagreement of those two generals, which allowed the king to

* Dr. Lingard properly remarks, "The reader will notice this hint of religious toleration, the first which had yet been given from authority, and which a few years before would have scandalized the members of the church of England, as much as it did now the Presbyterians and Scots. But policy had taught that which reason could not. It was now thrown out as a bait to the Independents, whose apprehensions of persecution were aggravated by the intolerance of their Scottish allies, and who were on that account suspected of having already made some secret overtures to the court."—"Bristol, and his band, gives them a full assurance of so full a liberty of their conscience as they could wish, inveighing withal against the Scots' cruel invasion, and the tyranny of our presbytery, equal to the Spanish Inquisition."—*Baillie's Letters.*

† Rushworth.



Plan of Oxford, with the Lines raised for its Defence by Charles I.
From the Old Print by Antony Wood.

escape by night between the two armies, and to get to Worcester by forced marches. Essex then turned to the west, leaving Waller to pursue the king. At Copredy bridge, near Banbury, Charles, who had led Waller a strange dance, who had got some reinforcements, and who had arrested a number of country magistrates for having expressed too much kindness to the parliament, turned upon his pursuer, and gained some advantage over him. The affair was a trifle, but Charles was enabled to move towards the west, and join his nephew, Prince Maurice. Some advised him to try London once more.

Fourteen thousand men had been placed by parliament under the command of the Earl of Manchester and his lieutenant-general, Oliver Cromwell, who was rising rapidly in the service, but who for some time set a very laudable and rarely-followed example of subordination to his superior. This division, which was regarded with pride and hope by at least all the Independents, was sent northward to co-operate with Lord Fairfax and Leslie in the siege of York. The two commanders were accompanied by the sagacious Sir Henry Vane, who was then alike the bosom friend of Manchester and of Cromwell. When this force arrived, York was completely invested. Newcastle drew off his army towards the west, and Prince Rupert, resolute to raise the siege, advanced from Cheshire and Lancashire in great force, and joined Newcastle. The united royalist army in the north thus amounted to upwards of twenty thousand men, the cavalry being numerous and well appointed. The parliamentarian generals and the Scots raised their siege in presence of such a force, and, on the last day of June, placed themselves in battle array on Marston Moor, on the banks of the Ouse, about five miles to the south-west of the city. Rupert threw troops and provisions into York, and then proposed giving a general battle. Newcastle was of a different opinion, and the two royalists, as they had often done before, came to a violent altercation. In the end, the English nobleman told the proud German, that, if he would fight, it would be upon his own responsibility. Some of his friends advised the earl not to appear in the battle since the command was thus taken from him; but Newcastle replied, that, happen what would, he would not shun the fight, having no other ambition than to live and die true to his king.* The parliamentarians evi-

* "If Prince Rupert, who had acquired honour enough by the

dently did not expect to be brought to action—for, after staying a day on Marston Moor, they, early on the morning of the 2nd of July, began to march off their foot and artillery and their Scottish allies towards Tadcaster; and they were in the disorder of this movement when old Leslie, in the van, received news that Rupert had fallen upon the rear that was still on the Moor. The trumpet sounded a halt along the whole line of march, and the Scots, the English foot, and the artillery turned about, endeavouring to get the best ground on the Moor, and prevent Rupert from outflanking them. A large rye-field on a rising ground was fiercely contested, but the parliamentarians kept it, and secured the additional advantage of a broad drain or ditch, which covered part of their front from cavalry or foot charges. In spite of their efforts, however, the royalists outflanked them somewhat; but Leslie attempted to remedy this defect, by posting some Scottish dragoons on the left flank. It was three o'clock in the afternoon before these preludes were finished. Then the prince gave his word, "God and the king," and the other party gave theirs, "God with us;" after which they shot at one or another with their great guns, but not very fiercely or effectually. This lasted till about five o'clock, when there was a general silence through both armies, each expecting which would begin the charge. In this posture they continued a considerable time, so that it was believed there would be no action that night; but, about seven o'clock in the evening, the parliament's generals resolved to fall on, and, a signal being given, the Earl of Manchester's foot and some of the Scots ran to the ditch or drain in their front, made their way over it, and made a smart charge. This attack of infantry led to two grand charges of cavalry. The left wing of the royalists charging the right wing of the parliamentarians, where Scots were mixed with English, almost totally routed them, and drove the three generals, the Lord Fairfax, the Earl of Manchester, and old Leslie, in the direction of Tadcaster and Cawood Castle. But, at the same time, the left wing of the parliamentarians, where Cromwell charged with his excellent horse—his "Ironsides"—was completely successful. "The horse," says Ludlow, "on both sides behaved themselves with the utmost bravery; for, having discharged their pistols, and flung them at each other's heads, they fell to it with their swords. The king's party were encouraged in this encounter by seeing the success of their left wing; and the parliament's forces that remained in the field were not discouraged, because they knew it not—both sides eagerly contending for victory; which, after an obstinate dispute, was obtained by Cromwell's brigade, the enemy's right wing being totally routed and flying, as the parliament's had done before, our horse pursuing and killing many of them in their flight." As each victorious wing wheeled round upon its own centre, right and left, they clashed against each other, each fondly fancying that the business was over, "both sides being not a little surprised to see they must fight it over again for that victory which each thought they had already gained." The encounter was dreadful, and for a time Cromwell, who was wounded, was in great danger. But he was presently backed by some reserves of horse and foot, and Manchester had begun to rally part of the broken wing. "The face of the battle was exactly counter-changed; for now the king's forces stood nearly on the same ground, and with the same front that the parliament's right wing before stood in to receive their charge; and the parliament's forces stood on the same ground, and with the same front, as the king's did when the fight began. At ten o'clock at night the victory was decided by charges of the reserves of Oliver Cromwell's brigade, backed by General David Leslie. Rupert fled headlong with his broken and disordered cavalry, his infantry threw down their arms to run the faster, all his artillery, ammunition, and baggage fell into the hands of the parliamentarians, who, moreover, took about one hundred colours and standards—the prince's own standard, with the arms of the Palatinate, being among them. The victors followed with great slaughter to within a mile of York, and then slept on the ground on Marston Moor. On the following morning the Marquess of Newcastle resolved to forsake the kingdom, and, taking short leave of the prince, he escaped from York to Scarborough, where he embarked for the continent, coming no more back to England till the Restoration.

On the morrow, Prince Rupert drew off from York a few troops of horse, and gallopped to Boroughbridge, where he was joined by Colonel Clavering, who proposed a marauding expedition into Cheshire and Lancashire. On the morning of the 4th of July the parliament men again sat down before York, and summoned the garrison to surrender at discretion. The royalist officers refused to yield upon such terms: the beleaguerers pressed their siege, only resting upon Sunday the 7th of July, and giving a public thanksgiving for their late success at Marston Moor. By the 11th of July they had made their approaches almost up to the very walls, and prepared their ladders and all things requisite for storming: but then Glenham, the royalist governor, begged to treat, and the prayer was seconded by many of the chief inhabitants of the city of York. Articles of surrender were agreed upon on the 15th, and on the 16th the parliamentarians marched into York, and the royalists marched out of it with colours flying and drums beating. The three chief generals, Fairfax, Manchester, and Leslie or Leven, proceeded directly to the glorious minster, where a psalm was sung and thanks returned to God by a presbyterian

relief of York in the view of three generals, could have contented himself with it, and retreated, as he might have done, without fighting, the reputation he had gained would have caused his army to increase like the rolling of a snowball; but he, thinking this nothing unless he might have all, forced his enemies to a battle against the advice of many of those that were with him."—*Ludlow.*

preacher, Mr. Robert Douglas, the Earl of Leven's chaplain.*

The battle of Marston Moor gave parliament the command of the entire north, where the Scots soon stormed the town of Newcastle. But, in the West, Essex was getting into a position which eventually led to humiliating defeat. The lord general, after the frustrated attempt upon the king at York, had marched through the western counties with the confident hope of reducing them all. The queen who had just got up from her confinement in the city of Exeter, asked him for a safe conduct to Bath or Bristol, that she might drink the waters and recover her health. Essex offered her a safe-conduct to London, where she might have the advice of the best physicians; she preferred making her way to Falmouth and sailing back to France, which she did upon Sunday the 14th of July. "The Earl of Warwick had ordered several ships to attend at Torbay to intercept and hinder her passage; yet her majesty, with a Flemish man-of-war, and ten other ships, adventured out, and by the advantage of the wind avoided any annoyance from the parliament fleet, who yet pursued with all the sail they could make, and one frigate came up and discharged several shots at them; but her majesty's ships, coming out fresh tallowed and trained for so important a service, had the advantage of them in sailing; and to prevent the worst, there was provided a galley with sixteen oars, which might have carried off her majesty if they could have come up; but without needing to make use thereof, her majesty landed safely at Brest in France, and resided in that her native kingdom from henceforth, till after the restoration of the royal family.†" The lord general Essex meanwhile kept advancing into the West, ignorant of the storm that was gathering in his rear, and apparently blind to the fact, that the farther west he went the more he found the people disposed to royalty. Blake, who was afterwards to distinguish himself in a larger theatre and on a different element, was besieged by Prince Maurice in the unimportant town of Lyme Regis, which he made tenable, and put in fighting order like a ship. Maurice raised the siege on the approach of Essex, who within three weeks occupied Taunton, Tiverton, Weymouth, and Bridport. But the king who had given Waller the slip at Copredy bridge, and who had reinforced his army with a wonderful accession of enthusiastic royalists, was now in full march after him, and driving him into a corner, the narrow extremity of Cornwall, where the fierce natives, except in the sea-ports and trading towns, were exceedingly hostile to the parliament. Prince Maurice also joined his forces to the king's, and a strong hope was entertained of destroying the whole of the parliamentarian army in the West. Charles at this crisis sent tempting offers to Essex, but that nobleman would not listen to them, but referred his majesty to the two Houses sitting at Westminster. His honesty was therefore more conspicuous than his ability in this campaign. Waller, after the affair at Copredy bridge, ought to have followed westward, but he remained almost inactive, only sending Middleton with about two thousand horse after the king, but Middleton kept at such a distance from him that he never afforded Essex much help. If the earl had given the king battle on his first making his appearance, and before he was joined by the bands of west-country royalists, his chance would have been a good one; but he, on his side, expected to be joined by Middleton, perhaps by Waller, and so lay doing nothing, and allowing his men to be cooped up between Liskeard and the sea. Then Sir Richard Grenville came up with a wild force of Cornwall levies, and cut off some of the parliamentarian foraging parties. Captain Edward Brett arrived with the queen's body guard, which she had left behind her when embarking for France, and Sir Jacob Astley manœuvred round Essex "with a good party of horse and foot." Other corps gathered at other points, and all supplies of forage and provisions were soon cut off. But the sea as yet was open, and the Earl of Warwick, who attended the motions of the army, was on the coast. "It was therefore now resolved to make Essex's quarters yet straiter, and to cut off even his provisions by sea, or a good part thereof." The little town of Foy, or Fowey, which covered and commanded a convenient harbour, was in Essex's possession—"and it was exceedingly wondered at by all men, that he being so long possessed of Foy, did not put strong guards into that place, by which he might have prevented his army's being brought into those extreme necessities." Sir Richard Grenville possessed himself of Lanbetherick, a strong house belonging to the Lord Roberts, and lying between Essex's camp and the little harbour, and Sir Jacob Astley made himself master of View-hall, which belonged to the Lord Mohun, and which was opposite to Foy. Sir Jacob put two captains, two hundred soldiers, and two great guns into View-hall, which in a short time rendered the town and position of Foy almost useless to Essex, and prevented the passage of provisions from the sea-bord. "Now the king had leisure to sit still, and warily to expect what invention or stratagem the earl would make use of to make some attempt upon his army, or to make his own escape. In this posture both armies lay still without any notable action for the space of eight or ten days: when the king, seeing no better fruit from all that was hitherto done, resolved to draw his whole army together, and to make his own quarters yet much nearer, and either to force Essex to fight or to be uneasy even in his quarters. And it was high time to do so: for it was now certain, that either Waller himself, or some other forces, were already upon their march towards the West."* Charles therefore drew closer the toils

* Rushworth.—Clarendon.—Ludlow.—Newcastle's Life by the Duchess.—Coke.
† Rushworth.

* Clarendon, Hist.

in which he held the army of Essex; he drove them from a rising ground called Beacon-hill, and immediately caused a square work to be there raised, and a battery made which shot into their quarters with a plunging fire, and did great hurt. And then Goring was sent with the greatest part of the royal horse, and fifteen hundred foot, a little westward to St. Blaze, to drive the enemy yet closer together, and to cut off the provisions they received in that direction. The dashing, daring Goring, the bloodiest hand that waved a sword in these civil wars, executed the commission with entire success; and the parliamentarians were reduced to that small strip of land that lies between the river of Foy, or Fowey, and that of St. Blaze, which was not above two miles in breadth, and little more in length, and which had already been eaten bare by the cavalry. On the 25th of August, the royalists made an attempt, which very nearly proved successful, at blowing up Essex's powder magazine by treachery.* On the 27th, the lord general informed parliament that several skirmishes had lately taken place between him and the royalists, wherein generally his forces had the better; but at the same time he earnestly pressed for provisions and some fresh forces, concluding his letter with these words:—"If succour come not speedily, we shall be put to great extremity. If we were in a country where we could force the enemy to fight, it would be some comfort; but this country consists so much upon passes, that he who can subsist longest must have the better of it, which is a great grief to me, who have the command of so many gallant men."† At length, the state of the army being desperate, and famine staring them in the face, it was determined that Sir William Balfour should try and break through the king's lines with all the horse, and that then Essex should endeavour to embark the foot at Fowey, and escape by sea. A Frenchman, who deserted from the parliamentarians, went over by night and acquainted the king with these two desperate plans. Instantly, an order was given that both royal armies ‡ should stand to their arms all that night (the night between the 30th and 31st of August), and that if Essex's cavalry should attempt an escape they were to be fallen upon from both quarters, the passage between them through which the parliamentarians must go being but musket-shot over, and having in the midst a house well fortified and supplied with musketeers. Warning was sent to Goring and all the royal horse; and further orders were given or renewed for the breaking down the bridges, and cutting down the trees to obstruct the passage. "The effect of all this providence," says Clarendon, "was not such as was reasonably to be expected. The night grew dark and misty, as the enemy could wish; and about three in the morning, the whole body of the horse passed with great silence between the armies, and within pistol-shot of the cottage, without so much as one musket discharged at them. At the break of day, the horse were discovered marching over the heath, beyond the reach of the foot; and there was only at hand the Earl of Cleveland's brigade, the body of the king's horse being at a greater distance. That brigade, to which some other troops which had taken the alarm joined, followed them in the rear; and killed some, and took more prisoners: but stronger parties of the enemy frequently turning upon them, and the whole body often making a stand, they were often compelled to retire; yet followed in that manner, that they killed and took about a hundred, which was the greatest damage they sustained in their whole march. The notice and orders came to Goring, when he was in one of his jovial exercises; which he received with mirth, and slighting those who sent them, as men who took alarms too warmly; and he continued his delights till all the enemy's horse were passed through his quarters; nor did then pursue them in any time. So that, excepting such who, by the tiring of their horses, became prisoners, Balfour continued his march even to London, with less loss or trouble than can be imagined, to the infinite reproach of the king's army, and of all his garrisons in the way. Nor was any man called in question for this supine neglect: it being not thought fit to make severe inquisition into the behaviour of the rest, when it was so notoriously known how the superior officer had failed in his duty." Having stayed to see the full success of Sir William Balfour's movement, which saved the most valuable part of the army, Essex fought his way to the shore near the mouth of the Fowey, and there, with his friend the Lord Roberts and with many of his officers, he embarked on board a ship which Warwick had sent round, and sailed away to Plymouth on the 1st of September, leaving his foot, cannon, and ammunition to the care of the gallant and faithful Skippon, who had nothing left for it but to make the best capitulation he could. The staying of Essex would only have rendered the treaty more disadvantageous to the parliamentary cause. Before laying down arms, however, Skippon called a council of war, and proposed to the officers a desperate attempt. "You see," said Skippon, "our general and some chief officers have thought fit to leave us, and our horse are got away; we are left alone upon our defence: that which I propound to you is this, that we, having the same courage as our horse had, and the same God to assist us, may make the same trial of our fortunes, and endeavour to make our way through our enemies as they have done,

* "The Earl of Essex sent a letter to the parliament, acquainting them with the plot lately discovered, to blow up his magazine: for which purpose, into two waggons filled with bariels of powder there were two engines privately conveyed, and put amongst the barrels, and were so near doing execution, that the lighted match that was fastened to the end of one of the engines was burnt within an inch of the wild-fire when it was discovered, and the other match was burnt to the very neck of the engine where it was to give fire; but it happened not to take, and so the coal was gone out of itself; one of which engines he sent up (and it was showed in the House of Commons.)"—RUSHWORTH.

† Id.

‡ The army under Prince Maurice, according to Clarendon, was looked upon as distinct, and always so quartered.

and account it better to die with honour and faithfulness than to live dishonourable." But few of the officers went with him in this resolution, alleging that the horse had many advantages which the foot had not; and the king had offered good terms of surrender. On the evening of the 2nd of September the common men laid down their arms (the officers retaining their swords), delivered up their cannon and ammunition, and were conducted towards the posts of their army at Poole and Portsmouth. They had been promised the safe possession of whatever money and goods belonged to them; but before they were quit of the royalist escorts they were stripped even of their clothes.*

Essex wrote from Plymouth on the 3rd of September to his friend Sir Philip Stapleton, deploring what had passed, and "how his poor army had been neglected and overpressed by so great powers." "Never," said he, "were so many gallant and faithful men so long exposed without succour!" If we are to believe certain respectable authorities, Vane, St. John, Ireton, Cromwell, and the other leaders of the Independents, anxious to see the disgrace and ruin of Essex, purposely prevented the marching of reinforcements, or the making of a diversion; but it may have been, nevertheless, the feeling of parliament, and of those who directed the war, that the cavalry marching under Middleton would be succour enough—and so in all probability it would have proved, if that officer had avoided skirmishes by the way, and gone straight to Bodmin. On the other side there are authorities of equal weight that lay the entire blame upon Essex and upon the Lord Roberts, who, it is affirmed, for selfish motives, tempted the lord-general into Cornwall. One thing seems certain—that, as Roger Coke remarks, the ill success of Essex in this expedition was the cause of Essex's fall, and of the rise of Cromwell. At first, however, the disposition of the parliament did not seem to portend this issue. Indeed, for the present, the two Houses made a rare show of magnanimity and of respect for the unfortunate general. In their letter of the 7th of September they told Essex that they had received his letters from Plymouth; that, as they understood "the misfortune of that accident, and submitted to God's pleasure therein, so their good affections to his lordship, and their opinion of his fidelity and merit in the public service, were not at all lessened." "And," continued the Lords and Commons, whose votes were certainly not directed by that vulgar class of minds that become cowardly, and cruel, and insolent at all such unfortunate crises, "they are resolved not to be wanting in their best endeavours for repairing of this loss, and drawing together such a strength under their command as may, with the blessing of God, restore our affairs to a better condition than they are now in: to which purpose they have written to the Earl of Manchester to march with all possible speed towards Dorchester, in Dorsetshire, with all the forces he can of horse and foot. Sir William Waller is likewise ordered to march speedily into Dorchester, with all his horse and foot. The Houses have appointed six thousand foot arms, and five hundred pair of pistols, and six thousand suits of clothes, shirts, &c., to meet your lordship at Portsmouth, for the arming and encouragement of your forces."

If Charles had remained in Cornwall he would soon have been cooped up in his turn. He preferred marching off in great triumph into Devonshire, and, after resting a short time in that plentiful country, he pushed forward for Oxford, in the hope of recovering his old quarters without a battle. But in the mean time the forces of Essex, Manchester, Waller, and Cromwell were concentrated near Newbury; and, on reaching that spot where he had been so fatally engaged the preceding year, the king, who got possession of the town, and who had many other advantages, found himself obliged to consent to a general action. On this occasion no great honour was gained by any of the parliament generals, except Oliver Cromwell. Essex was ill, or pretended to be so, and, keeping out of the action, he left the command to fall to the Earl of Manchester, who had with him Cromwell as general of his cavalry. Some sharp skirmishing began on the afternoon of the 26th of October, the parliamentarians endeavouring to drive the enemy from the town. Night set in, and the weather was very cold: the parliamentarians slept on the field, the royalists in the town, and in good strong houses round about. On the morrow morning (it was a Sabbath morn) Manchester renewed the attack far more vigorously, his men going on to the charge "singing of psalms," as was usual with them. On their left the parliamentarians were completely successful, but on their right the royalists nearly balanced their advantages. The affairs were prolonged till night, when the king, fearing that before the next morning he might be compassed round, threw his artillery into Donnington Castle, and stole away towards Oxford. As soon as his evasion was known, Cromwell proposed following him up with the whole of the horse; but this was opposed by the Earl of Manchester. "The next morning," says Ludlow, "we drew together, and followed the enemy with our horse, which was the greatest body that I saw together during the whole course of the war, amounting to at least 7000 horse and dragoons; but they had got so much ground of us, that we could never recover sight of them, and did not expect to see them any more in a body that year: neither had we, as I suppose, if encouragement had not been given them privately by some of our own party." The fact to which Ludlow alludes, and which indeed seems to justify suspicion, is this:—twelve days after this indecisive second battle of Newbury, the king was

* Clarendon.—Rushworth.—Ludlow.—The last writer says, "The parliament soon caused them to be armed and clothed again; and, the horse having forced their way as before mentioned, the army was speedily recruited, scarce a man having taken arms on the other side."

allowed to return to Donnington Castle, close above the town, and, in the face of the parliament's army, to carry off the artillery, which he had deposited in that castle.

Cromwell now began to murmur not only against his own general, the Earl of Manchester, but also against Essex, Waller, and all the rest of the chief commanders. It may be, or it may not be, that this was part of a regular plan concerted long before by the Independents, who were intent upon getting the command of the army wholly out of the hands of the aristocracy and into their own, in order to make it the instrument for achieving a thorough revolution; but it must nevertheless be confessed that the conduct of the parliament's generals on many occasions was calculated to provoke suspicions, if not of treachery, of military incapacity, and that few popular bodies would have borne so long and so patiently with them as the parliament of England did. But now the House of Commons was so much dissatisfied at this last business of Donnington Castle, that they ordered an inquiry, and then Cromwell exhibited a formal charge against Manchester, in the following terms:—"That the said earl hath always been indisposed and backward to engagements, and against the ending of the war by the sword, and for such a peace to which a victory would be a disadvantage; and hath declared this by principles express to that purpose, and a continued series of carriages and actions answerable. And since the taking of York (as if the parliament had now advantage full enough) he hath declined whatever tended to further advantage upon the enemy, neglected and studiously shifted off opportunities to that purpose (as if he thought the king too low, and the parliament too high), especially at Donnington Castle. That he hath drawn the army unto, and detained them in such a posture as to give the enemy fresh advantages, and this before his conjunction with the other armies, by his own absolute will, against or without his council of war, against many commands from the committee of both kingdoms, and with contempt and vilifying of those commands; and since the conjunction, sometimes against the councils of war, and sometimes persuading and deluding the council to neglect one opportunity with pretence of another, and that again of a third, and at last by persuading that it was not fit to fight at all." The Earl of Manchester in reply sent up to the House of Lords a long narrative, which is supposed to have been written by Denzil Hollis, the implacable enemy of Cromwell, and one of the leaders of that violent Presbyterian party which already considered the Independents as men to be more detested and dreaded than the royalists. Manchester justified his conduct as a general at the second battle of Newbury, saying, that it pleased God, through the valour of the lord-general Essex's foot, and some horse, to give a very happy success to that service. "But," continued Manchester, or Hollis for him, "where the horse were that Lieutenant-General Cromwell commanded, I have as yet had no certain account." (There was boldness in accusing Oliver Cromwell of cowardice, but this was the intention, and Denzil Hollis afterwards repeated the charge circumstantially.)* Manchester went on to say that he received intelligence of the king's intention to relieve Donnington Castle, and carry off his artillery there. —"Wherefore," he continued, "I sent unto Major-General Skippon to consult what was fittest to be done: and we both resolved that, in regard all our horse were quartered so far from us, it was necessary to call them to a rendezvous the next day, that so they might be nearer to us, and readier for any present service: hereupon Major-General Skippon and myself writ to Sir William Balfour, that he would please to command my lord-general's horse to rendezvous the next day, which he accordingly did. I sent likewise unto Lieutenant-General Cromwell to give the like orders to my horse, for, if I called them to a rendezvous, I might have their skins, but no service from them." Manchester asserted that Cromwell had not brought up his horse when the king made a sudden charge to cut his way through the parliament lines to Donnington Castle, and that in not following the king's army he (Manchester) had been guided by the opinion of most of his officers and of the members of the House of Commons who were present;—in particular, he said, Sir Arthur Hazlerig represented that they should run a greater danger than the king, for, if they beat him, his army would not be ruined, but he, being king still, and retreating to his garrisons, would recruit his army, it being now the winter season; but, if the king had the better of them, their whole forces would be ruined, and the kingdom in extreme hazard, having no considerable reserve on this side Newcastle, so that the enemy might without any opposition march up to the very walls of London. But, not satisfied with this recrimination, the Earl of Manchester, a Presbyterian, and led by the Presbyterian party, jealous of the Independents, delivered to the lords on the same day (the 2nd of December) another paper which was meant to heap fuel on the fire, to consume Cromwell in the flames of Presbyterian wrath, by accusing him of a fixed design against the aristocracy and the church of Christ. This latter paper purported to contain a statement of certain speeches uttered by Mr. Oliver Cromwell, who had said "that it would never be well with England until the Earl of Manchester was made plain Mr. Montague; that the assembly of divines was a pack of persecutors; and that, if the Scots crossed the Tweed only to establish Presbyterianism, he would as soon draw his sword against them as against the king."

The Earl of Essex was far more bitter against Cromwell than Manchester could be, for the latter

* Rushworth.—Whitelock.—Ludlow.—Clarendon.—Warwick.

* See his own Memoirs, written after he went abroad, and published at London in 1699.

nobleman's temper was naturally amiable and generous. The great Presbyterian general-in-chief went down to the House of Lords on the day appointed for reading Manchester's narrative. He had not been there since his return from Cornwall, but he continued to attend in his seat while this business was discussing, and at the same time he opened private consultations in his own house upon the delicate question of the expediency and safety of proceeding against Cromwell as an "incendiary" between the two nations of England and Scotland. The managers of these debates at Essex House were the Scottish commissioners, Hollis, Sir John Meyrick, Sir Philip Stapleton, and other Presbyterian chiefs, who were alike anxious for the preservation of monarchic and aristocratic institutions, and for the establishment of one sole and exclusive form of worship, church government, doctrine, and discipline. Doubting of their own knowledge of constitutional law, these gentlemen very late one evening induced the Earl of Essex to send for Maynard and Whitelock, two able English lawyers, and members of the Commons. Whitelock says "that there was no excuse to be admitted, nor did they know beforehand the occasion of their being sent for." The lord-general made the two lawyers a very flattering speech, and asked them for their opinion; the lord chancellor of Scotland, who was one of the commissioners sent up by the Scottish parliament, assuring them also of the great opinion both he and his brethren had of their worth and abilities. "You ken vary weel," said his lordship, "that General Lieutenant Cromwell is no friend of ours, and since the advance of our army into England he hath used all underhand and cunning means to take off from our honour and merit of this kingdom,—an evil requital of all our hazards and services; but so it is, and we are nevertheless fully satisfied of the affections and gratitude of the gude people of this nation in the general. It is thought requisite for us, and for the carrying on of the cause of the twa kingdoms, that this obstacle or *remora* may be removed out of the way, who, we foresee, will otherwise be no small impediment to us, and the gude design we have undertaken. He not only is no friend to us, and to the government of our church, but he is also no well-willer to his Excellence, whom you and we all have cause to love and honour: and, if he be permitted to go on in his ways, it may, I fear, endanger the whole business; therefore we are to advise of some course to be taken for prevention of that mischief. You ken vary weel the accord 'twixt the twa kingdoms, and the union by the Solemn League and Covenant, and, if any be an INCENDIARY between the twa nations, how is he to be proceeded against? Now the matter is, wherein we desire your opinions, what you tak the meaning of this word Incendiary to be, and whether Lieutenant-General Cromwell be not sik an incendiary as is meant thereby, and whilk way wud be best to tak to proceed against him, if he be proved to be sik an incendiary, and that will clip his wings from soaring to the prejudice of our cause. Now you may ken that by our law in Scotland we clepe him an INCENDIARY whay kindleth coals of contention, and raiseth differences in the state to the public damage, and he is *tanquam publicus hostis patriæ;* whether your law be the same or not, you ken best, who are mickle learned therein, and therefore, with the favour of his Excellence, we desire your judgment in these points." Whitelock tells us that he told my Lord Chancellor of Scotland and the rest of the commissioners that the word INCENDIARY meant just the same thing in English as it did in Scotch, but that whether Lieutenant-General Cromwell was such an INCENDIARY between the two kingdoms was a thing that could be known only by proofs of his particular words and actions; that it would ill suit persons of so great honour and authority to bring forward any such public accusation unless they could see beforehand that it could be clearly made out and brought to the effect intended; that it would reflect upon their honour and wisdom if they should begin a business of this weight and fail in it, and that it would be wise to consider Cromwell's present condition, parts, and interest, his weight in the House of Commons, his influence in the army. "I take Lieutenant-General Cromwell," continued Whitelock, "to be a gentleman of quick and subtle parts, and one who hath (especially of late) gained no small interest in the House of Commons, nor is he wanting of friends in the House of Peers, nor of abilities in himself to manage his own part or defence to the best advantage. If this be so, my lords, it will be the more requisite to be well prepared against him before he be brought upon the stage." He told them that he had not yet heard any particulars mentioned by Essex or by the Scottish commissioners or any other, nor did he know of any thing himself by his own observation, which would amount to a proof clear enough to satisfy the House of Commons; and he again advised them above all things not to attack Cromwell rashly. Whitelock's companion and friend, Maynard, spoke in the same sense. "Lieutenant-General Cromwell," said Maynard, "is a person of great favour and interest with the House of Commons, and with some of the House of Peers likewise, and therefore there must be proofs the most clear and evident against him to prevail with the parliament to adjudge him to be an INCENDIARY." Mr. Hollis, Sir Philip Stapleton, and some others of the Presbyterian conclave "spake smartly to the business," and recommended an immediate accusation; but the Scottish commissioners, wisely cautious, "were not so forward to adventure upon it, and this blow was given up for the present." Whitelock says that he and Maynard were dismissed at about two hours after midnight, with compliments and thanks, adding—"They had some cause after-

wards to believe that, at this debate, some who were present were false brethren, and informed Cromwell of all that passed among them; and, after that, Cromwell, though he took no notice of any particular passages at that time, yet he seemed more kind to Whitelock and Maynard than he had been formerly, and carried on his design more actively of making way for his own advancement."*

No doubt the hatred of the Scottish commissioners, and of the Presbyterians generally, had been much sharpened by the boldness with which Cromwell had stood forward in the House of Commons in defence of religious liberty with Selden, St. John, Vane, and Whitelock: he had combated fearlessly for a toleration to be extended at least to all such Protestant sects as acknowledged the general scheme of Christianity. But for a vote moved and carried in the House of Commons by Cromwell and Vane, before the taking of the covenant, the intolerant Scots, and the no less intolerant Presbyterians of England, would have carried all questions concerning religion in their own way, and men might have doubted of the blessings of civil liberty on seeing it accompanied by such a coarse, dark, and unornamented spiritual tyranny.

But now, while the Scottish commissioners, and Essex, and Hollis, and the others that loved the Geneva cloak and the doctrine of exclusive salvation,—hungering at the same time with an unspiritual appetite after the possession of power, and place, and cankering riches,—were plotting at midnight, and devising all kinds of means to drive Cromwell into the toils,—that wonderful person, who had no pretension whatever either to the innocency of the dove or the meekness of the lamb, was planning, with infinitely better success, how he might break the neck of the Presbyterian oligarchy, and get the command of the army out of the hands of a set of men, who, as the majority of the nation now certainly believed, were in no haste to finish this desolating war. It is probable, indeed, that he anticipated both Essex and Manchester, and that, before they began, he had fully prepared the engine he intended to employ against them. For some time he and his friend Sir Harry Vane had been almost constantly closeted together. Compared with either of these men, the Manchesters, the Essexes, the Hollises, were intellectually babies; and, then, Cromwell and Vane had the assistance of the deep, inscrutable, and most sagacious St. John. The effect of their deliberations was made manifest on the 9th of December, when (military operations having been suspended, and both armies having gone into winter quarters) the Commons went into a committee of the whole House to take into consideration the sad condition of the kingdom in reference to its grievances by the burden of the war. "There was a general silence," says Whitelock, "for a good space of time, many looking upon one another to see who would break the ice and speak first on so tender and sharp a point." At last Cromwell stood up and said, "It is now time to speak or for ever to hold the tongue: the important occasion being no less than to save a nation out of a bleeding, nay, almost dying condition, which the long continuance of the war hath already brought it into; so that, without a more speedy, vigorous, and effectual prosecution of the war, casting off all lingering proceedings, like soldiers of fortune beyond sea, to spin out a war, we shall make the kingdom weary of us, and hate the name of a parliament. For what do the enemy say? Nay, what do many say that were friends at the beginning of the parliament? Even this,—that the members of both Houses have got great places and commands, and the sword into their hands; and, what by interest in parliament, and what by power in the army, will perpetually continue themselves in grandeur, and not permit the war speedily to end, lest their own power should determine with it. This I speak here to our own faces is but what others do utter abroad behind our backs. I am far from reflecting on any; I know the worth of those commanders, members of both Houses, who are yet in power; but, if I may speak my conscience without reflection upon any, I do conceive, if the army be not put into another method, and the war more vigorously prosecuted, the people can bear the war no longer, and will enforce you to a dishonourable peace. But this I would recommend to your prudence, not to insist upon any complaint or oversight of any commander-in-chief upon any occasion whatsoever; for, as I must acknowledge myself guilty of oversights, so I know they can rarely be avoided in military affairs: therefore, waiving a strict inquiry into the causes of these things, let us apply ourselves to the remedy which is most necessary; and I hope we have such true English hearts, and zealous affections towards the general weal of our mother-country, as no members of either House will scruple to deny themselves and their own private interests for the public good, nor account it to be a dishonour done to them, whatever the parliament shall resolve upon in this weighty matter." Another member, whose name ought to have been preserved, followed Cromwell, and said,—"Whatever be the cause, two summers are passed over, and we are not saved. Our victories (the price of blood invaluable), so gallantly gotten, and (which is more pity) so graciously bestowed, seem to have been put into a bag with holes; what we won one time we lost another; the treasure is exhausted, the country wasted: a summer's victory has proved but a winter's story; the game, however shut up with autumn, was to be new played again the next spring; as if the blood that has been shed were only to manure the field of war for a more plentiful crop of contention. Men's hearts have failed them with the observation of these things." The cause of all this he thought lay in the forces of the parliament "being under several great commanders," who had no

* Memorials.

good correspondence or understanding with one another. But the first that proposed expressly to exclude all members of parliament, whether of the House of Lords or House of Commons, from commands and offices, was Mr. Zouch Tate, who moved for the bringing in of the ordinance to that effect which was afterwards so celebrated under the name of the Self-denying Ordinance. Zouch Tate was seconded by Vane, and the unexpected motion was carried. The ordinance was reported two days after, on the 11th of December, when a solemn day of fast was appointed for imploring a blessing on the intended new model of the army. On the morrow, the 12th of December, a petition was presented to the Commons "by the well-affected citizens and inhabitants of London," who thanked them for the care their House was taking of the commonwealth, and expressed their resolution to assist them to the utmost of their power, in prosecution of their vote of the 9th. On the 14th of December the Commons resolved themselves into a grand committee, wherein the ordinance was canvassed very seriously on both sides. Many weighty reasons were urged by the proposers of the measure. It was represented, for example, that this would be the only way of settling the differences which had unhappily arisen between commanders that were parliament men, and of either House; that the commanders would be less able to make parties for themselves when they should be men having no interest or seat in either House, "and so become more easily removable or punishable for their neglects and offences; that, by passing this ordinance, the members taken off from other employments would be better able to attend to their duties in parliament, whereby the frequent objection of the thinness of the House at the passing of important votes would be obviated, as would also that other capital objection—that the members of parliament sought their own profit, honour, and power, which would be no longer believed when the world saw them so ready to exclude themselves from all commands and offices.*"

But all these reasons failed to satisfy many members, who spoke against the self-denying ordinance as a perilous and uncalled-for novelty. Whitelock, who did not see into the future, objected that it would lay aside as brave men, and as wise, and as faithful, as ever served their country. "Our noble general," said he, "the Earls of Denbigh, Warwick, Manchester, the Lords Roberts, Willoughby, and other lords in your armies, besides those in civil offices; and your own members, the Lord Grey, Lord Fairfax, Sir William Waller, *Lieutenant-General Cromwell*, Mr. Hollis, Sir Philip Stapleton, Sir William Brereton, Sir John Meyrick, and many others, must be laid aside if you pass this ordinance."

But a majority of the House of Commons *did pass* the ordinance on the 19th of December;* and on the 21st they sent it up to the Lords. There the bill met with many delays and much opposition, for their lordships would not enter upon the subject till the 30th of December, and they then committed the consideration of it to a committee of eight lords, four of whom were persons most interested in opposing the ordinance,—namely, the earls of Essex, Manchester, Warwick, and Denbigh. This committee drew up a paper representing that the bill would deprive the peers of that honour which in all ages had been given to them, since they had evermore been active, to the effusion of their blood, and the hazard of their estates and fortunes, in regaining and maintaining the fundamental laws of the land, and the rights and liberties of the subject; nor was there ever any battle fought for these ends wherein the nobility were not employed in places of chiefest trust and command. They added, what was perfectly true, and what was of vital importance to their whole caste, that the self-denying ordinance was by no means equal in its operation to Lords and Commons, since, though some of the gentry and commons were comprehended in it as sitting members of parliament, yet the rest were left free to serve either in civil offices or in the field; whereas the ordinance would operate as a disqualification of the whole hereditary nobility of England. Upon this the Commons, who twice before had sent up urgent messages representing that any delay would be dangerous, and might be destructive to the country's liberties, appointed a committee to prepare reasons to satisfy their lordships; and on the 13th of January, 1645, the whole House, with the Speaker at their head, went up to the Lords about the same business. But the Lords, that same day, finished debating, and rejected the ordinance. In the mean time the Commons went on forming the new model of the army, which they agreed should consist in the whole of 21,000 effective men,—namely, 6000 horse, 1000 dragoons, and 14,000 foot, to be placed under the command of one general-in-chief, one lieutenant-general, one major-general, thirty colonels, and regimental officers in the usual proportion. And they settled that the whole charge of this army, estimated at 44,955*l.* per month, should be raised by assessment proportionably throughout the kingdom. Nor did they stop here; for, on the 21st of January, eight days after the Lords had rejected the self-denying ordinance, the Commons proceeded to nominate the chief commanders of the new-modelled army. Sir Thomas Fairfax was named general-in-chief in lieu of Essex; Skippon, who had begun by commanding the train-bands of the City of London, was made major-general; and the post of lieutenant-general was purposely and artfully left vacant. On the 28th of January, having completed the ordinance for raising and maintaining

* Rushworth.—Another reason given was, "That by the new model designed, the former weights that obstructed being taken off, the progress of the army upon new wheels will be more swift, and a speedy period put to the war, which is the general desire of the nation."

* A motion was made in committee, that Essex, the commander-in-chief, should be exempted from the operation of the new law. If this exception had been carried, a main object of the Independents would have been lost; but it was negatived.—*Journals of Commons.*

the army under the supreme command of Sir Thomas Fairfax, the Commons sent it up to the Lords, who, on the 4th of February, returned it passed, but not without additions and alterations; the lords insisting that all colonels, majors, captains, and other officers, should be nominated and approved by *both* Houses; that all officers and soldiers should take the covenant, or be for ever made incapable of serving; and that the lord-lieutenant of every county should be a member of the committee of that county, as to this ordinance, &c. The Lower House hereupon demanded and obtained several conferences, in the course of which they consented that Sir Thomas Fairfax should nominate all the officers, who were to be selected from any of the armies under the command of parliament, and to be approved by both Houses; as also that no commander should be appointed, but such as should take the covenant within twenty days. But the Commons, herein expressing the sense of the Independents, who had no reverence or affection for that Scottish league and bond, could not agree with the Lords that those persons that made a scruple of conscience to take the covenant, "not out of any disaffection to it, or to the parliament," should be for ever made incapable of serving in the army—"since it might happen they might hereafter be satisfied, and take the said covenant." Whereupon the word incapable was left out, and the army ordinance was passed on the 15th of February.*

Three days after this Sir Thomas Fairfax, who had been invited to come up to the parliament, arrived in London in a private manner, attended only by Sir William Constable and a few other officers; and on the morrow, the House of Commons sending four of their members to him, he was by them conducted into the House, where a seat of honour was placed for him. But Fairfax modestly refused the chair, and stood uncovered while the Speaker complimented him on his past services, his valour, conduct, and fidelity, gave him thanks in the name of the House, and encouraged him to go on as he had begun. On the 24th of March the Commons resumed the debate on the self-denying ordinance, and consented to several material alterations. The bill now discharged the present officers from their commands, without disqualifying them for the future, and for ever, as was at first proposed. The measure, in short, was made to assume a temporary character, to look like an extraordinary arrangement made necessary by the extraordinary circumstances of the times. Exceptions were also voted, as in the first self-denying ordinance, in favour of the commissioners of the great seal, the commissioners of the admiralty and navy, and of the revenue, who, though all members either of the Lords or Commons, were to remain in office. The bill in this state was sent to the Upper House on the 31st of March. On the 2nd of April the Lord General Essex, the Earl of Manchester, and the Earl of Denbigh, in the House of Peers, voluntarily offered to surrender their commissions. This offer was accepted and approved of by the House; and a conference being desired with the Commons, their lordships there read a letter written by Essex, who calmly stated that he had been employed for almost three years, as lord-general of all the parliament's forces "raised for the defence of the king, parliament, and kingdom," that he had endeavoured to perform his duty with all "fidelity and sedulity;" yet considering, by the ordinance lately brought up to the House of Peers, that it would be advantageous to the public, he now desired to lay down his commission, and freely to render it into the hands of those from whom he received it. Similar declarations were read from Manchester and Denbigh; and on the following day, the 3rd of April, the self-denying ordinance was freely passed by the Peers. Some things that immediately preceded this tardy consent of the Lords are full of significance. On the 24th or 25th of March, while the Commons were making their last alterations in the ordinance, they sent up Sir John Evelyn to their lordships to say—"that when the Commons received the last message and satisfaction from their lordships, in passing the list of the officers for Sir Thomas Fairfax's army, the House of Commons took special notice that their lordships desired that all united correspondency might be between both Houses; and that he was now commanded by the House of Commons to express their desire of a happy concurrence, being very sensible that it was the greatest endeavour of some persons ill affected to foment discontents, and to report *that the House of Commons aimed to undermine their lordships' privileges, which intention they disclaimed and abhorred.* Also, that they did acknowledge the many noble and renowned actions performed by their lordships' ancestors in defence of the liberty of the Commons, and did take notice of the labours and unwearied endeavours of their lordships in assisting them in the present great affairs of the kingdom, for the safety of it, without respect to themselves or their particular safeties, and wished that punishment might be inflicted on those that endeavoured to raise up such a confusion as must ensue the disjoining or putting variance between the two Houses; against which the Commons did protest, and therefore desired that their lordships would concur with them to find out the raisers and

* Rushworth.—The clause about the covenant was however tolerably exclusive as left. It was to this effect:—"Provided further that all commanders and officers that shall be employed in this army, and to be approved of by both Houses of Parliament, as aforesaid, shall take the national league and covenant of both kingdoms within twenty days after they shall be listed in the said army, which solemn league and covenant shall be tendered as aforesaid unto all the officers before mentioned, by some minister whom the commander-in-chief shall choose, in the presence of him the said commander-in-chief, or the major-general; and a return to be made by them unto the two Houses of Parliament from time to time, of the names of all such as shall take the same; and all such as shall refuse to take the solemn league and covenant shall upon their refusal be displaced, and shall not be admitted to any office or command in the said army, until they shall have taken the said solemn league and covenant, in manner and form as aforesaid, and such their conformity certified and approved of by both Houses of Parliament."

spreaders of such false and mischievous reports." Then a declaration of the House of Commons was read:—"That whereas many disaffected persons had endeavoured to foment jealousies and divisions, by raising a report that the House of Commons had an intention to subvert the peerage of England, the House of Commons do declare that they do so far detest any such design or intention, that they will use all possible means for the discovery of the authors of such report, and to bring them to condign punishment. And do further declare, that as they have bound themselves by several protestations, so they will ever be as tender and careful to maintain the honour and rights of the Peerage of England as their own." Which declaration being read, was left with their lordships.*

On the same third day of April, on which the Lords passed the self-denying ordinance, Sir Thomas Fairfax went from London to Windsor, which he had appointed his head-quarters, having previously, as commander-in-chief, summoned all his officers and soldiers to rendezvous there by the 7th of April. He continued at Windsor till the end of the month, diligently employed in remodelling the army. He of course encountered some discontent and obstructions; for some of the men were unwilling to be placed under new officers, and some that were wholly dismissed wished to continue in the service; but with the assistance of old Skippon, the most popular of commanders, he overcame all these difficulties, reduced the old army into new companies and regiments, as if they had been newly raised, and recruited the whole with a new and valuable stock.† Dalbier, that soldier of fortune, who had repeatedly given timid counsel to the Earl of Essex, stood off for some time with eight troops of horse, as if balancing between Oxford and Windsor; but at last he went to the latter place and submitted to the parliament. Thus the parliament was secured; —thus "the Independents cut the grass under the Presbyterians' feet."‡

Before following Fairfax to the field, we must take up certain matters which reflect disgrace on the parliament. The synod of divines still continued to sit, and to urge the high doctrines and practices of intolerance and infallibility. The Scottish commissioners and most of the English Presbyterians would fain have introduced into England, without change or variation, the practice of the kirk of Scotland; but they were forced to submit to several modifications, rejoicing that at all events the abhorred Liturgy, which Charles and Laud had attempted to force down the throat of the Scots with cannon-balls, was effectually set aside and abolished. This synod, as we have seen, was wisely prevented by parliament from arrogating to itself any legislative or judicial authority; but if they did not of themselves send their old enemy, the Archbishop of Canterbury, to a bloody grave, they certainly promoted with heart and soul that execution, which could hardly have taken place but for their vehement hatred, and unevangelical revenge. "As yet," says Sir Philip Warwick, "the Scots and Presbyterian party seem to be the ruling interest in the two Houses, and the Scotch covenant to be the idol; and in order to get this form of church service allowed by the king, Archbishop Laud must be taken out of the way." The republican Ludlow says, that it was expressly for the encouragement of the Scots, that the Lords and Commons sentenced and caused execution to be done upon William Laud, their capital enemy; but it does not appear that the Scots either were, or possibly could be, more eager for the old man's death than were the English Presbyterians, and the many victims in London of the episcopal rage.

Diseased, helpless, apparently almost friendless, the *summus pontifex* of former days might have lain forgotten in the Tower, and wound up the story of his days in that dismal place, like many better men; but a dispute about church livings forced him into notice, and precipitated his end. The Lords remaining with the parliament claimed the right of nominating to the benefices that fell vacant; and still pretending to respect the archiepiscopal functions of the captive, they called upon Laud to collate the clergymen of their choice. The king, who probably cared little for the danger in which he was thus placing the primate, commanded him not to obey the Lords; and Laud loyally bowed to this order. In the month of April, 1643, the Lords issued a peremptory order; Laud tried to excuse himself again; then the Commons received an acceptable message from the Lords to proceed with the charges already laid against him, and expedite his trial. The Commons appointed a committee, and selected Prynne to collect and prepare evidence—Prynne, who had been so barbarously treated by the prisoner, and whose soul yearned for an equally barbarous revenge. Much anxiety has been shown to exonerate the Independents from any share in these transactions; but we do not find that that party ever made any laudable effort to save the doomed life of the wretched old man. On the 23rd of October, 1643, ten new articles of impeachment were added by Prynne to the fourteen already on record; and on the 23rd of the same month the archbishop was ordered by the two Houses to put in his answer in writing within a week. Laud replied by a petition, wherein he prayed to have counsel assigned him, to have some money allowed him out of his estate to fee his counsel and defray his other charges; to have his papers and books, which Master Prynne had taken from him, and to have also time and means to send for his witnesses. Upon reading this petition, the lords allowed him six days more time, and counsel, and some money. They afterwards allowed him another week, and

* Rushworth.

† Rushworth has preserved a speech of Skippon to five regiments of the Earl of Essex's forces, quartered at Reading, one of which was Essex's own regiment. The speech is admirable—being full of meaning and character.

‡ Warwick.

then another; and the trial did not in reality begin till the 12th of March, 1644, when the archbishop was brought by the lieutenant of the Tower, and the Usher of the Black Rod to the bar of the House of Lords, where he was made to kneel a little space. Serjeant Wild opened the accusation in a speech of great length, some ability, and no charity. He charged the sick and tottering priest with all manner of crimes, both political and religious: (it had been well for Laud if there had not been a substratum of truth in every thing the Serjeant said!)—he charged him with "high treason; treason in all and every part; treason in the highest pitch and altitude;" with the fixed design of subverting the very foundations of the subject's liberties and religion, with being the author of all the illegal and tyrannical proceedings in the Star Chamber, High Commission Court, and other courts, of all the innovations in doctrine and discipline, and of the suppressing of godly ministers, and godly preaching;—and he ended with these words, "Naaman was a great man, but he was a leper: this man's leprosy hath so infected all, as there remains no other cure, but the sword of justice, which we doubt not but your lordships will so apply, that the commonwealth shall yet live again and flourish." When the Serjeant had done, the fallen archbishop desired permission to speak a few words, to wipe off that dirt that had been cast upon him. These few words were, in fact, an eloquent and most skilful oration, which he delivered from a written paper he held in his hand. He said, that in state affairs he had always leaned to that part of the cause where he found law to be, never having any intention to overthrow the laws. About liberty he said not a word; but he spoke at great length concerning what were called his innovations in religion. "Ever since I came in place," said the archbishop, "I have laboured nothing more than that the external public worship of God (so much slighted in divers parts of the kingdom) might be preserved, and that with as much decency and uniformity as might be; for I evidently saw that the public neglect of God's service in the outward face of it, and the nasty lying of many places dedicated to that service, had almost cast a damp upon the true and inward worship of God, which while we live in the body needs external helps, and all little enough to keep it in any vigour. And this I did to the uttermost of my knowledge, according both to law and canon, and with the consent and liking of the people." Seventeen whole days were spent in producing and commenting on the evidence, and then the archbishop requested that he might have liberty to make a general recapitulation of his defence before the Lords, which was granted. On the 2nd of September, 1644, Laud again appeared at the bar, and delivered his general recapitulation to the Lords. Mr. Samuel Brown, a member of the House of Commons, and one of the managers of the trial, replied at full length on the 11th of September, summing up the principal parts of the evidence and endeavouring to invalidate the defence put in. Then Laud prayed that his counsel might be heard on the point of law, and their lordships consenting, the managers for the House of Commons desired that they might first have notice what matters of law his counsel would insist upon, in order that they (the managers) might prepare themselves to make reply. And thereupon it was ordered, that the archbishop's counsel should speak to this point of law—whether in all or any of the articles charged against him there were any treason contained. On the 11th of October, Laud's counsel accordingly spoke to that matter, maintaining that not one of the offences alleged against him, nor all those offences accumulated, amounted to that most capital crime of high treason. To this, Samuel Brown and the other managers for the Commons replied, maintaining that the contrary was fully proved. A few days after this, the Commons, apparently doubting the Lords, gave up their impeachment as they had done in Strafford's case, and passed an ordinance of attainder. On the 2nd of November, after the second reading of this precious ordinance, the Commons brought the prisoner to the bar of their own House. There Mr. Samuel Brown, in the archbishop's presence, repeated the sum of the evidence given in before the Lords; and when Brown sat down, the Commons ordered the prisoner to make his answer *viva voce* and at once. This was refining in barbarity—a measure scarcely ever surpassed either in the Star Chamber or the Court of High Commission; and those courts only sentenced to fines, imprisonment, scourging, ear-cropping, and nose-slitting, while this took the life. Laud, sinking under the weight of years and infirmities, prayed that he might have some convenient time allowed him, in respect of the tedious length and weight of the charge; and the house at last, and not without difficulty, allowed him eight days. On the 11th of November, the prisoner was brought again to the bar of the Commons, where he spoke for some hours in his own defence, and where Mr. Samuel Brown replied in his presence. Then Laud was sent back to the Tower, and (on the same day) the house passed the ordinance of attainder for high treason, with only one dissenting voice. On the 16th of November, they transmitted this bill to the House of Peers, which, because some of the Lords were not present at the giving in of all the evidence during this long trial, took time to consider, and on the 4th of December, ordered that all books, writings, and other documents concerning the trial should be brought in to the clerk of parliament. It is evident that the Lords were averse to the execution, and were labouring to gain time, for on the 24th of December (it was no longer to be kept as Christmas-eve), their Lordships, at a conference, acquainted the Commons that they had found the archbishop guilty as to matters of fact, but were yet desirous of some further satisfaction on the point of law, ere they could decide that the said matters were

treason. Upon the 26th of December, the Commons sent Serjeant Wild, Mr. Samuel Brown, and Mr. Nicholas to satisfy the Lords therein, and to show them, in a conference, that a man might incur the guilt of high treason as much by offences against the nation, as by offences against the sovereign; that there were two kinds of treasons, those which were against the king, and cognizable by the inferior courts, and those that were against the realm, and subject only to the judgment of parliament. On the 4th of January, 1645, a very few lords passed the bill of attainder, whereby it was ordered that Laud should suffer death as usual in cases of high treason. Urged on by the Commons, the Upper House, on the 6th of January agreed in fixing the day of slaughter for Friday the 10th. But the Lords made yet another feeble effort to save the old man's blood, and on the 7th of January, at a conference, they acquainted the Commons with a letter and petition from the archbishop, as also with a pardon to him from the king, dated the 12th of April, and of which he (Laud) desired the benefit; but this pardon was overruled and rejected; and on the morning of the 10th of January, Laud was conveyed from the Tower, where he had been confined for more than three years, to the scaffold and the block upon Tower-hill.* Upon the scaffold he delivered a long speech, or, as he called it, his last sermon, which he had written out in the Tower, and in which he endeavoured to excuse himself for all the matters charged against him, protesting that he had always professed the religion of the church of England, as it stood established by law, that he held his gracious sovereign to have been much traduced by some as if labouring to bring in popery, though he was as sound a Protestant, according to the religion by law established, as any man in his kingdom, and one that would venture his life as far and as freely for it; that he, his faithful servant, had endured clamours and slanders for labouring to maintain a uniformity in the external service of God, and was now at last brought to die for high treason, (a crime which his soul abhorred,) as a foe to the church, and an enemy to parliaments. In the end he said—"I forgive all the world, all and every of those bitter enemies, which have any ways persecuted me in this kind, and I humbly desire to be forgiven, first of God, and then of every man, whether I have offended him or no, if he do but conceive that I have." He then read a prayer which he had written for the occasion. The scaffold was crowded, not so much by his friends as by his unrelenting enemies, who were anxious to see him die, or, according to their disgusting cant, moved by their Christian bowels to show him his spiritual blindness in that his last stage. "I did think," said Laud, "here would have been an empty scaffold, that I might have had room to die." When room was made, he said, "Well, I'll pull off my doublet, and God's will be done. I am willing to go out of the world: no man can be more willing to send me out, than I am willing to be gone." Then Sir John Clotworthy, one of those puritanic bigots that would have had a star-chamber of their own, asked what text of Scripture was most comfortable to a man in his departure. The departing archbishop, who probably galled the Puritan's ears with his Latin, which had long since been set down as the mother tongue of the whore of Babylon, said calmly, "*Cupio dissolvi et esse cum Christo.*" "That is a good desire," rejoined this clodpole divine, "but there must be a foundation for that desire, an assurance." "No man can express it," replied Laud, "it is to be found within." "It is founded upon a word, though," continued the pertinacious fanatic, "and that word should be known." "It is the knowledge of Jesus Christ, and that alone," replied Laud; and, turning to the headsman, he gave him some money, saying, "Here, honest friend, God forgive thee, and do thy office upon me in mercy." He knelt down, said another short prayer, made his sign, and the executioner did his office at one blow;—"and instantly," says Fuller, "his face, ruddy in the last moment, turned pale as ashes, confuting their falsehoods, who gave it out that he had purposely painted it, to fortify his cheeks against discovery of fear in the paleness of his complexion." Some few friends carried his body to Barking church, and decently interred it there, reading over his grave the service for the dead appointed by that Liturgy which we must believe he had conscientiously held to be essential to salvation.*

The Scots, who exercised so great an influence over the English parliament, and whose country had at length been made the scene of civil war by the daring Marquess of Montrose, recommended a new treaty of peace with the king; and as early as the month of November of the preceding year (1644), propositions running in the name of both kingdoms were drawn up by Johnston of Wariston, one of the most distinguished of the Scottish commissioners. The parliament sent to Oxford for a safe-conduct for the commissioners they had appointed to carry these propositions to the king,

* Laud's last petition to parliament was, "That in case he must die, Dr. Stern, Dr. Heywood, and Dr. Martin might be permitted to be with him before, and at his death, to administer comfort to his soul, and that the manner of his execution might be altered unto beheading. To which the Lords agreed, but the Commons then refused both, and only granted that Dr. Stern, and Mr. Marshall, and Mr. Palmer should go to him, one or both of the latter to be constantly present whilst Dr. Stern was with him. But the next day, upon another petition of his, setting forth reasons from his being a divine, a bishop, one that had the honour to sit in the house of peers, and of the king's most honourable privy council, &c., and praying in those regards not to be exposed to such an ignominious death, the Commons consented to remit the rest of the sentence, and that he should suffer death by being beheaded."

* Rushworth.—Whitelock.—May.—Heylin.—Clarendon.—Lingard.—Laud's Troubles.—Prynne, Canterbury's Doom.—Journals.—"The crimes objected to him," says May, "were many. . . . Four years almost had this unhappy old man been a prisoner, yet not enjoyed so much as the quiet of a prison; for sometimes (about fourscore days) he was carried from the Tower to Westminster, and there arraigned in the House of Lords. So the Fates were pleased, in a sad compensation, to equal his adversity even in length of time with his prosperity. This January he was beheaded, his life being spun out so long, till he might see (which was the observation of many) some few days before his death, the Book of Liturgy abolished, and the Directory composed by the synod at Westminster and established."—*Breviary of the History of the Parliament.*

namely, the Earl of Denbigh, the Lord Maynard, Mr. Pierpoint, Mr. Hollis, Mr. Whitelock, and the Lord Wenman (English), and the Lord Maitland, Sir Charles Erskine, and Mr. Bartlay (Scotch). Prince Rupert sent the safe-conduct under the hand and seal of the king, who did not notice them as members of parliament, but merely as private gentlemen. The parliament, however, submitted to this slight, and dispatched the commissioners. Charles or his officers most unwisely kept these noblemen and gentlemen for some hours outside the gates of Oxford in the wet and cold; and when they were admitted into the town, they were escorted like prisoners by a troop of horse, and lodged in a very mean inn.* The Earl of Denbigh read the propositions for peace. "Have you power to treat?" said Charles. The commissioners replied, "No; but we are to receive your majesty's answer in writing." "Then," replied the king coarsely, "a letter-carrier might have done as much as you." "I suppose," said the Earl of Denbigh, "your majesty looks upon us as persons of another condition than letter-carriers." "I know your condition," replied the king; "but I say that your commission gives you power to do no more than a letter-carrier might have done." In the evening the loyal Earl of Lindsay, who was sick in his bed, invited Hollis and Whitelock to visit him. These two important members of the House of Commons had not been a quarter of an hour in the earl's chamber, when the king and Prince Rupert, with several persons of prime quality, entered; and the king not only saluted them very obligingly, but also began to discourse with them. "I am sorry, gentlemen," said Charles, "that you bring me no better propositions for peace, nor more reasonable, than these are." "They are such," said Hollis, "as the parliament thought fit to agree upon. I hope a good issue may be had out of them;" and Whitelock added, that they were but the servants of parliament, and very willing to be messengers of peace. "I know," said Charles, "you could only bring me what they chose to send, but I confess I do not a little wonder at some of these propositions, and particularly at the qualifications." The propositions excepted several persons about the court, and in the king's army; among these were Prince Rupert and Prince Maurice, who were present, and who laughed in scorn and contempt, for which, however, their uncle rebuked them.† The evident intention of the king was to win over Hollis and Whitelock. "Your service, Mr. Hollis," said he, "and that of the rest of those gentlemen whose desire hath been for peace, hath been very acceptable to me; and out of the confidence I have of you two that are here with me, I ask your opinion and advice, what answer will be best for me to give at this time to your propositions?" Hollis hoped his majesty would excuse them: Whitelock said, "We now by accident have the honour to be in your majesty's presence, but our present employment disables us from advising your majesty." But Charles, not easily repelled, required their advice as friends—as his private subjects. To this Hollis said, "Sir, to speak in a private capacity, I should say that I think your best answer would be, your coming amongst us;" and Whitelock told his majesty that his personal presence at his parliament would sooner put an end to their unhappy distractions than any treaty. "But how can I go thither with safety?" said Charles. "I am confident," replied Hollis, "that there would be no danger to your person to come away directly to your parliament." "That may be a question," rejoined the king; "but I suppose your principals who sent you hither will expect a present answer to your message." They both represented again, that the most satisfactory answer would be, his majesty's presence with his parliament. "Let us pass by that," said the king; "and let me desire you two to go into the next room, and confer a little together, and set down something in writing which you apprehend may be fit for me to return as an answer, and which, in your judgment, may facilitate and promote this good work of peace." Hollis and Whitelock withdrew, and, being together by themselves, upon discourse concluded that it would be no breach of trust in them to write as the king desired them, but rather might prove a means of promoting the work they both came about. And accordingly Whitelock wrote down what they thought would be the king's best answer; and the paper so written they left upon the table in the withdrawing-room, and the king went in and took it, and with much favour bade them farewell.* But the answer suggested by these two members was not such a one as the king wished for; and seeing he had failed in bringing them over to his party, he made an end of the useless parade of compliment and cajolery. On the 27th of November he sent them his reply sealed up. Hollis, and Whitelock, and the other commissioners thought it not fit for them to receive an answer in that manner, without being acquainted with the contents, or furnished with a copy, as was usual in such cases, and they desired to be excused from receiving that answer so sealed up, requesting at least to have a copy of it. His majesty insultingly replied, "What is that to you, who are but to carry what I send; and if I will send the song of Robin Hood and Little John you must carry it!" The commissioners contented themselves with saying, that the business about which they came was of somewhat more consequence than an old song. Charles then condescended to send them a copy of his answer: but here, again, another difficulty was started. They observed, that the said answer was not directed to any body whatsoever, and that the parliament, so far from being acknowledged, was

* Rushworth says, "His majesty received them very obligingly on the next day, and gave to every one his hand to kiss, *but seemed more to slight the Scots commissioners than any of the rest.*"

† Whitelock says, "At the reading of the excepted persons' names, which the Earl of Denbigh read with great courage and temper, Prince Rupert and Prince Maurice, being present when their names were read as excepted persons, they fell into a laughter, at which the king seemed displeased, and bid them be quiet."

* Whitelock.—Rushworth.

not even named in it. Charles insisted that the answer was delivered to them, the parliaments' commissioners, which was sufficient; and some of his lords told them that they could not get it otherwise, chiefly because they were there as commissioners for both kingdoms, for England as well as for Scotland, and earnestly entreated the commissioners, for peace-sake, to receive the answer as it was sent to them. Thereupon the commissioners, considering that they must take it upon themselves to break off this treaty if they should refuse the king's paper, and that it would be wiser for them to leave it to the judgment of the whole parliament, consented to receive the answer without any address upon it.*

On the 29th of November (1644) this singular document was produced at Westminster, and on the following day the same was read at a conference of both Houses. Great exceptions were made, and there was much debate against the form and want of direction; but at last it was carried that those objections should be laid aside, that the treaty should be proceeded with, and that thanks should be returned to the commissioners who had been at Oxford. Charles had now agreed to send the Duke of Richmond and the Earl of Southampton to London, with a fuller answer and an extended commission; but the Earl of Essex, who as yet held the supreme command, would not grant a safe-conduct to these two noblemen, unless he was acknowledged as general of the army of the parliament of England; and the Commons were resolute on the same point, insisting that his majesty should send as to "the parliament of England assembled at Westminster, and the commissioners of the parliament of Scotland." On the 5th of December Prince Rupert sent a letter with the required recognition;* and at the same moment the king, to excuse himself with his wife, addressed her a letter containing these memorable words, which fully proved with what mental reservation he had acknowledged the parliament: "As to my calling those at London a parliament, if there had been two besides myself of my opinion, I had not done it; and the argument that prevailed with me was, that the calling did nowise acknowledge them to be a parliament; upon which condition and construction I did it, and no otherwise: and accordingly it is registered in the council-books, with the council's unanimous approbation." The king's envoys, the Duke of Richmond and the Earl of Southampton, arrived in London on the 14th of December, and were honourably conducted to Somerset House, where they were well entertained, and allowed on the morrow—a Sunday—to hear divine service according to the Liturgy, which parliament and the synod of divines had suppressed. The two noblemen, adhering to their master's instructions, acted as secret emissaries in the city of London, and intrigued with the two factions of Presbyterians and Independents, offering the latter liberty of conscience, &c. &c. And as Richmond and Southampton were found to have no higher faculty than that of proposing the nomination of commissioners, the parliament made

* Whitelock.—Rushworth.

* This was Rupert's letter to Essex, punctuated as we find it in Rushworth:—

"My Lord,

"I am commanded by his majesty to desire of your lordship safe conduct for the Duke of Richmond and the Earl of Southampton, with their attendants, coaches, horses, and other accommodations fitting for their journey in their coming to London, during their stay, and in their return, when they shall think fit; from the Lords and Commons assembled in the parliament of England at Westminster, to bring to the Lords and Commons assembled in the parliament of England, and the Commissioners of the kingdom of Scotland now at London, an answer to the propositions sent to his majesty for a safe and well-grounded peace.

Your lordship's servant,

"Rupert.

"Oxford, December 5th."

Uxbridge,

Showing, to the right, the House (called the Treaty House) in which the Commissioners held their Sittings.

haste to get rid of them, being well informed as to all their doings in the city.

After many tedious preliminaries, it was agreed that the king's commissioners should meet the commissioners of the Lords and Commons at Uxbridge, within the parliamentary lines; that Charles should be represented by the Duke of Richmond, the Marquess of Hertford, the Earl of Southampton, the Earl of Chichester, the Earl of Kingston, the Lords Capel, Seymour, Hatton, and Culpeper, Secretary Nicholas, Sir Edward Hyde, Chancellor of the Exchequer, Sir Edward Lane, Sir Orlando Bridgeman, Sir Thomas Gardiner, Mr. John Ashburnham, Mr. Geoffrey Palmer, and Dr. Stewart;* and that the parliament should be represented by the Earls of Northumberland, Pembroke, Salisbury, and Denbigh, the Lord Wenman, Denzil Hollis, Pierpoint, Sir Harry Vane, junior, Oliver St. John, Bulstrode Whitelock, John Crew, and Edmund Prideaux; and that the estates of the parliament of Scotland should be represented by the Earl of Loudon, the Marquess of Argyle, the Lords Maitland and Balmerino, Sir Archibald Johnson, Sir Charles Erskine, Sir John Smith, George Dundas, Hugh Kennedy, and Mr. Robert Berkely, or Barclay—"together with Mr. Alexander Henderson." These commissioners met on the day appointed (the 29th of January) in the little town of Uxbridge. "This place being within the parliament's quarters, their commissioners were the more civil and desirous to afford accommodation to the king's commissioners, and they thought fit to appoint Sir John Bennet's house at the farther end of the town to be fitted for the place of meeting for the treaty."† There, on the morrow, deliberations were opened, it being agreed beforehand that everything should be set down in writing. John Thurloe, afterwards secretary to Oliver Cromwell—Thurloe, the bosom friend of Milton,—acted as secretary for the English parliament, being assisted by Mr. Earle; and Mr. Cheesly acted as secretary for the commissioners of the Scottish parliament. The first point debated was that which was sure to make the worst blood, and defeat the whole treaty—if, indeed, there had ever been a hope or an intention to conclude a treaty. The parliament's commissioners delivered the propositions and votes of both Houses concerning the settling of religion in a presbyterial way; and this matter was appointed for the debate of the three first days. The king's commissioners asked what was meant by the expression "presbyterial government?"—and Dr. Stewart, of the school of Laud, spake very learnedly, though somewhat warmly, against any alteration of the system of episcopacy, which he thought to be best suited to the church of England, and also to be "*jure divino*." Alexander Henderson, the champion of presbyterianism, the framer of the covenant, spoke with equal warmth against episcopacy. At length the Marquess of Hertford, wearied out with this unprofitable dispute on a point of mere speculative theology, proposed that they should leave this argument, and proceed to debate upon the particular proposals. The Earl of Pembroke agreed with the noble marquess, and the lay part of the commissioners, particularly on the king's side, would willingly have passed over this point altogether; but the parsons were of a different opinion, and Dr. Stewart desired that they might dispute syllogistically, as became scholars. Henderson told him that he, in his younger days, had been a pedagogue in Scotland, and had also read logic and rhetoric to his scholars; that of late he had wholly declined that kind of learning; that he hoped, nevertheless, he had not forgotten all of it, and therefore he agreed to dispute syllogistically. "And in that way," says Rushworth, "they proceeded. . . . . But the arguments on both parts were too large to be admitted to a place in this story." The parliament commissioners presented four propositions concerning religion:—that the king should consent to the taking away the Book of Common Prayer; that he should accept the Directory for Worship, which had been substituted for the Liturgy; that he should confirm the assemblies and synods of the church; and, lastly, that he should take the covenant of the two kingdoms. On none of these points would either party yield a hair's breadth; and the royal commissioners objected *in limine* that the king's conscience would never allow him to consent to these

* The new titles conferred since the great seal had been carried away from parliament gave great offence, and several conferences were held between the Lords and Commons about this matter, the Lords insisting that the safe-conduct should give them all their titles as specified by the king; the Commons urging that they could not condescend to admit those new titles, as it would be directly opposite to one of the propositions of both Houses to the king, which was, that all titles of honour whatsoever conferred by his majesty since the carrying away the great seal should be void. At last it was agreed that the new titles of the lords should be omitted, but that those of the knights, not being honours under the great seal, should be inserted; and accordingly the safe-conduct was thus sent away, and his majesty was pleased to accept the same, notwithstanding such alteration.—*Rushworth*

† The commissioners for the parliament were lodged on the north side of the town, and those for the king on the south side. The best inn on the one side was the rendezvous of the parliament's commissioners, and the best inn on the other side of the street was for the king's commissioners. No intermixture was allowed between the attendants of one party and the attendants of the other party, but "the evening that they came to town several visits passed between particular commissioners of either party: as Sir Edward Hyde came to visit Mr Hollis and Mr. Whitelock; the Lord Culpeper visited Sir Henry Vane; and others of the king's commissioners visited several of the parliament's commissioners, and had long discourses about the treaty, and to persuade one another to a compliance: so also Mr. Whitelock visited Sir Edward Hyde and Mr. Palmer, Sir Richard Lane, and others, and several other of the parliament's commissioners visited divers of the king's commissioners, and had discourse with them tending to furtherance of the business of the treaty. The town was exceedingly full of company, that it was hard to get any quarter, except for the commissioners and their retinue, and some of the commissioners were forced to lie two of them in a chamber in field beds, only upon a quilt, in that cold weather, not coming into a bed during all the treaty." Great attention was paid to diplomatic etiquette, and the *pas* was given to the royalists. "The foreway into the house was appointed for the king's commissioners to come in at, and the back way for the parliament's commissioners; in the middle of the house was a fair great chamber, where they caused a large table to be made like that heretofore in the Star Chamber, almost square, without any upper or lower end of it. The king's commissioners had one end and one side of the table for them, the other side was for the parliament's commissioners, and the end appointed for the Scots commissioners to sit by themselves. Behind the chair of the commissioners on both sides sat the divines and secretaries, and such of the commissioners as had not room to sit next to the table. At each end of the great chamber was a fair withdrawing room and inner chamber, one for the king, and the other for the parliament's commissioners to retire unto and consult when they pleased."—*Rushworth.*

changes in religion. But there were also other articles about which Charles was equally tenacious, and the parliament equally resolute; such as the command of the army and navy, the conduct of the Irish war, the pacification Ormond had made with the Catholics, &c.; and, after twenty days of debate and wrangling, nothing was settled, nothing made clear to both parties, except that they must again have recourse to the sword; and at the expiration of those twenty days, the term originally fixed for the duration of the negotiations, the parliament recalled their commissioners.

If either party was disappointed at the result, it was certainly not the king, who was wonderfully buoyed up by the brilliant successes obtained by the Marquess of Montrose, in the Highlands of Scotland, over the Earl of Argyle and the Covenanters, and who, at the very commencement of the negotiations, wrote to his wife to assure her that she had no need to doubt the issue of this treaty, for his commissioners were so well chosen that they would neither be driven by threats nor arguments from the positive grounds he had laid down for them, and which were such as he had formerly agreed upon with her majesty. The pledges which the queen had given to her partisans the Catholics would of themselves have been sufficient to prevent any treaty with the parliament.*

While the Episcopalians and Presbyterians were disputing syllogistically at Uxbridge, their respective parties had many fierce skirmishes in the field; for though the main army on either side lay inactive in winter quarters, there was no restraining the animosity of partisans, who carried on an incessant but petty warfare in most parts of the kingdom. There was a perplexing series of sieges and assaults,—night surprises and pitched battles between small troops of Roundheads and Cavaliers, men that took their instructions from no one but themselves, and that fought whenever they found an opportunity. The town, the village, was often enthusiastic in the parliament's cause, while the neighbouring castle or manor-house was just as enthusiastic for the king. At times a sortie from the castle or manor-house would disturb the burghers and yeomen at dead of night, and leave them to lament the burning of their houses and barns, the carrying off of their cattle; and then there generally followed a siege of the castle or manor-house, which, from want of artillery and military skill, would often be prolonged through tedious months, and fail at last, and be raised at the approach of Prince Rupert and his flying squadrons of horse, or of some other body of the king's army. Many of these episodes were interesting and romantic in the extreme: in some of them the high-born dames of the land, whose husbands were away following the banner of their sovereign, made good the castle walls against the parliamentary forces, and commanded from tower and barbican like brave soldiers. But we must confine ourselves to the greater operations which decided this war. "When the Spring began," says the somewhat partial May, "the war was renewed on both sides with great heat and courage. . . . . Sir Thomas Fairfax went to Windsor to his new-modelled army; a new army indeed, made up of some remainder of the old one, and other new-raised forces in the countries; an army seeming no way glorious either in the dignity of its commanders or the antiquity of soldiers. For never hardly did any army go forth to war who had less of the confidence of their own friends, or were more the objects of the contempt of their enemies, and yet who did more bravely deceive the expectations of them both, and show how far it was possible for human conjectures to err. For in their following actions and successes they proved such excellent soldiers, that it would too much pose antiquity, among all the camps of their famed heroes, to find a parallel to this army. He that will seriously weigh their achievements in the following year, against potent and gallant enemies, and consider the greatness of the things they accomplished, the number of their victories, how many battles were won, how many towns and garrisons were taken, will hardly be able to believe them to have been the work of one year, or fit to be called one war. But whosoever considers this must take heed that he do not attribute too much to them, but give it wholly to Almighty God, whose Providence over this army, as it did afterwards miraculously appear, so it might in some measure be hoped for at the first, considering the behaviour and discipline of those soldiers. For the usual vices of camps were here restrained; the discipline was strict; no theft, no wantonness, no oaths, nor any profane words, could escape, without the severest castigation; by which it was brought to pass that in this camp, as in a well-ordered city, passage was safe, and commerce free."* This was the army that emulated the heroic and devout forces which had followed the great Swede to victory and glory.

* Rushworth.—Whitelock.—May.—Clarendon.—Warwick.—May says (and most of his assertions are borne out by abundant evidence from other quarters) "that the king, before the treaty began, used all means to assure himself of foreign aid. By letters he urged the queen, who was then in France, to solicit that king and other Catholics to assist him, and that the queen-regent would detain the parliament's ships in France He was very earnest, likewise, for assistance from the Duke of Lorrain, that he might get into England that wicked army of his, so notorious through Germany and Flanders for all villany. ..... At last, hope was given him from the Duke of Lorrain of 10,000 men, and, for bringing of those soldiers into England, Goffe was sent into Holland to negotiate for shipping and other necessaries. The king likewise desired assistance at that time from the bloody Irish rebels, and, by his letters, commanded Ormond to make a peace with those rebels, and to promise and grant to them a free exercise of their Popish religion, and to assure them that if, by their assistance, he could but finish his war in England, he would abrogate all those laws which had been heretofore made against the Papists there: he gave thanks likewise to Muskerry, Plunket, and others of those rebels, promising a pardon for all that was past .... The queen, also (remaining in France), writing to her husband, seemed to grieve much that, at Uxbridge, they were to treat of religion in the first place, affirming that if anything severe against the Catholics should be concluded, and yet a peace should not be made, the king could not hope hereafter for any assistance from the Catholic princes or from the Irish, who must needs think that, after they had done their best, they should at last be forsaken. She often entreats the king that he would never forsake the bishops, the Catholics, nor those faithful friends of his that served him in his wars: and the king promiseth her that he would never forsake his friends for a peace; and continues to persuade her to hasten as much as she can the aids from France, saying, that whilst London is distracted between the Presbyterians and Independents, both may be ruined." —*Breviary of the Hist. of the Parl.*

* Breviary.

The king's forces were much less religious and decent; the royalist officers, the cavaliers generally, the more to distinguish themselves from the puritan Roundheads, gave way to blasphemy and swearing, drinking and gambling, and to all those vices which had distinguished the ungodly armies of Wallenstein. The officers prided themselves in their profligacy, considering all decency of behaviour the merest hypocrisy, and altogether unfit for soldiers; and their men shewed a great aptitude in following the example of their superiors. If we are to believe several contemporary authorities, the royal camp itself, or the more permanent head-quarters of Charles, was not exemplary in point of morals. At the opening of the campaign, however, the king, to all appearance, had many advantages over the parliament. His troops, though frequently mutinous as well as disorderly and dissolute, were well trained and tried in the field; his fortresses were very numerous; from Oxford, in the centre of the kingdom, he controlled the greater part of the midland counties; the West was almost wholly for him; he still retained some places in the North; and he was undisputed master of the principality of Wales. But while the forces of the parliament were attaining a tenfold vigour and efficacy from a unity of purpose, and from something like a unity of command, the royalists were distracted and weakened by diverging views and by jars and jealousies innumerable. In fact it at times required all the authority of Charles to prevent these factions and sub-factions from turning their arms upon one another. Fairfax's first operation was to detach 7000 men to the relief of Taunton, where Blake, the heroic defender of Lyme, was hard pressed by the royalists. Colonel Weldon led the detachment, and at his approach the beleaguerers of Taunton fled without fighting. On the other side, Prince Rupert, advancing from Worcester to join the king at Oxford, defeated Colonel Massey, who tried to bar his passage with a part of the garrison of Gloucester, drawn out at Ledbury. Upon this reverse the committee of both kingdoms recommended that Oliver Cromwell should be employed *pro tempore*, in spite of the self-denying ordinance, and dispatched with part of the cavalry to guard the roads between Ledbury and Oxford.

Cromwell, who was at head-quarters, as if to take leave of his friend Fairfax and the army, but who probably was not altogether unprepared, marched speedily from Windsor, and with great facility vanquished a part of the king's force at Islip-bridge in Oxfordshire, where he completely routed the queen's regiment, as it was called, and took their standard, which her majesty herself had presented. Three other regiments at the same time fled before Cromwell and his Ironsides, leaving many of their officers behind them. A portion of the fugitives took shelter in Bletchington House. Cromwell besieged them, and forced them to surrender. Another portion fled to Bampton Bush: Cromwell presently encompassed them also, defeated them, and took their leaders Vaughan and Littleton prisoners. Charles was so enraged against Colonel Windebank, who surrendered Bletchington House, that, in spite of prayers and remonstrances, he had him shot for cowardice. Fairfax then designed to besiege the king in Oxford; but Charles, resolving not to be cooped up in a town, marched out with ten thousand men. "Now," says Sir Philip Warwick, "though the king had understood both by his own intelligence, and from Goring, that this new Independent army, elated with their own prosperity, and their masters being grown weary of the war through the factions among themselves, were resolved to end all by some sharp battle with the king; yet the king, once out of Oxford, declined the counsel which Goring gave him, of calling him with his western army from before Taunton, and to have joined his horse at least to himself. If the state of affairs had been duly and fully weighed, a necessity lay on his majesty to have kept all his forces close together, or to have been in such a nearness for conjunction as might have made one day the decider of the whole controversy; but *we still wanted some daring resolution, and so chose rather to die of a hectic fever, than of an acute one.* For Goring had at least two thousand five hundred good horse, besides a body of dragoons; and a victory over these new men most probably (the old being so highly discontented) would have brought an honourable peace, if not means for a prosperous war. *But I fear our chief commanders so little loved one another, that they were not fitted for conjunction.*" But on moving from Oxford, Charles was joined by Prince Rupert, as also by the forces under Prince Maurice. At first, Fairfax followed him with all the force he could get together; but soon, retracing his steps, he invested the city of Oxford, while Cromwell, leaving the army, rode off to the Eastern counties, whither it was at first suspected Charles was directing his march. The king however moved to the North West, to relieve Chester, which was then besieged by Sir William Brereton. The parliamentarians raised the siege at his approach, and retreated into Lancashire. It was apprehended that Charles intended to join his army with the triumphant forces of Montrose in Scotland; and the Scottish army in England, which was then advancing to the south-east, hastily fell back upon Westmoreland and Cumberland to guard the approaches to Carlisle and the western borders. But Charles, after his success at Chester, turned round to the south-east, marched through Staffordshire and Leicestershire, and carried the important city of Leicester by assault. This movement revived all the apprehensions about the associated counties in the East; and Fairfax, abandoning the siege of Oxford, marched into Northamptonshire, where he arrived on the 7th of June. His friend Cromwell was then

in the isle of Ely, most actively organizing the militia there, and preparing the means of a defensive war in case the royalists should penetrate into those eastern counties which (chiefly through the zeal and providence of Cromwell) had hitherto been spared the horrors of war. At this critical moment, Fairfax and a general council of war, which he had called, requested the House of Commons to dispense again in Cromwell's case with the self-denying ordinance, and appoint him lieutenant-general, that second post in the army, which in all probability had purposely been left vacant from the beginning for Master Oliver. The house, which must have known by this time that no man so entirely possessed the confidence of the cavalry and of a great part of the army, sent him down a commission as lieutenant-general for three months; and Cromwell joined Fairfax just in time to be present at that great battle which was to decide the important question "what the liberties and laws of England, and what the king's power and prerogative, should hereafter be."* The king, whose head-quarters were at Daventry, was amusing himself with field sports, and his troops were foraging and plundering in all directions, when, on the 11th of June, old Sir Marmaduke Langdale brought him news of the unexpected approach of Fairfax. The royalist outposts were concentrated and strengthened; but, on the morning of the 12th, Fairfax beat them up at Borough Hill, and spread the alarm into the very lodgings of the king. The parliamentarians, however, who were then very weak in cavalry, did not think fit to venture any further attempt, and Fairfax "propounded" that the horse of Lincolnshire, Derby, and Nottingham should be drawn that way with all convenient speed. And being rather apprehensive that the royal horse might visit his own quarters, Fairfax mounted his charger at midnight, and rode about his horse and foot till four in the morning. The unexpected march of the enemy up so close to him "being in a manner a surprise," his majesty on the morrow (the 13th) thought fit to decamp, designing to march to the relief of Pontefract and Scarborough, "to which he had a great inclination, especially because the same appeared more feasible since the removal of the Scottish army." Charles therefore fired his huts, dispatched his carriages towards Harborough, and followed after them. On the same morning of the 13th, at about six o'clock, Fairfax called a council of war, and, in the midst of their debates, to the exceeding joy of the whole army, Lieutenant-General Cromwell reached head-quarters with a choice regiment of 600 horse raised by the associated counties of the East. Then all deliberation and hesitation was at an end, the drums beat, the trumpets sounded to horse, and the whole body of parliamentarians were drawn up under arms. Cromwell pointed the way they were to go, and presently horse and foot were in full pursuit of the king. Harrison, then a major, was sent forward to reconnoitre, and Colonel Ireton turned from the main road in order to get upon the flank of the royalists, and attack them if he found good opportunity. Fairfax and Cromwell, with the main body, kept on the road to Harborough, at which town, and at eleven o'clock at night, Charles was warned of the close pursuit, by Ireton's falling upon his outposts, and giving an alarm to the whole army. The king left his quarters at that unseasonable hour, and called a council of war in Harborough. He put the question what was best to be done, seeing that the enemy was so near, and evidently bent upon battle. "It was considered that, should they march on to Leicester, if the rear were engaged, the whole army might be put in hazard, and therefore there was no safety in marching with the van, unless they could bring the rear clear off, which they foresaw would be very difficult to do: and therefore it was resolved to put it to a battle, taking themselves to be more strong in horse than Fairfax; to be much better furnished with old experienced commanders;* and having no reason not to rely upon their infantry; for, indeed, they were generally valiant, stout men. And, further, they resolved, since Fairfax had been so forward in pressing upon them, they would not remain in that place where they were, expecting him, but forthwith advance to find him out, and offer him an engagement."†

On Saturday, June the 14th, by three o'clock in the morning, Fairfax put himself in march from Gilling to Naseby, intending to bring the royalists to action, and to prevent, if possible, their retreat upon Leicester, in case they should refuse the combat. At five o'clock Fairfax halted close to Naseby, and shortly after several bodies of his majesty's horse showed themselves on the top of a hill in battle array. Presently columns of infantry marched into position, and Fairfax being convinced that the royalists meant to bide the

* This is Fairfax's letter of summons to Cromwell. (According to Rushworth, it was dated on the 11th of June, the day on which Fairfax had his first skirmish with Sir Marmaduke Langdale.)

"Sir.—You will find, by the enclosed vote of the House of Commons, a liberty given me to appoint you lieutenant-general of the horse of this army during such time as that house shall be pleased to dispense with your attendance. You cannot expect but that I make use of so good an advantage as I apprehend this to be to the public good; and therefore I desire you to make speedy repair to this army, and give order that the troops of horse you had from hence, and what other horse or dragoons can be spared from the attendance of your foot in their coming up, march hither with convenient speed; and as for any other forces you have there, I shall not need to desire you to dispose of them as you shall find most for the public advantage, which we here apprehend to be that they march toward us by the way of Bedford. We are now quartered at Wotton, two miles from Northampton, the enemy still at Daventry. Our intelligence is, that they intend to move on Friday, but which way we cannot yet tell. They are, as we hear, more horse than foot, and make their horse their confidence. Ours shall be in God. I pray you make all possible haste toward

"Your affectionate friend,

"To serve you,

"Th. Fairfax."

* According to Ludlow, the king despised the "new model," as it was called, because most of the old officers were either omitted by the parliament or had quitted their commands in the army; and these considerations greatly encouraged him to risk the battle. Charles and his friends had not yet learned to appreciate the military genius of Cromwell, whom it was the fashion to represent as an unscientific, unmannerly brewer.

† Rushworth.

brunt, drew up and faced them on the brow of a gentle hill, placing a forlorn hope of 300 musketeers about a carbine-shot lower down. His right wing, consisting of six regiments of horse, was commanded by Cromwell; the left wing, composed of five regiments of horse, a division of 200 horse of the Association, and a party of dragoons, was, at Cromwell's request, committed to the management of the gallant Ireton, who was for that purpose made commissary-general of horse; Fairfax and Skippon took charge of the main body; and the reserves were headed by colonels Rainsborough, Hammond, and Pride. In the king's army, Prince Rupert, with his brother Prince Maurice, led the right wing, and Sir Marmaduke Langdale the left, Charles in person taking the command of the main body: the Earl of Lindsay and Sir Jacob Astley, the Lord Baird and Sir George Lisle, headed the reserves. The two armies were pretty equal as to numbers, there not being the difference of five hundred men between them. The field-word of the royalists was "God and Queen Mary!" that of the parliament, "God our strength!" The place where the battle was chiefly fought was a large fallow field about a mile broad, on the north-west side of Naseby, which space of ground was at one moment entirely covered by the contending forces. The royalists began the battle, "marching up in good order a swift march, with abundance of alacrity, gallantry, and resolution." Fairfax's forlorn hope of 300 musketeers, after they began to be hard-pressed upon, fell back, according to orders previously given, upon the main body. Then Prince Rupert, with his majesty's right wing, charged Ireton and the left wing of the parliamentarians; and Cromwell, at nearly the same moment, with the parliament's right wing, charged Langdale and the king's left. As in other battles, fortune at first seemed to flatter Charles, for the left wing of the parliament was worsted by the furious onslaught of Rupert. Ireton was wounded in the thigh with a pike, in the face with a halbert, and, his horse being killed under him, he was made prisoner, and kept by the royalists during the greater part of the battle. After he was lost his men fell into disorder, and were beaten back to the train of artillery, which was in danger of being taken, the foot and firelock men placed to guard the cannon giving way also. Rupert, however, with his usual rashness, spurred on too far; the scattered foot rallied in his rear round their guns; and the broken horse of the left wing formed, closed, and rode up to support the centre and the right; and when the prince returned from the skirts of Naseby town, and summoned the train, offering them quarter, they, being well defended with firelocks and a rear guard, refused to surrender, and kept him at bay until he perceived that the success of the rest of the king's army was not equal to his,—and then he flew back to succour his friends; but, also as usual, he came too late. Cromwell's charge, though gallantly met by Sir Marmaduke Langdale, was brilliant and decisive: after firing at close charge, and standing to it at the sword's point, the left wing of the royalists was broken, and driven beyond all the king's foot, and nearly a quarter of a mile behind the fallow field. While this was doing there was a very fierce and doubtful encounter between the two main bodies, or the infantry of the two armies. With the exception of Fairfax's own regiment of foot, nearly all his front division gave way, and went off in disorder, falling behind the reserves; but the colonels and officers rallied them and brought them forward with the reserves, and then the king's foot were driven back, and at last put to a disorderly retreat. In this stern conflict the popular, unflinching Skippon was dangerously wounded by a shot in the side. Fairfax considerately desired him to quit the field, but the old soldier replied that he would not stir so long as a man would stand; and, accordingly, he stayed till the battle was ended. Cromwell, now returning victoriously, kept the king's horse in check, and prevented them from coming to the rescue of their foot in the centre; and Fairfax, leading up the masses of his infantry, pressed the whole of Charles's main body, and put them all into disorder except one tertia, which stood like a rock, and, though twice desperately charged, would not move an inch. A third charge, however, conducted from several points at once, was more successful, and that last steady body of the king's foot was broken and thrown into confusion. The king had now nothing entire in the field except some regiments of horse, but these were gradually increased; and Langdale, who had rallied, and Charles himself, put them into good order. Prince Rupert, also, being now returned "from his fatal success," joined with *his* cavalry; but the train of artillery was already lost, the foot broken, and the parliamentarians were busied in taking of prisoners, except some bodies of horse, which still faced the king, to prevent his advancing to the succour of his routed infantry. According to Clarendon, Rupert's cavalry thought they had acted their parts, and could never be brought to rally again in order, or to charge the enemy.* They stood, with the rest, spiritless and inactive, till Cromwell and Fairfax were ready to charge them with horse and foot, and to ply them with their own artillery. Despair made Charles courageous, and, placing himself among them, he cried out, "One charge more, and we recover the day!" but he could not prevail with them to stand the shock of horse, foot, and ordnance, and they presently fled in disorder,

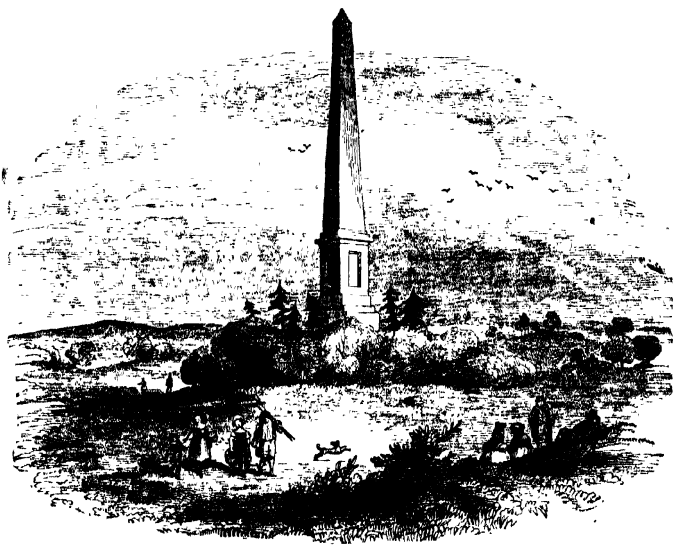
* The royalist historian, here as elsewhere, complains bitterly of the want of discipline in the king's army, and does something like justice to Cromwell and Fairfax:—"That difference was observed all along, in the discipline of the king's troops, and of those which marched under the command of Fairfax and Cromwell (for it was only under them, and had never been remarkable under Essex or Waller), that though the king's troops prevailed in the charge, and routed those they charged, they seldom rallied themselves again in order, nor could be brought to make a second charge again the same day, which was the reason that they had not an entire victory at Edgehill; whereas the other troops, if they prevailed, or though they were beaten and routed, presently rallied again, and stood in good order till they received new orders."—*Hist.*

both fronts and reserves, hotly pursued by Cromwell's horse, who took many prisoners. Clarendon says that the victors "left no manner of cruelty unexercised that day, and in the pursuit killed above one hundred women, whereof some were the wives of officers of quality;" but here the royalist drew from the stores of his imagination and hatred, for neither in this battle and rout, nor in any other in England, were such atrocities committed. Charles left behind him on the field 5000 prisoners, including an immense number of officers of all ranks, besides many of his household servants. There were also taken twelve brass pieces of ordnance, two mortar pieces, eight thousand stand of arms, forty barrels of powder, all the bag and baggage, the rich pillage which the royalist soldiers had got just before at Leicester,* above one hundred colours, the king's baggage, several coaches, and his majesty's private cabinet of papers and letters, which last were a means of sealing his doom. If the list of the slain be correctly given, it should appear that his army did not fight very resolutely, for six hundred is the highest number given for the loss of common soldiers, twenty for that of colonels, knights, and officers of note. The mass of his infantry threw down their arms and cried for quarter. The victory was obtained with the loss of very few on the side of the parliament—May says scarcely a hundred. Five days before the battle of Naseby Charles had written to tell his wife that, without being over-sanguine, he could affirm that, since this rebellion, his affairs were never in so fair and hopeful a way; but this afternoon, as he fled from the fatal field, it must have been in almost utter hopelessness.*

* Charles had sat down before Leicester on the 30th of May, and carried the place by assault on the same day. The parliament's garrison surrendered themselves prisoners; the town experienced all the horrors of a place taken by storm; nor did the king's presence at all check the brutal profligacy of his army. The plunder carried off, and lost again at Naseby, was very considerable.

With Cromwell's horse thundering close in his rear, he got into Leicester, but, not judging it safe to remain there, he rode off the same evening to Ashby de la Zouch, where he rested and refreshed himself for some hours; and thence passed on to Lichfield, and so by Bewdley, in Worcestershire, to Hereford, "with some disjointed imagination" of getting together an army in South Wales. At Hereford, Prince Rupert, before any decision was taken as to what the king should do next, left his uncle, and made haste to Bristol, that he might put that place into a condition to resist a powerful and victorious enemy, which he had reason to believe would in a short time appear before it. "Nothing," observes Clarendon, "can be here more wondered at, than that the king should amuse himself about forming a new army in counties which had been vexed and worn out with the oppressions of his own troops and the license of those governors whom he had put over them, and not have immediately repaired into the West, where he had an army already formed, and a people generally well devoted to his service, whither all his broken troops and General Gerrard might have transported themselves before Fairfax could have given them any interruption, who had somewhat to do before he could bend his course that way."† Meanwhile Fairfax marched with

* Rushworth.—May.—Clarendon.—Warwick.—Ludlow.
† Hist.



Obelisk on Naseby Field. Erected to commemorate the Battle.
From an unpublished Lithograph.

Sir. beinge comanded by you to this
service, I thinke my selfe bound to ac=
quaint you with the good hand of God
towards you, and vs, wee marched yesterday
after the Kinge whoe went before vs
from Daventree to Haverbrowe, and quar
tered about six miles from him, this day
wee marched towards him, Hee drew out
to meete vs, both Armies engaged, wee,
after 3. howers fight, very doubtful
att last routed his Armie, killed and
tooke about 5000- very many officers

I wish this action may begett thankfullnesse,
and humilitye in all that are concerned in itt,
Hee that ventens his life for the libertye of
his countrie, I wish Hee trust God for the
libertye of his conscience, and you for the
libertye Hee fights for, In this Hee rests
whoe is

your most humble servant

June. 14th 1645.
Haverbrowe.

Oliver Cromwell

FACSIMILE OF A PORTION OF THE LETTER WRITTEN BY CROMWELL TO LENTHALL, SPEAKER OF THE HOUSE OF COMMONS, ANNOUNCING THE VICTORY OF NASEBY.

Engraved from the Original in the Harleian Collection of MSS. British Museum, No. 7502.

his victorious army to Leicester, which was soon surrendered to him, and, leaving a garrison there, he moved westward, that he might both pursue the king and raise the siege of Taunton. The day after the battle the Lord General sent Colonel John Fiennes and his regiment up to London with the prisoners and colours taken, and with a short letter to the Speaker of the House of Commons, wherein Fairfax humbly desired that the honour of this great, never-to-be-forgotten mercy might be given to God in an extraordinary day of thanksgiving, and hoped that it might be improved to the good of God's church and the kingdom. Cromwell, on the day of the battle, wrote to the parliament, averring that this was none other but the hand of God, and that to Him alone belonged the glory, wherein none are to share with him. "The general," continued Cromwell, "served you with all faithfulness and honour, and the best commendation I can give him is, that I dare say he attributes all to God, and would rather perish than assume to himself; which is an honest and a thriving way; and yet as much for bravery may be given to him in this action as to a man. Honest men served you faithfully in this action. Sir, they are trusty; I beseech you in the name of God not to discourage them. I wish this action may beget thankfulness and humility in all that are concerned in it. He that ventures his life for the liberty of his country, I wish he trust God for the liberty of his conscience, and you for the liberty he fights for."* But these letters were far inferior in interest to the epistles taken in the king's cabinet, now publicly read in London at a common hall, before a great assembly of citizens and many members of both Houses of Parliament, where leave was given to as many as pleased or knew the king's hand-writing to peruse and examine them all, in order to refute the report of those who said that the letters were counterfeit. And shortly after, a selection from them was printed and published by command of parliament. "From the reading of these letters," says May, "many discourses of the people arose. For in them appeared his transactions with the Irish rebels, and with the queen for assistance from France and the Duke of Lorrain, of both which circumstances we have already made some mention. Many good men were sorry that the king's actions agreed no better with his words; that he openly protested before God, with horrid imprecations, that he endeavoured nothing so much as the preservation of the Protestant religion, and rooting out of popery; yet in the mean time, underhand, he promised to the Irish rebels an abrogation of the laws against them, which was contrary to his late expressed promises, in these words, *I will never abrogate the laws against the papists.* And again, he said, *I abhor to think of bringing foreign soldiers into the kingdom;* and yet he solicited the Duke of Lorrain, the French, the Danes, and the very Irish, for assistance. They were vexed, also, that the king was so much ruled by the will of his wife as to do everything by her prescript, and that peace, war, religion, and parliament should be at her disposal. It appeared, besides, out of those letters, with what mind the king treated with the parliament at Uxbridge, and what could be hoped for by that treaty when, writing to the queen, he affirms that, if he could have had but two more consenting to his vote, he would not have given the name of Parliament to them at Westminster: at last he agreed to it in this sense,—that it was not all one to call them a parliament and to acknowledge them so to be, and upon that reason (which might have displeased his own side) he calls those with him at Oxford a mongrel parliament."* There were other things that equally proved Charles's systematic insincerity, time-serving, double-dealing, arrogance, and thirst for revenge, and the reading of these letters is generally considered to have been as fatal to his cause as the field of Naseby where they were taken. The royalists themselves were startled by his contemptuous ingratitude; and men who had hitherto been neutral, but who inclined to royalty, began to lose all respect for his character.

From this time nothing prospered with the king. From Hereford he proceeded to Ragland Castle, near the Wye, the seat of the Marquess of Worcester, where, strange to say, he passed days and weeks in sports and ceremonies, in hunting and audience-giving. Fairfax did not follow him into South Wales, but marched rapidly into the west, where Taunton was relieved merely by the rumour of his approach, for Goring raised the siege and went his way. "That constant town of Taunton had been reduced to great extremities; it had suffered much and done great things against strong enemies, and could not at this time in possibility have held out long without some relief."† Charles had sent to Rupert nearly all the new levies to strengthen Bristol, which seemed at once threatened by Fairfax and by the Scots under Leven, who were again in motion from the north and marching upon Worcester. When Rupert had done his best in garrisoning Bristol, he crossed the Severn to Chepstow, where he had an interview with his uncle, who at one time had proposed returning with him and making Bristol

* Rushworth.—This is the commencement of Cromwell's letter:—"Sir, being commanded by you to this service, I think myself bound to acquaint you with the good hand of God towards you and us; we marched yesterday after the king, who went before us from Daventry to Haverbrow, and quartered about six miles from him. This day we marched towards him; he drew out to meet us; both armies engaged; we, after three hours' fight, very doubtful, at last routed his army, killed and took about 5000, very many officers, but of what quality we yet know not. We took also about 200 carriages,—all he had,—all his guns, being twelve in number, whereof two were demi-cannon, two demi-culverins, and, I think, the rest sacres. We pursued the enemy from three miles short of Harborough to nine beyond, even to the sight of Leicester, whither the king fled."

* Breviary of the History of the Parliament of England.

† May.—This author adds:—"Three parliament garrisons about that time and the foregoing year behaved themselves with such courage and constancy as might deserve to be celebrated in a larger history, viz., Lyme, Plymouth, and Taunton, all which (having often been besieged by Prince Maurice, Generals Greenville and Goring, and other commanders), had not only held out against those strong enemies, but much broken their forces."

his temporary court and capital. But Charles was now irresolute, and, instead of facing the danger in the west of England, where his partisans were still numerous and powerful, he withdrew to Cardiff, where he did nothing but press his negociations with the Irish Catholics, from whom he still expected such an army as would enable him to subdue the English parliament and people. Fairfax in the mean time continued his brilliant operations in the west, urged on by the spirit and guided by the military genius of Cromwell. Having dispersed the irregular force of club-men, who at first had put themselves in a warlike attitude in order to preserve their homes and neighbourhood from both royalists and parliamentarians, but who now seemed wholly hostile to the parliament,* and having defeated Goring at Langport, Fairfax appeared before the very strong and very important town of Bridgewater, which surrendered on the 23rd of July. These reverses made even Prince Rupert advise a peace. Charles replied, "As for the opinion of my business and your counsel thereupon, if I had any other quarrel but the defence of my religion, crown, and friends, you had full reason for your advice; for I confess that, speaking either as a mere soldier or statesman, I must say that there is no probability but of my ruin: but, as to a Christian, I must tell you that God will not suffer rebels to prosper or his cause to be overthrown; and whatsoever personal punishment it shall please him to inflict upon me must not make me repine, much less to give over this quarrel, which, by the grace of God, I am resolved against, whatsoever it cost me, for I know my obligations to be, both in conscience and honour, neither to abandon God's cause, injure my successors, nor forsake my friends. Indeed, I cannot flatter myself with expectation of good success more than this, to end my days with honour and a good conscience, which obliges me to continue my endeavour, as not despairing that God may in due time avenge his own cause. Though I must avow to all my friends that he that will stay with me at this time must expect and resolve either to die for a good cause, or, which is worse, to live as miserable in the maintaining it as the violence of insulting rebels can make him." He went on to tell his nephew that, having thus truly and impartially stated his case and plainly told him his positive resolutions, which by the grace of God he would not alter, he must earnestly desire him not in any way "to hearken after treaties." "Low as I am," he continued, "I will not go less than what was offered in my name at Uxbridge. . . . . Therefore, for God's sake, let us not flatter ourselves with these conceits; and believe me, the very imagination that you are desirous of a treaty will lose me so much the sooner." At this moment Charles was promising all kinds of things to the Irish Catholics; but, still true to his system of keeping his doings secret even from his nearest friends and advisers, he laboured to mystify his nephew on this point. "As for the Irish, I assure you they shall not cheat me; but it is possible they may cozen themselves: for, be assured, what I have refused to the English I will not grant to the Irish rebels, never trusting to that kind of people, of what nature soever, more than I see by their actions."*

In the truly regal halls of Ragland Castle, and in the stately ceremonies of the court, Charles had recovered his spirit and his hopes, which now rested not merely on the coming of troops from Ireland and troops from the continent, but also on the wonderful successes of the Marquess of Montrose. That daring adventurer, whose new-born loyalty was kept in life and heat by a deadly hatred of the covenanting Earl of Argyle, and perhaps also by some yearning after that nobleman's honours and estates, had penetrated into Scotland early in 1644, and had taken Dumfries; but finding that he could not keep his ground, and that his friend Antrim was not arriving from Ireland with his promised levies, he soon fled back into England. After the battle of Marston Moor he recrossed the border in disguise, and hid himself in the Highlands until the appearance of about 1200 Irish, whom Antrim had sent over. These wild, undisciplined, ill-armed Irish were joined by about 2000 Highlanders, as wild and as badly armed as themselves; and it was with this force that Montrose took the field to restore Charles to his plenitude of power, promising that, if supplied with only 500 horse, he would soon be in England with 20,000 men. His old enemy Argyle, now lieutenant of the kingdom,* and Lord Elcho, marched against him from different points, and each with far superior forces. But Montrose had a wonderful quickness of eye, a sort of instinct for this loose kind of warfare, and his half-naked Highlanders and Irish marched and countermarched with perplexing rapidity. He surprised Elcho at Tippermuir, in Perthshire, defeated him thoroughly, took his guns and ammunition, and shortly after captured the town of Perth, where the Highlanders plundered the citizens, notwithstanding their profession of affection to the royal cause —a revolution of opinion in them, it must be

* The club-men were first heard of in the west of England, where, for a time, their efforts were principally directed to the checking of the cruelties and licentiousness of Goring and his desperate bands. Gradually gentlemen of rank and substance joined the yeomen and peasantry, and gave a new direction to the association. The day after Fairfax had dispersed them at Blandford he was waited upon at Dorchester by Mr. Hollis and other professed leaders of the club-men, who showed him petitions they had drawn up both to the king and the parliament. The subscribers to these petitions asked for new treaty of peace, for a truce till it should be concluded, and for all the garrisons in Dorsetshire and Wiltshire to be garrisoned *pro tempore* by them. Fairfax modestly told them that it was evident from the royal correspondence taken at Naseby that the king expected 10,000 men from France, and 6000 from Ireland, and that, under these circumstances, they ought not to expect that the parliament would betray its trust and surrender the garrisons of Dorsetshire, three of which were sea-ports. The general made other answers of equal weight to the other demands of the petitioners, whom, in the end, he warned to return peaceably to their homes and abstain from further assemblies, arrays, and rendezvous, leaving the parliament to finish the contest for the good of the nation.—*Rushworth.—Clarendon.* The original motive of the club-men was sufficiently explained in the motto on one of their ensigns or standards:

"If ye offer to plunder or take our cattle,
Be you assured we'll give you battle."

* Clarendon, Hist.

allowed, almost as sudden as the capture of their town. But the Highlanders got rich too fast for Montrose, and the mass of them now left his standard to return with the booty they had made to their native mountains and fastnesses, and few were left with him beyond the wild Irish, who could not retreat because the Earl of Argyle had burnt the shipping which brought them over. That covenanting nobleman now approached, and, abandoning Perth as untenable, Montrose turned northward, in the expectation of being reinforced by the whole clan of the Gordons. Two thousand seven hundred men had taken post at the bridge of Dee to intercept his passage, but the northern guerilla crossed at a ford above, fell upon their flank, defeated them, and drove them before him to Aberdeen, which unfortunate town was entered pell-mell by Highlanders, Irish, and flying Covenanters, and made the scene of slaughter, pillage, and abomination. Four years before, when Aberdeen stood for the king, and when Montrose was fighting for the covenant, he had committed or permitted equal atrocities. But Argyle still followed, and, after two or three days, the Highlanders and Irish were obliged to abandon Aberdeen as they had abandoned Perth. Montrose led them northward to the Spey; but he found the banks of that river guarded against him by men who inclined to the king, but who remembered his ill doings when he was in that quarter for the covenant; and, as Argyle still pursued, he buried his artillery in a morass, and hurriedly ascended the stream by its right bank, till he reached the forests of Strathspey and the mountains of Badenoch. From those rugged heights he descended again into Athol, dispatched Macdonnel of the Isles to recall the Highlanders, and penetrated into the county of Forfar, where he was disappointed again in his expectation of being joined by the Gordons and other clans, and where he had a narrow escape from the Earl of Argyle, who almost surrounded him at Fyvie Castle. He, however, deluded the covenanters with skilful stratagems, and once more got back to the mountains of Badenoch. By this time the few lowlanders and soldiers of fortune that had followed him were completely worn out by these incessant forced marches and counter-marches; and, taking an unceremonious farewell of him, they ran away in search of an easier life or service. Argyle and his Covenanters, not less fatigued, retired into winter quarters. The earl himself withdrew to his castle of Inverary, at the head of Loch Fyne, "where he hived himself securely, supposing no enemy to be within one hundred miles of him—for he could never before be brought to believe that an army could get into Argyleshire, though on foot, and though in the midst of summer"—and now it was the dead of winter, and the mighty barrier of mountains was covered with deep snow. But when he suspected nothing less, the trembling cowherds came down from the hills, and told Argyle the enemy was within two miles of him. And this was no false alarm, for Montrose, reinforced by clans of highlanders, had braved the winter snows and the mountain storms, and, crossing moor and morass, burning and destroying as he went, had got to the shores of Loch Fyne, and almost under the shadow of the hill on which the old castle of Inverary stood. As the Earl of Argyle had put a price upon the marquess's head, and as Montrose was a man not likely to forget such a compliment, he for a moment, though no coward, as the royalists have absurdly represented him, trembled for his own head, and he only saved himself by leaping into a fishing-boat and pushing across the loch. Then Montrose, dividing his army into three irregular columns, ranged over the whole country of Argyle, and laid it utterly waste. No mercy was shown to the clansmen of the fugitive earl—slight mercy to any of the clans that had friendship or alliance with him. "As many as they found in arms, or going to the rendezvous to join the earl, they slew, and they spared no man fit for war, and so destroyed, or drove out of the country, or into holes unknown, all the service, and fired the villages and cottages, and drove away and destroyed all their cattle; and these things lasted from the 13th of December, 1644, to the end of January following." Then, departing out of Argyleshire, Montrose led his Irish and his Highlanders through Lorn, Glencoe, and Aber, to Loch Ness, in order to encounter the Earl of Seaforth, a nobleman very powerful in those parts, who had collected the garrison of Innerness, with the strength of Murray, Ross, Sutherland, and Caithness, and the great clan of the Frasers; but, learning that Argyle had gathered forces out of the lowlands, and joined to them such highlanders as yet adhered to him, and had reached Innerloch, an old castle upon the bank of Lochaber, he thought fit to fight him first, and so, passing by a private, unusual way, straight over the Lochaber hills, he again came upon him unawares. It was night, but Argyle had time to arrange his forces, and all that night both sides stood to their arms, making frequent sallies and skirmishes by moonlight. On the morrow, being Candlemas-day, the 2nd of February, 1645, the battle fairly began, and the prime of the Campbells charged very bravely; but when it came to dint of sword they could not stand, but retreated in disorder, and the Montrosians pursued them with great slaughter for several miles; "so that it was reckoned there were near 1500 of them slain; amongst whom were many gentlemen of the Campbells, chief persons of that clan, and of good account in their country, who, making as much resistance as they were able, received death answerable to their names, *in campo belli*."* Rushworth says, that "*it was said* that the Earl of Argyle was before withdrawn;" and according to several authorities, he looked on from a boat on the neighbouring loch; but this story is scarcely credible, and it is certain that his clan made a gallant resistance before they

* Rushworth.

fled. After his victory, Montrose was joined by the Gordons and by other clans of less note. On the 3rd of April, about midnight, he set out from Dunkeld, then his head-quarters, and marched with such expedition, that he was at Dundee by ten o'clock the next morning, summoning that ill-fortified town. The townspeople, knowing that a considerable force was near at hand to relieve them, made the best defence they could, but Montrose burst into the place. His wild troops, however, had scarcely begun to plunder, when he was warned that the Covenanters were at hand; and thereupon he ordered an instant retreat, which was not submitted to without difficulty, "the men being unwilling to part from that booty, and especially the strong drink they there met with." In fact, the enemy were almost within musket-shot when he got his marauders into marching order; but though vigorously pursued, he got them off, and again made his escape to the mountains. For threescore miles together he had been either in fight or upon a forced march without provisions or any refreshment, and between this pursuit and the storming of Dundee he had lost a considerable number of his small army. It was difficult to know where to expect this erratic comet, whose baneful light was the morning star of hope to Charles and the royalists. His next appearance was at Aldern, a village near Nairne, where there was a kind of drawn game; and a bloody game it was, for 2000 men, highlanders and Irish—we can hardly call them royalists—and covenanters and parliamentarians, were left dead upon the spot. This was on the 4th of May, a little more than a month before the battle of Naseby. Montrose claimed the victory, and it was reported as an important one to Charles, whose spirits were greatly revived thereby. The general assembly of the kirk of Scotland drew up a humble remonstrance to the king; but though this document was not presented until more than a month *after* the battle of Naseby, it produced no effect on the royal mind, nor moved Charles a hair's breadth from his wild hopes of still recovering everything by means of the broad sword of Montrose. The general assembly, after protesting their loyalty and praying to God that he and his posterity might long and prosperously reign over his ancient and native kingdom, and over his other dominions, told Charles that the patience of the Scots was like a cart pressed down with sheaves and ready to break. "Our country," said they, "is now infested, the blood of divers of our brethren spilt, and other acts of most barbarous and horrid cruelty exercised by the cursed crew of the Irish rebels and their accomplices, under the conduct of such as have commission and warrant from your majesty." The pen of the clergy of Scotland had lost none of its old power and sharpness; indeed, their style had manifestly improved in freedom and boldness with the depressed fortunes of the party at whom they discharged their eloquence. They thus told Charles what they considered to be his most crying offences:—"We make bold to warn your majesty, that the guilt which cleaveth fast to your throne is such, as (whatsoever flattering preachers or unfaithful counsellors may say to the contrary) if not timely repented, cannot but involve yourself and your posterity under the wrath of the everlasting God; for your being guilty of the shedding of the blood of many thousands of your majesty's best subjects; for your permitting the mass and other idolatry both in your own family and in your dominions; for your authorising by the Book of Sports the profanation of the Lord's day; for your not punishing of public scandals, and much profaneness in and about your court; for shutting of your ears from the humble and just desires of your faithful subjects; for your complying too much with the popish party many ways, and namely by concluding the cessation of arms in Ireland, and your embracing the counsels of those who have not set God nor your good before their eyes; for your resisting and opposing this cause, which so much concerneth the glory of God, your own honour and happiness, and the peace and safety of your kingdoms; and for what other causes your majesty is conscious, and may best judge and search your own conscience; nor would we have mentioned any particulars, if they had not been publicly known. For all which it is high time for your majesty to fall down at the footstool of the king of glory, to acknowledge your offences, to repent timely, to make your peace with God through Jesus Christ (whose blood is able to wash away your great sins), and to be no longer unwilling that the son of God reign over you and your kingdoms in his pure ordinance of church government and worship."

The king had scarcely received this letter, when Montrose gained another victory. The Covenanters had been pursuing him with far superior numbers under Baillie and Urry, who committed the folly of dividing their forces and following him into the mountains. On repassing the Don, they were encountered on the 2nd of July at Alford, Montrose having doubled upon them, and concealed his reserve behind an eminence. The result was, that the Highlanders and the Irish charged with their usual fury, broke the Covenanters, and drove them before them.

The southern march of the Scottish army in England under Leven was not so rapid as had been expected. Historians have accused them of lukewarmness and disaffection to the English Commons, overlooking the important fact that, from the brilliant successes of Montrose, this Scottish army must have felt that their presence might be required for the defence of their own country. Leven, however, after reducing and garrisoning the important city of Carlisle, detached part of his forces into Lancashire, to assist Sir William Brereton; "but the gross of his army hovered to and fro, sometimes advancing southward, and sometimes retreating, as being, 'tis likely, apprehensive

of the king's breaking northwards to join with Montrose." But, in the end of June, the Scots advanced to Nottingham; by the 2nd of July, the day on which Montrose gained the battle of Alford, they were at Melton Mowbray, whence they pushed forward by Tamworth and Birmingham into Worcestershire and Herefordshire, effectually preventing the royalists from making any new levies in those parts. On the 22nd of July they took by storm Canon-Froom, a garrison of the king's, about midway between the cities of Worcester and Hereford. At this crisis Charles, by means of Sir William Fleming, a Scottish gentleman that adhered to him, tampered with the Earl of Leven (old Leslie), and with the Earl of Calendar, who was Fleming's uncle. Leven told Fleming to follow the straight and public way, applying himself to the parliaments and committees of both kingdoms, and not making his secret address to him; and the Earl of Calendar, after rating his nephew for his disaffection to the good cause, and for his want of judgment and discretion, referred him in the same manner to the parliaments of both kingdoms or their committees. Leven communicated the correspondence to the House of Commons, who voted him a letter of thanks and a jewel worth 500*l.* On the 30th of July the Scots sat down before the strong or well-defended walls of Hereford. This pressed close upon the king, who was collecting recruits in the counties of Monmouth and Glamorgan. Charles was thus driven into action, and he moved from Cardiff with 3000 horse in good condition, and with some hundreds of newly levied infantry that were worth little or nothing. Nearly all his officers were involved in fierce quarrels with one another, disputing for posts and pre-eminences when their very existence as an army was compromised. At first the king fancied he could raise the siege of Hereford, and he showed his well-appointed columns of horse in the neighbourhood, but he was presently obliged to renounce this project as hopeless, and to dismiss all his foot. He then resolved with his cavalry alone to open his way to the Scottish borders, where it is quite certain he had concerted a meeting and junction with Montrose. The brave Sir Marmaduke Langdale devised and guided the march, and the cavalry swept across the country from the Wye to the Trent, and from the Trent to the Don, without opposition, and with flattering success in the way of picking up partisans and reinforcements, the latter consisting chiefly of garrisons that had surrendered to the parliament, and been dismissed. But by the order of the Earl of Leven, Sir David Leslie, with nearly the entire cavalry of the Scottish army in England, was now in full pursuit, and Poyntz and Rossiter, who commanded the English forces in the north, were advancing in another direction. Charles, who had got as far as Doncaster, halted, wavered, and then turned back, giving up his bold plan of getting to Scotland, and only hoping to be able to regain his strong quarters in the south at Oxford. As Sir David Leslie had a double object —that is, to prevent the king's reaching Scotland, and to check the successes of Montrose there,— and as the latter was now the more important operation, he did not turn to pursue Charles, but rode forward towards the borders. Thus unmolested in his rear, the king fell back upon Newark. There he conceived that, by rapid marches, he might take the associated counties in the east, the country of Oliver Cromwell, which had done so much against him, by surprise, and scatter their unaided foot levies. Proceeding by Stamford, he rushed into Cambridge and Huntingdonshire, ravaging the whole open country, and taking the town of Huntingdon by assault on the 24th of August. He gave Cambridge several alarms, but then drew off and went to Woburn, his flying squadrons of horse spreading in different detachments through Bedfordshire and part of Hertfordshire, and some of them approaching the town of St. Albans. From Woburn he went to Dunstable, and then crossing Buckinghamshire, he got to Oxford on the 28th of August, where the day before the melancholic Lord Keeper Littleton had departed this life. "In this sudden and unexpected march, his majesty's horse got great booty out of those countries adhering to the parliament, through which they had passed, especially at Huntingdon." But at Oxford, or a short time before he got there, Charles was greeted with intelligence from Scotland, far more valuable to him than the plunder of his burghers and peasants of England. Montrose, after threatening Perth, where the Scottish parliament was sitting, resolved to penetrate farther into the south than he had hitherto ventured, and, crossing the Forth a little above Stirling, he directed his march across the narrow isthmus which separates the Frith of Forth from the Frith of Clyde, and which equally opened to him the roads to Edinburgh and to Glasgow. Baillie and the Covenanters came up with him on the 19th of August at Kilsyth, a village adjacent to the Roman wall, and not far from Stirling, but they were defeated and slaughtered in heaps, no quarter being given. It is said that from 5000 to 6000 men, including nearly the entire number of Baillie's infantry, were killed on the field or butchered in the pursuit, and the Covenanters lost all their artillery, arms, and ammunition. The Earl of Argyle and the chief nobles of that party fled by sea to England, the city of Glasgow opened its gates to the blood-red conqueror, and the magistrates of Edinburgh immediately liberated all their royalist prisoners or friends of Montrose, and sent delegates with them, beseeching his favour or mercy to the city, and promising all obedience to the king—"upon which, and because the plague was then very rife in Edinburgh, he forbore marching thither with his army." The liberated prisoners and no inconsiderable number of the nobility joined Montrose, and accepted commissions in the name of Charles to raise and command Scottish troops; and if Charles had persevered and succeeded in his

march northward,—if he had joined Montrose, as he possibly might have done immediately after the victory of Kilsyth,—his chance, at least in Scotland, would have been wonderfully improved. But still it was but a chance, and all that could have happened even in that case would have been the prolonging of the war for one or two campaigns more; for whatever was the backsliding of some of the nobles, or the timidity of some of the great towns, the spirit of the Scots was unbroken, the Covenanters were as resolute as ever to maintain their solemn bond, and the lowlanders, almost to a man, were infuriated at the atrocities committed by the wild hordes from the highlands and from Ireland. And then in England all opposition was falling prostrate before the energies of Cromwell and Fairfax, and, if needful, a victorious and most highly disciplined army of 20,000 enthusiastic Englishmen would have crossed the borders within a month. But Charles, as we have seen, scoured back to Oxford, and David Leslie alone, as we shall see, was sufficient to crush Montrose, and render nugatory all his brilliant victories and the still more brilliant prospects they had opened to the king and to the queen, who, in her enthusiasm, looked upon the brave and adroit adventurer as a demi-god or a saviour. In fact, immediately after his great victory, Montrose was brought to a pause, for most of the highland tribes that followed him returned to their mountains to secure their plunder, while some of their chiefs were wholly alienated from the cause by jealousies and dissensions; and though he had overrun the country in a desultory war, the success of which was mainly owing to its suddenness and rapidity, he had acquired no fortified place, nor established any durable foundation in the lowlands, where his authority never extended beyond the ground he actually occupied with his troops. He hanged a few *incendiaries* at Glasgow; and then, as king's lieutenant or viceroy, summoned a new parliament to meet at that city in the month of October, and rashly advanced southward, expecting to meet at least a reinforcement of cavalry from England. In the mean time, David Leslie, with his horse, had got to Gladsmuir, in East Lothian, his design originally being to throw himself between Montrose and the Forth; and the Earl of Leven, abandoning the siege of Hereford was falling back towards the borders with the main body of the Scottish army. The king left Oxford on the 31st of August, and went to Hereford, which city he entered in triumph. He then proposed to cross the Severn to the assistance of Prince Rupert, who was besieged in Bristol by Fairfax; but he loitered and lost time—went again to the splendid castle of Ragland, and there received news that his nephew had surrendered Bristol on the 11th of September. Charles, in the anguish of his heart and the bitterness of his disappointment—for Rupert had assured him that he could keep Bristol for four months, and he had hardly kept it four days—heaped reproaches upon his nephew, and even suspected him of treachery, being instigated, it is said, by the Lord Digby, the deadly enemy of Rupert. He sent the prince an order to resign all his commissions and quit the country, and he ordered his arrest in case Rupert should be troublesome. Still believing Montrose to be master of all Scotland, Charles once more resolved to march into the north. Starting from Hereford, he traversed the mountains of Wales, hoping to avoid, by this course, any interruption from the enemy, and to relieve Chester, the only port by which he could now maintain his communications with Ireland.* He reached the neighbourhood of Chester without any reverse, but the parliamentarians had taken the suburbs of that city; Poyntz, with another division, was advancing by a different road, and on the 23rd of September the royalists, on Rowton Heath, found themselves between two fires, being charged on one side by the troops that had taken the suburbs, and on the other by Poyntz. The result, after several remarkable vicissitudes, was, the complete defeat of Charles, who had 600 troopers slain, and lost more than a thousand prisoners. With less than half his horse (he had no foot with him) he retreated to Denbigh, where intelligence reached him that the game was up with Montrose.

David Leslie, when on the east coast of Scotland, was informed that Montrose was advancing to the south-west, his movements apparently being in concert with those of Charles, who was advancing, on his part, by the western side of England; and the Covenanter thereupon, with all the Scottish horse, quitted the shores of the Forth and marched westward in the direction of the Solway Frith. He came up with the royalists in Selkirk forest, and this time Montrose, who had so often surprised his adversaries, was himself taken by surprise and thoroughly beaten near the village of Philiphaugh. The light-heeled partisan escaped and got back to the Highlands, but his army was utterly annihilated, and many of his friends who had not fallen in battle were executed by the Covenanters, who retaliated the dreadful barbarities which had been committed.

The person now in greatest credit and favour with the unfortunate king was the whimsical, wrong-headed Lord Digby, who had contrived to quarrel with nearly every other man about the court or camp. Immediately after the affair at Chester, and before it was known that the Covenanters had gained the great victory of Philiphaugh, "the Lord Digby, finding in how ill a posture the king's affairs were, and how ungrateful he himself was unto the soldiery, entered upon a romantic design with a small body of horse to march into Scotland to the assistance of the Earl of Montrose, that most brave loyal Scot, who to admiration did defeat so many of the Scots rebels and clear so much of the country, that, like Elijah's discovery of the true church, where the prophet thought that there were scarce any true

* According to Rushworth, he every minute expected the landing at Chester of forces from Ireland.

worshippers but himself, there were found 7000 knees or loyal faithful in Scotland who had never bowed unto Baal, which I set down for the honour of that nation; and had his majesty's affairs been prosperous in England, such a sunshine would have discovered a great many more such worthy persons, who for a time lay as so many undiscernible atoms in that northern air. But the Lord Digby's design (though he did, perchance, as much as any man could have done) evaporated; for he is beaten at his entrance into Yorkshire, and, before he got to Carlisle, defeated, and so forced to ship himself for Ireland instead of Scotland."* Digby, who had always been unfortunate in letter-writing, lost his portfolio, which was taken by the enemy, and, being published by the parliament, administered afterwards much occasion of discourse.† The principal papers were letters from Goff, a secret agent in Holland, to the Lord Jermyn, who was living in the very closest intimacy with Charles's wife at Paris, and which letters related to a project for a match between the Prince of Wales and the daughter of the Prince of Orange, who was thereby to engage the United Provinces to espouse the king's interests, —letters from Ireland concerning secret negotiations between the queen and Fitzwilliams, an Irishman who "propounded" to bring over 10,000 men,—letters from the Lord Jermyn at Paris to the Lord Digby himself, touching a treaty for bringing over the Duke of Lorrain with an army to the king's assistance, touching aids to be obtained from the king of Denmark, the Prince of Courland, and *the pope*. Among these letters was one dated June the 9th, 1645, which mentioned that his lordship's relative, Sir Kenelm Digby, had arrived at Rome and had had audience of the pope, who had given him the best reception and the fairest promises in general that could be wished; and it was stated in this epistle that *if* Sir Kenelm could be relied upon, there were good hopes of getting money there. There was also a remarkable letter written by Lord Digby himself to my Lord Jermyn, and dated the 27th day of August, only a few days before the seizure was made. Digby told his friend that he thought, of all their plans, those of getting troops from Denmark and money from Rome were the most probable,—that the business in Ireland was very backward and sadly involved, the Irish Catholics demanding too much from his majesty, such as the granting unto them the Protestant churches in such parishes where the number of the Catholics was greater, that is, in effect, all through Ireland. "And whereas," continues Digby to Henrietta Maria's lover, "you write that perhaps my Lord of Ormond is not the fit person to conclude that business, but that the management of it should be remitted to the queen, I am much afraid that the expectation of that in the Irish hath much retarded the hoped-for issue of the treaty. But (God be thanked) we received men; now the certain news is, that the peace there is concluded, and that an express from my Lord of Ormond is upon his way from Chester with all the particulars. The utmost extent of my Lord of Ormond's power to grant was the suspension of Poining's Act as to the passing of such bills as should be first agreed on; the repeal of the penal laws, and the allowing the Papists some chapels in private places for the exercise of their religion; but you may not take notice that he had so large a power, for happily he may have obtained a peace upon a better bargain. Thus much for that business." Digby proceeded to tell Lord Jermyn that his majesty approved of the course proposed by him for obtaining aids from Denmark; "but above all things," said he, "let the matter of money be laboured in, for without some competent stock of that against the next spring, it will be impossible for us ever to have a resource again." He (Lord Digby) thought that the king might be safe at Oxford till the setting in of winter, and then the season would prevent that place from being in danger by siege. He could tell his dearest friend, by way of prediction, that, desperate as the cause seemed, having got thus far in the year, they would be safe till the next, and then probably by help from Denmark and Ireland, and monies from France and other quarters, they might have a fresh and hopeful campaign in the spring. These hopes, he said, the state of affairs would bear, if the humours of the royalists would only bear the patience. "But, alas! my lord," continued Digby, "we must not expect it, there is such a universal weariness of the war, despair of a possibility for the king to recover, and so much of private interests grown from these upon every body, that I protest to God I do not know four persons living, besides myself and you, that have not already given clear demonstrations that they will purchase their own and (as they flatter themselves) the kingdom's quiet at any price to the king, to the church, to the faithfullest of his party. And, to deal freely with you, I do not think it will be in the king's power to hinder himself from being forced to accept such conditions as the rebels will give him; and that the next news you will hear after we have been one month at Oxford will be, that I and those few others who may be thought by our counsels to fortify the king

* Sir Philip Warwick. This very decided royalist, who, on the whole, entertained a great admiration of Digby, thus concludes his account of that eccentric nobleman's life and adventures:—"Afterwards he followed his present majesty (Charles II.) beyond sea, where, both among the French and Spanish ministers, he got speedily great credit; but, being super refined, held it not long. He affected astrology, which I take to be fatal to most that do so, for it too often draws them off from duty by supposing their destiny inevitable, and brings them into the condition of necessary animals, who were created to be voluntary agents. But his skill in this art failed him likewise, for it made him despond of his present majesty's return at a time when he was near his restitution; and so, changing his religion in compliance with Don John of Austria, he incapacitated himself for that public employment of office of Secretary of State, which formerly he had held, and certainly would have had again. He held to the old distinction betwixt the church of Rome and the court of Rome, entitling himself to the first. But though he had formerly written very learnedly and solidly in maintenance of our religion to his kinsman, Sir Kenelm Digby, yet, after his change, he never answered his own polemicks. And I heard from those that were often with him in his last sickness that it was not perceived that he had either priest of that creed or of ours to administer to him; yet he was observed to be very devout and frequent in prayer."

† Clarendon.

in firmness to his principles shall be forced or torn from him, and you will find the prime instruments to impose the necessity upon the king of submitting to what they and most of the king's party at Oxford shall think fit."*

Clarendon says that by one blow those 1500 horse which marched northward in search of Montrose were brought to nothing, and the generalship of the Lord Digby (of which the historian did not think highly) was brought to an end. In fact, that catastrophe put an end to all campaigning or fighting in the open field, though there still remained much to do in the way of siege and blockade. For several days Charles, after the affair at Chester, lay at Denbigh uncertain what to do, and distracted by the conflicting projects and opinions of his officers, now fearfully reduced in number. At one moment he thought of wintering in the Isle of Anglesey, an opportune place for receiving succours from Ireland, and deemed very defensible: but he gave up this project for a march upon Worcester; and this march he abandoned at the instigation of Digby, whom at one time he thought of accompanying to the Scottish border, for a movement upon the Trent, and with that object he brushed across the country and got to Newark.† Soon after his arrival at that town, Prince Rupert, despising his orders, came to Belvoir Castle, ten miles short of Newark. The king, greatly irritated, commanded him to stay where he was. Rupert proceeded instantly to Newark, and Sir Richard Willis, the royalist governor of that place, and Gerrard, one of the king's principal officers, heedless of the king's commands or wishes, went out with an escort of a hundred horse to meet the prince and do him honour. Without being announced, and followed by a numerous retinue all in arms, Rupert presented himself before his uncle, telling him that he was come to give an account of his surrender of Bristol, and to clear himself from unjust imputations. Charles, greatly embarrassed, scarcely answered a syllable. It was supper-time: the rest withdrew; but Rupert and his brother Prince Maurice remained. During the meal Charles discoursed with Maurice, but said not a word to Rupert. As soon as the supper was over, the king shut himself up in his chamber; and Rupert went to lodge with his friend Willis, the governor of Newark. "But the king," says Clarendon, "how displeased soever, thought it necessary to hear what Prince Rupert would say, that he might with the more ease provide for his own escape from thence, which it was high time to make." (For Newark was no longer a safe biding-place, the active Poyntz having marched to the banks of the Trent, and the disaffection of the neighbourhood and the insubordination of the royalist troops being such as to threaten Charles with capture or surrender.) Accordingly, on the morrow, he allowed Rupert, who pleaded how impossible it was to defend the fort of Bristol after the line was entered, to make his defence before a species of court-martial; and, after a day or two's debate, he caused a short declaration to be drawn up, "by which the prince was absolved and cleared from any disloyalty or treason in the rendering of Bristol, but *not of indiscretion*." No solicitation could draw more than this from the king, who evidently from this moment both disliked and distrusted his nephew. "And so," says Clarendon, "that matter was settled; upon which the king expected the prince should have departed, as himself resolved to prosecute the means for his own escape *without communicating it to him*." But Rupert remained at Newark to be the occasion of fresh disturbances and heart-burnings. A few days after, Charles, who had resolved to begin his march on the Sunday night, (which he imparted to none but two or three of the nearest trust,) and who wanted to carry the governor, Sir Richard Willis, away with him, for he had quarrelled with all the royalists in the neighbourhood, privately called that officer into his bed-chamber, and told him of his own design to be gone that very night, adding, that he was resolved to make him (Willis) captain of his horse-guards in the place of the Earl of Lichfield, who had been lately killed before Chester, and that he would leave the Lord Bellasis to be governor of Newark, as one that, from his alliances in the adjacent counties and his good estate there, would be more acceptable to the gentry. Perhaps Willis had learned to doubt the royal word—for the post of captain of the horse-guards was a much higher one than that of governor of Newark, and Charles, upon his excusing himself on the grounds of the narrowness of his fortune, which could not maintain him in that high employment, had promised to take care and provide for his support. At all events, when his majesty went out of his chamber, and presently to church, the governor went to complain to his friends, and when the king sat down to dinner, Willis returned to him accompanied by Prince Rupert, Prince Maurice, Gerrard, and about twenty officers of the garrison. Willis, apparently with little ceremony, told him that what his majesty had said to him in private that morning was now the public talk of the town, and very much to his dishonour: Prince Rupert rejoined, that Sir Richard Willis was to be removed from his government, for no fault that he had committed, but for being his friend; and Gerrard added, that this was a plot of the Lord Digby, who was a traitor, and he would prove him to be so. Charles rose in some disorder from the dinner-table, and would have gone into his bed-chamber, calling the governor to follow him, but Willis answered aloud, that he had received a public injury, and therefore expected a public satisfaction. Then Charles flew into a paroxysm of rage, and commanded them all to depart from his presence, and to come no more into it. The whole party went accordingly and sounded to horse, in-

* Rushworth.

† "And now the king, like a hunted partridge, flits from one garrison to another until he comes to Newark."—*Sir Philip Warwick.*

tending presently to be gone. Even in this manner did his own officers, his own nephews, beard the fallen king, and brawl in his presence, which he had been taught to consider as second only to the divine presence. Clarendon seems to think that, all the gentlemen in the town being so very loyal and full of duty, Charles might have hanged or shot all these mutineers together; but the assumption is doubtful. The Lord Bellasis, however, took the command of Newark as governor, and placed guards "where he thought it reason or needful." In the afternoon a paper was carried to the king, signed by his two nephews and about four-and-twenty officers, who desired that Sir Richard Willis might receive a trial by a court of war; and if that court found him faulty, then he might be dismissed. And they told Charles, that if this were not granted, they desired passes for themselves and for as many horse as desired to go with them; and, in the end, they hoped that his majesty would not look upon this action of theirs as a mutiny. To this last clause the king replied first, saying that he would not now christen it; but that it certainly looked very like mutiny. He told them that, for the court-martial, he would not make that a judge of his actions; but for the passes, they should be immediately prepared for as many as desired to have them. A night was allowed to elapse, but the king relented not, nor did Rupert, who ought, indeed, to have remembered that his uncle's condition "was properer to have begot compassion in an enemy, than to have raised neglect in so near a kinsman and dependent."* On the following morning the passes were sent, and Rupert, with Sir Richard Willis and about 200 horse, turned their backs upon Newark, and rode to Belvoir Castle, whence they shortly after sent one of their company to demand from the parliament "leave and passports to go beyond the seas." The Commons readily sent them the passes, but the princes did not yet quit England, where Rupert had shed torrents of blood. They were subsequently reconciled to their uncle, and shut up with him in Oxford.

These broils, according to Clarendon, had well-nigh broken the design the king had for his present escape from Newark; which was not possible to be executed for some time, Poyntz and Rossiter drawing every day nearer, and believing they had so encompassed him that it would not be possible for him to get out of their hands. The historian adds, that "nothing but Providence could conduct him out of that labyrinth." He had now fixed his resolution for Oxford, and sent a trusty messenger thither with directions that the horse of that garrison should be ready, upon a day appointed, between Banbury and Daventry. Then, upon Monday, the 3rd of November, early in the morning, he sent a gentleman to Belvoir Castle, to learn the true state of the rebels' quarters, and to advertise Sir Gervas Lucas, the governor of that garrison, of his majesty's design to march thither that night, with orders that his troop and guides should be ready at such an hour; but with an express charge, *that he should not acquaint the princes, or any of their company, with it.* That gentleman being returned with very particular information, the resolution was taken to march that very night, but not published till an hour after the shutting the ports. Then order was given, that all should be ready in the market-place at ten of the clock; and by that time the horse were all there, and were in number between four and five hundred of the guards and of other loose regiments; they were all there put in order; and every man was placed in some troop; which done, about eleven of the clock, they began to march; the king himself in the head of his own troop marched in the middle of the whole body." Thus travelling in the dead of night, Charles reached Belvoir Castle without interruption or alarm; and there Sir Gervas Lucas was ready with his troop, and with good guides, who all attended his majesty till the break of day, by which time he had passed the posts and quarters he most feared. But he had still to march between hostile garrisons and detachments; and, therefore, he paused not to rest, but pressed forward all that day. As he passed near Burleigh upon the hill, where was a garrison of the parliament, some horse sallied out, fell upon his rear, and took and killed some men, who had loitered or whose horses were tired. Sir Philip Warwick says, "On the highway the captain-lieutenant, with the king's own troop, one Tuberville, a good, stout, plain, downright soldierly gentleman (under whom I trooped for some time), was forced with a party of his men to engage the enemy, who were in pursuit of the king; and in this engagement the captain lost his life, as well as some others of his common troopers." Towards evening the king was so weary, that he was even compelled to rest for the space of four hours in a village within eight miles of Northampton, where the parliamentarians were in force. At ten o'clock that night he again took the road, and by noon the following day he got to Banbury, where the horse from Oxford received him and conducted him safely to their garrison that evening; "and so," says Clarendon, "he finished the most tedious and grievous march that ever king was exercised in."

Charles, however, soon perceived that he could no longer find security even in Oxford. Cromwell was reducing in rapid succession all the garrisons that still held out, and the king knew that he and Fairfax were concerting the best means of blockading or besieging Oxford. Charles's council, as the Lord Digby had predicted, almost instantly proposed a negotiation; because, among other powerful reasons, his majesty had no army at all, nor any forces but what were shut up in garrisons, no means or money to satisfy his officers, or to supply or pay his garrisons, except the contributions of the country, which was wasted by the

Sir Philip Warwick.

soldiers of both sides; so that "the people were ready every day to rise against his garrisons, as being no longer able to undergo the heavy pressures which the necessities of his majesty's soldiers and the avarice of his majesty's governors daily put upon them." Ever since the reading of the king's letters taken at Naseby, the parliament, or a majority of it, seems to have determined never to negotiate on the footing they had formerly done at Oxford and Uxbridge; and as it had been observed that his commissioners had always laboured to sow dissensions and carry on intrigues, a resolution had been adopted, that no more of these emissaries should be admitted. Accordingly, when Charles applied for safe-conducts for two noblemen, he met with a stern refusal. Still, however, it seemed neither decent nor safe wholly to reject terms of pacification, and the two Houses resolved to submit to him certain propositions in the form of parliamentary bills for him to give his assent to.

During these deliberations the breach between the Presbyterians and Independents became wider, and Charles fondly hoped to find a way through it to the recovery of his former power. The Scots, too, who had their army in the heart of England, and who occupied some of the most important of the garrisons, disagreed greatly with the master minds that had now taken the chief direction of affairs; they suggested numerous revises and alterations of the propositions to be offered to the king, and they seemed quite ready to throw their swords into the scale of their co-religionists, the English presbyterians. All this caused long delays, but the problem would have been the sooner solved if Cromwell and Fairfax had not deemed it expedient to finish their conquest of the west of England, and reduce the rest of the kingdom to the obedience of parliament, before commencing the siege of Oxford, which promised to be long and difficult. Half of the manœuvres of Charles and his partisans probably escaped detection or record; but those which were discovered and set down would fill a large and not very amusing volume. The king, it appears, was, on the whole, more willing to deal with the Independents than with the Presbyterians; but the queen, who, from France, constantly suggested plans, and generally guided his councils, thought that more was to be gained from the Presbyterians; and she and other friends, both abroad and at home, earnestly recommended him to conclude a good bargain with the Scots, to give up episcopacy, and to establish that exclusive and intolerant presbyterianism which seemed so dear not only to all his subjects north of the Tweed, but also to so large a portion of the English people. But he would never yield to this advice; and he applied again to parliament, to be heard by his commissioners, or to have himself a personal conference with them at Westminster. This letter was presented at a most unfortunate juncture, for at that very moment the committee of both kingdoms were communicating to the two houses all the particulars of a secret treaty between the king and the Earl of Glamorgan, and between Glamorgan and the Irish papists; and in the loud storm that then raged, the words of Charles could scarcely be heard, and his letter was thrown aside without an answer. It was found that the king had authorized Glamorgan to treat with the Catholics of Ireland, and to make them the largest promises, upon condition of their engaging to take up arms and pass over in force to the English coast. It appears, from Charles's own letters, that he never intended to keep these liberal promises—that he meant to cheat them, or make them cozen "themselves;" but it is quite certain that the promises were made in a solemn manner, and that, even without being read with the exaggerating optics of the reigning religious intolerance, they contained matter to put in jeopardy all the Protestants in Ireland, and to incense all the Protestants in England—the latter exasperated enough by the single notion of bringing an army of wild Irish into their country. Yet Charles, "on the faith of a Christian," denied to the parliament all knowledge of Glamorgan's doings; and his partisans declared, that the warrants bearing his name, which had been found in the baggage of the Catholic archbishop of Tuam, slain in a skirmish near Sligo, were mere forgeries. The king moreover told the two houses, that he had ordered his lord lieutenant (the Marquess of Ormond) and his privy council in Dublin, to proceed against Glamorgan according to law. But Ormond had in his possession, unknown to the parliament, a copy of the warrant wherein the king engaged to make good whatever Glamorgan should promise the papists in his name; and in writing to Ormond, Charles was compelled to shift his ground, and equivocate most miserably, asserting, that he did not remember any such warrant; that it was indeed possible he might have furnished the Earl of Glamorgan with some credential to the Irish Catholics; but that if he did, it could only have been with an understanding that Glamorgan was not to employ it without the approval of the lord lieutenant. This language leaves no doubt as to the nature of the transaction. And this, be it remembered, was the king's usual mode of managing business. Digby, who was in Ireland when the papers were taken, and who, as Charles's secretary, knew more of the transaction than any man, instantly saw the fatal consequences that would follow the disclosure—"fearing lest, if this discovery should grow too general among the people, all the former rumours should find credit; as namely, that the king was author of the Irish rebellion, and sought to confirm popery; from whence a general revolt of all the Protestants might be feared." "And although," continues May, "Digby thought Glamorgan to be an unadvised man, yet he could not suppose him to be so foolish as to have undertaken such a thing as that without any warrant at all: therefore it was agreed betwixt them (Digby and Ormond), that lest, when this discovery should be grown more general, it might be too late to vindicate the king, that Digby should

presently accuse Glamorgan of treason. But Ormond and Digby were both troubled with this fear (because at that time three thousand Irish were promised to go over to the relief of Chester), lest, by this unseasonable vindication of the king, Chester might be lost, for want of transportation of those forces. But when they understood that, according to Glamorgan's compact, those Irish were not to go for England, before the king had made good the conditions which Glamorgan promised, and confirmed the peace; and, while they were consulting about this perplexed business, it was told them, that the Protestants of Dublin, upon that news, were in a great mutiny, and the worst was feared in a few hours, unless the danger were speedily prevented; Digby was enforced to make haste and accuse Glamorgan (who was not at all dismayed, knowing it was only to deceive the people) of high treason. Glamorgan, therefore, with great confidence and alacrity, went to prison, affirming, that he did not fear to give account at London, or before the parliament, of what he had done by the king's warrant; but it was wonderful to see what a change in the Protestants of Dublin this feigned accusation of high treason suddenly made; and that they who before murmured were now appeased."* Digby had made this adroit move before any public notice was taken in parliament of the papers found about the Archbishop of Tuam; but by this time the parliament had received too many lessons to be easily duped or deceived by any feint. Glamorgan, on his side, played his part with no inconsiderable skill. To give the king what he called "a starting hole," he had tacked to his secret treaty a little article termed a *defeasance*—an invention worthy of the genius of his master—whereby it was expressed, that, notwithstanding the text, the king should not be bound further than he thought proper, after seeing what the Catholics could and would do for him; and that Glamorgan should conceal this said defeasance or release from the king till he had done all that lay in his power to make the Catholics carry into execution all their part of the treaty. Surely these were Figaro scenes, where everybody was deceiving everybody else, or pretending so to do—where nothing was straight, nothing self-evident, except the unvarying resolution of Charles to resort to every means, and to betray or juggle every instrument or party. 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dead, and as Henrietta Maria was on the best terms with the queen regent Anne of Austria, and her minister Cardinal Mazarin, it should seem that Montreuil was earnest and honest in his endeavours,*— and hard was the work he had to go through with the intolerant Presbyterians and the obstinate king. The Scottish commissioners proposed that Charles should take the covenant; and they insisted, as a *sine quâ non*, upon the establishment of Presbyterianism. Finding that they would not yield a line's breadth in these demands, Montreuil posted down to Oxford in the hope of inducing the king, whose situation was daily becoming more desperate, to yield the point of Episcopacy. But Charles's conscience, perhaps the hopes he entertained of prevailing by means of the Independents, who at moments seemed almost ready to turn their arms alike against the Scots and their own Calvinistic countrymen, long opposed this course; and the widest concession the king would make was, that when he should be with the Scottish army, he would submit to be instructed by their preachers in the doctrines of their kirk. In other matters the king was pliant enough; and it has been suggested that he intended to dupe the Scots into a belief that his conversion must be the inevitable consequence of his consenting to listen to their preachers. Montreuil then posted away to Newark, in front of which the main body of the Scots then lay. The Frenchman was presently disconcerted by the cold and firm tone of the Scottish officers and commissioners with the army, who refused to take cognizance of the proceedings of the Scottish commissioners in London, and who would yield nothing, promise nothing, except that if the king would come to them, attended only by his two nephews and his confidential servant Ashburnham, they would receive him with all honour and protect his person. Further argument on the part of the diplomatist only elicited further caution on the part of the Scots. They told Montreuil that they could not keep Prince Rupert, or Prince Maurice, or Ashburnham, if they were claimed by the English parliament,—that the most they could do for them would be to give them timely notice that they might escape. Montreuil hastened to write to Oxford, and told Charles that the step would be too desperate,—that the Scots promised absolutely nothing beyond the safety of his person; but it appears doubtful, from an expression in a subsequent dispatch, whether Charles ever received this first letter of Montreuil from the Scottish camp.† Charles, who always considered the Scots and Presbyterians as the cause of all his misfortunes, now thought that he would rather throw himself into the arms of a part of the English army, and rely upon their generous feelings and his own talents for intrigue and persuasion. The parliamentarians were fast gathering round Oxford, and Woodstock was not only besieged but reduced to extremities; "and at this instant the governor of Woodstock, Captain Fawcett, sent a messenger to his majesty to inform him of the necessities of that place, and to know his pleasure, whether he should expect relief or deliver it upon the best articles he could get, or perish in it, having made an honourable defence even to the greatest extremity." "This opportunity," continues Ashburnham, a principal agent in these much disputed transactions, came seasonably to his majesty, who immediately sent to Colonel Rainsborough (then commander-in-chief at that siege) for a pass for the Earls of Southampton and Lindsay, Sir William Fleetwood, and myself, to treat with him about the surrender of Woodstock, which was sent accordingly. But the instructions his majesty sent us were, not only to deliver the garrison upon the best terms we could obtain, but also to labour the army's acceptance of his majesty's person with one of these two conditions,—either to wait on him to the parliament and prevail with them to receive him with honour and freedom, or that they would preserve him so in their army until they could bring the parliament to that temper. After we had ended the treaty for the garrison, the Earl of Southampton found opportunity to let himself into the other part of our business, which indeed seemed to some of the principal men there (at least so far as we could discover) a thing very agreeable to their judgments. But because they would not adventure on so great a work without the privity of their superior officers (who were that night to quarter not far from that place) they desired liberty to impart the proposition to them, with this satisfaction to us for the present—that, in the representing thereof, they would promise the proffer of that honour should lose no advantage, and, in case it should be accepted, they would send a pass to us the next day, to return and finish that work; but, if the pass

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or any express bargain to maintain and defend Charles. Charles had not agreed "with regard to the Presbyterian government;" and the Scottish commissioners in all probability were aware that he had been and was, down to the very moment of his flight from Oxford, tampering with the Independents, and promising to join them in rooting presbytery out of the kingdom. The Scottish commissioners would have sacrificed an otherwise popular sovereign upon this sole point; but Charles was anything but popular in Scotland, where, in the parlance of the time, the blood of the slaughtered saints cried aloud for vengeance upon him. The English parliament and army might be in a frame of mind suited to magnanimity; ever since the battle of Naseby they had been marching from success to success, from one triumph to another: but in Scotland it was far otherwise; there, that interval of time had been filled almost entirely by the victories of Montrose and the reverses of the Covenanters. The civil war, too, as conducted in England, had been all through chivalrous and merciful as compared with the unsparing carnage of Montrose's wild Highlanders and Irish. Charles, therefore, had little to hope from the humour of the Scottish commissioners; and the characteristic wariness of those men, who had known his majesty before now, was not likely to permit their pledging themselves in a direct treaty merely upon his equivocating assurances. At the same time they were most certainly anxious to have him in their power, being on the very verge of an open rupture with the English parliament, which stood indebted to them in large sums of money, and which might well fill them with more serious apprehensions than those arising simply out of loss of cash: for Cromwell and Fairfax, and that victorious army, would presently be without any work on their hands, and ready to march, not merely to the Trent, but to the Tyne and the Tweed if needful. And therefore the Scots, without committing themselves by any treaty or any direct promises, may (and we think it probable they did) have led Montreuil and others to believe that they were much better disposed towards the unfortunate king than in reality they were. But, again, on the other hand, the French ambassador (as ambassadors have done before and since) may have misunderstood men who communicated with him through the medium of a foreign language; and in the desperation of Charles's affairs, and in his earnestness to save the king from worse, he may have been led to judge better of the intentions of the Scots than their words warranted him to do,—although, as we have seen, the best he said to the king was far from encouraging,—far, indeed, from implying any bond or pledge on the part of the Scots to make the king's cause their own. The expressions of the ambassador which perhaps bear hardest on the Scots are those in his letter of the 16th of April, wherein he mentions the pains taken by the commissioners to prevent his warning the king not to leave Oxford; and from this it might fairly be inferred that "their party in London,"—that is to say, the Scottish commissioners resident in the English capital with the parliament, had, as the ambassador intimates, promised him a great deal more than the other Scottish commissioners at the head-quarters of their army would keep; and that the latter, in order to favour his quitting Oxford and throwing himself among them, were anxious to leave the king in ignorance of the discrepancy between the two commissions; which mode of proceeding might be a matter of concert between them, though, on the other hand, it might possibly arise out of a real difference of opinion as to the best or safest manner of dealing with a most difficult and in every way embarrassing subject. But then, again, it must be observed that Montreuil, who afterwards got three letters sent to Oxford, warned Charles of this real or seeming duplicity, and told him in express terms of the suspicious-looking precautions adopted by the commissioners with the army; and that Charles, *after this knowledge*, clung to the Scots with a last and desperate hope, not however, as we believe, till sundry other wild hopes had entirely failed him.

It is quite clear that all the narrators of these transactions labour to make out the best possible story for themselves, and not only the worst for their enemies, but a very inferior one for their friends (thus, Ashburnham says not a word about the mission of Hudson). But there was now no time to lose; and, if Charles would escape the horrors of a siege certain to end in death or captivity, he must be gone at once. His son, the Prince of Wales, after being driven to Pendennis Castle, in Cornwall, had fled for safety to Scilly, and thence to Jersey, being attended by Clarendon, Culpeper, and other members of the council. Even the brave Sir Ralph Hopton, now that he was ruined, created Lord Hopton, had been obliged to capitulate and disband his forces; and Sir Jacob Astley, who had collected some two thousand horse to cut his way to Oxford, was intercepted at Stowe by the parliamentarians, and made prisoner with many of his officers and more than half his men. "You have done your work, my masters," said Astley, "and may now go play, unless you choose to fall out among yourselves." It had always before been the fashion, and it continued to be the fashion long after, down to the time of the republican generals of France, and that wonderful man whose fortunes in many respects resembled those of Oliver Cromwell, to give over campaigning and fighting by the end of autumn, and retire into winter quarters. Regular soldiers, foreign-trained tacticians like Essex and Dalbier, would no more have thought of campaigning in winter than the farmer would think of sowing seed at midsummer. But Cromwell and Fairfax, who were slaves to no rules, and whose souls were set on the finishing of this destructive war, disregarded the storms, and darkness, and inclemencies of the season, and fought on all the year through,—and

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came not, we should take it for granted there would be no entertainment given to that motion. At our coming back to Oxford we gave account of our proceedings to his majesty, who had in our absence received letters from Montreuil to this effect—that he found the commissioners of Scotland (residing in the army) not fully resolved to concur in their articles of agreement which the commissioners at London had submitted for his majesty's satisfaction. The next day being spent, and no pass come from the officers at Woodstock, it is not hard to think into what sad and miserable condition the king was cast, Oxford being almost close begirt on all sides; but within some few hours more letters came from the French agent, which did import that all difficulties were reconciled, and Mr. David Leslie, then lieutenant-general, had orders to meet his majesty with 2000 horse at Gainsborough."* But, here, on the evidence of Montreuil's own letters, Ashburnham stands convicted of some inaccuracy and a suppression of part of the truth. In his letter of the 16th of April, the French envoy tells Secretary Nicholas that the Scottish commissioners had taken strict methods to deprive him of all means of warning the king not to leave Oxford; that he had some thoughts that things might mend, and that all his majesty desired, and that he (Montreuil) had promised him, might have been done." . . . "But," continues the ambassador, "after much delay they have at length informed me, from the committee which has been sitting all day, that they will dispatch a strong party to Burton-on-Trent to meet his majesty, but that they can go no farther, though they will send forward some straggling horse to Bosworth, which is half way from Burton to Harborough. The king must send word on what day he will expect them, and they will not fail to be there. When they meet his majesty he must say he is on his way to Scotland; in which case they will allow him to go to their army, instead of proceeding farther. I am not sure that this will be agreeable to his majesty, but they say it cannot be otherwise without having a quarrel with the English parliament, and making it impossible for them to keep the king in their quarters. As to the other conditions, see to what they are reduced! They will have no junction with any forces that have served under the king, and (what is unreasonable) they will not even allow the cavalry that escorts him to accompany him to their army." Charles had had the madness to require of the Scotch commissioners that the Marquess of Montrose should be honourably employed on a diplomatic mission,—Montrose! who had been the greatest scourge the Covenanters had ever known, and whose hands were yet wet with the blood of the friends and kindred of these very commissioners. "They cannot allow," resumes Montreuil, in the same letter of the 16th of April, "the Marquess of Montrose to be sent as ambassador to France, but they have no objection to his going anywhere else. *And, with regard to the Presbyterian government, they desire his majesty to agree with them as soon as he can!* Such is the account they make here of the engagement of the king, my master, and of the promises I had from their party in London; and this is the utmost I have been able to extract from them after much debating, for what they said at first was much less favourable. I shall say no more, except that his majesty, yourself, and Mr. Ashburnham know the Scotch better than I do. I state things plainly, as I am bound to do, and have not the presumption to offer any advice to his majesty. *If there be any quarter where better conditions can be obtained, I think this ought not to be thought of.*"* This letter was no doubt the first to which Ashburnham alludes; but a short note, received at Oxford a few hours after it, was not more inviting. In it Montreuil informed Charles that he had made another attempt to induce the Scots to advance in force beyond Burton to meet his majesty, and had utterly failed therein. "I have pressed them," says he, "to send fresh horses to Bosworth. I have myself two horses that are tolerably good. I shall send them; one of them at least, which is quite well, and the other if sufficiently recovered."—[By this time the original idea of the king's cutting his way through the parliamentarians with part of his cavalry seems to have been abandoned as hopeless; and besides, the Scots, who had told Montreuil that they would have no junction,—none of his cavalry,—were determined not to embarrass themselves with any of the royalist troops. The escape of the king from Oxford was, therefore, to depend, as Montreuil thought, upon the speed of his horses and upon his having relays.] —Nor was a third letter more encouraging. In this epistle, dated the 20th of April, the last communication received at Oxford from the ambassador, and that to which Ashburnham must refer in the last paragraph we have quoted from him, Montreuil informed the king, through Secretary Nicholas, that the Scots assured him that they would do more for his majesty than they could venture to promise; but he cautioned the king not to expect much from them, or more than he should send him word. He did not, as Ashburnham states, say a word about Gainsborough, but he said that the Scottish troops had begun to defile towards Burton; and that, as it was of the greatest importance to them that the king should not fall into the hands of the English parliament, he felt convinced that they would do all they could to prevent it. There is not a syllable about a treaty,

* A Narrative, by John Ashburnham, of his attendance on King Charles I.; to which is prefixed a Vindication of his Character and Conduct from the Misrepresentations of Lord Clarendon; by his lineal descendant and present representative (the late Lord Ashburnham). 2 vols. 8vo. Lon. 1830.

* Montreuil adds,—"But if everything is desperate elsewhere and no security can be obtained for his majesty and his servants from the English parliament, I am confident still, after all that has happened, that he and his servants, and he in particular, will be in perfect safety here, though with less satisfaction perhaps than he could desire. And I shall not fail, on my part, to press them to the performance of all I have promised to his majesty, as I should not have failed to do before the change I found here."

or any express bargain to maintain and defend Charles. Charles had not agreed "with regard to the Presbyterian government;" and the Scottish commissioners in all probability were aware that he had been and was, down to the very moment of his flight from Oxford, tampering with the Independents, and promising to join them in rooting presbytery out of the kingdom. The Scottish commissioners would have sacrificed an otherwise popular sovereign upon this sole point; but Charles was anything but popular in Scotland, where, in the parlance of the time, the blood of the slaughtered saints cried aloud for vengeance upon him. The English parliament and army might be in a frame of mind suited to magnanimity; ever since the battle of Naseby they had been marching from success to success, from one triumph to another: but in Scotland it was far otherwise; there, that interval of time had been filled almost entirely by the victories of Montrose and the reverses of the Covenanters. The civil war, too, as conducted in England, had been all through chivalrous and merciful as compared with the unsparing carnage of Montrose's wild Highlanders and Irish. Charles, therefore, had little to hope from the humour of the Scottish commissioners; and the characteristic wariness of those men, who had known his majesty before now, was not likely to permit their pledging themselves in a direct treaty merely upon his equivocating assurances. At the same time they were most certainly anxious to have him in their power, being on the very verge of an open rupture with the English parliament, which stood indebted to them in large sums of money, and which might well fill them with more serious apprehensions than those arising simply out of loss of cash: for Cromwell and Fairfax, and that victorious army, would presently be without any work on their hands, and ready to march, not merely to the Trent, but to the Tyne and the Tweed if needful. And therefore the Scots, without committing themselves by any treaty or any direct promises, may (and we think it probable they did) have led Montreuil and others to believe that they were much better disposed towards the unfortunate king than in reality they were. But, again, on the other hand, the French ambassador (as ambassadors have done before and since) may have misunderstood men who communicated with him through the medium of a foreign language; and in the desperation of Charles's affairs, and in his earnestness to save the king from worse, he may have been led to judge better of the intentions of the Scots than their words warranted him to do,—although, as we have seen, the best he said to the king was far from encouraging,—far, indeed, from implying any bond or pledge on the part of the Scots to make the king's cause their own. The expressions of the ambassador which perhaps bear hardest on the Scots are those in his letter of the 16th of April, wherein he mentions the pains taken by the commissioners to prevent his warning the king not to leave Oxford; and from this it might fairly be inferred that "their party in London,"—that is to say, the Scottish commissioners resident in the English capital with the parliament, had, as the ambassador intimates, promised him a great deal more than the other Scottish commissioners at the head-quarters of their army would keep; and that the latter, in order to favour his quitting Oxford and throwing himself among them, were anxious to leave the king in ignorance of the discrepancy between the two commissions; which mode of proceeding might be a matter of concert between them, though, on the other hand, it might possibly arise out of a real difference of opinion as to the best or safest manner of dealing with a most difficult and in every way embarrassing subject. But then, again, it must be observed that Montreuil, who afterwards got three letters sent to Oxford, warned Charles of this real or seeming duplicity, and told him in express terms of the suspicious-looking precautions adopted by the commissioners with the army; and that Charles, *after this knowledge*, clung to the Scots with a last and desperate hope, not however, as we believe, till sundry other wild hopes had entirely failed him.

It is quite clear that all the narrators of these transactions labour to make out the best possible story for themselves, and not only the worst for their enemies, but a very inferior one for their friends (thus, Ashburnham says not a word about the mission of Hudson). But there was now no time to lose; and, if Charles would escape the horrors of a siege certain to end in death or captivity, he must be gone at once. His son, the Prince of Wales, after being driven to Pendennis Castle, in Cornwall, had fled for safety to Scilly, and thence to Jersey, being attended by Clarendon, Culpeper, and other members of the council. Even the brave Sir Ralph Hopton, now that he was ruined, created Lord Hopton, had been obliged to capitulate and disband his forces; and Sir Jacob Astley, who had collected some two thousand horse to cut his way to Oxford, was intercepted at Stowe by the parliamentarians, and made prisoner with many of his officers and more than half his men. "You have done your work, my masters," said Astley, "and may now go play, unless you choose to fall out among yourselves." It had always before been the fashion, and it continued to be the fashion long after, down to the time of the republican generals of France, and that wonderful man whose fortunes in many respects resembled those of Oliver Cromwell, to give over campaigning and fighting by the end of autumn, and retire into winter quarters. Regular soldiers, foreign-trained tacticians like Essex and Dalbier, would no more have thought of campaigning in winter than the farmer would think of sowing seed at midsummer. But Cromwell and Fairfax, who were slaves to no rules, and whose souls were set on the finishing of this destructive war, disregarded the storms, and darkness, and inclemencies of the season, and fought on all the year through,—and

this, too, be it always remembered, with a *new* army. As in Bonaparte's case, the routine men said that this was not the way to manage matters; but it was a wonderfully successful way, notwithstanding. "The things," says May, "which that new army did that year, taking no rest all that sharp and bitter winter, were much to be wondered at; how many strong towns and forts they took, how many field victories they obtained, the stories of every several month will declare."* Wherever Cromwell showed himself resistance soon ceased; and he was now approaching with Fairfax and the army of the West upon Oxford, which was already surrounded by 2000 foot and 300 horse. Woodstock was surrendered to Rainsborough. Whichever way Charles looked, from tower or bastion, he saw the flag of the parliament of England floating on the breeze; and, now, wherever he turned himself within the loyal city of Oxford, he saw dejection or discontent. His very attendants treated him with sullen disrespect; and the chances are, that if he had stayed there they would, upon the arrival of Cromwell and Fairfax, have delivered him up to the parliament. Still, however, the unfortunate monarch feared and doubted the Scots; and these very doubts may be taken as proofs that Montreuil's negotiation was never so clear and settled a thing as some have represented it. Notwithstanding the entire failure of his overtures to the Independents, he addressed himself to Ireton, who was then before Oxford; "being informed," says Ashburnham, "that he was a man of great power and credit with the soldiery, and very earnestly affected to peace, he thought it fit to make *some trial of him*, whether he would undertake to accept and protect his majesty's person upon the former conditions; and to that purpose sent Sir Edward Ford (his brother-in-law) to sound his inclinations, with this assurance,—that, if he consented, I should follow the next day with power to conclude with him in those or any new matters he should propose in order to his majesty's reception. But, by his not suffering any man to return to Oxford, his majesty found plainly that he did not relish the discourse upon that subject, and so quit the thought likewise of any more advantage by him than by the other he had tried before. By mentioning these particulars I suppose it easy for the world to judge how unwilling his majesty was to have deserted his hopes of reception by the English, having left nothing unassayed wherein there was any possibility of effecting his desires in that point, would any reason, any religion, any affection to the public have brought them to their just consideration of their duty to him, or, in the next relation, the advance of their own private interest. And now, his majesty, conceiving himself to be discharged from all obligation which by any way could be fastened upon him by his parliament, or by any authority derived from them, settled his thoughts upon his journey to the Scots army, and, in order thereunto, did acquaint some of his privy council (as he was pleased to tell me) with his intentions to leave Oxford, if they should approve of that course to be best for his affairs and their preservation, but did not impart the truth of his design with the Scots, conceiving that most of them would have opposed with some unseasonable heat his conjunction with them; and therefore chose rather to put the design of London upon it, whither he knew (by the measure he had formerly taken of their inclinations) they would be glad (but not advise) he should adventure; which in debate fell out accordingly, they supposing (as, indeed, all wise men would have done) that if his majesty could have got safe to London, and have personally made great offers of accommodation, trusting himself with confidence in the hands of his two Houses, they would (in relation to their own honour and interest) have accepted him with much more moderation than he could have hoped for by any discourse, under the notions and at the distance they then considered him." Thus, according to Ashburnham, Charles told his council at Oxford that he was going to smuggle himself into London, while he had fully made up his mind to go to the Scots.* From other accounts, however, and from the curious, wavering way in which the king proceeded, it should appear that he was not decided whither he should go, even when he had taken to the road.

On the 27th of April Fairfax and Cromwell reached Newbury, within a day's march of Oxford: about midnight Charles got ready for his flight, submitting his beard to Ashburnham's scissors,† and disguising himself as that groom of the chamber's groom. Hudson, the chaplain, who had gone and come between the head-quarters of the Scots and Oxford, and who was, moreover, well acquainted with the by-roads of the country, acted as guide;‡ and between two and three o'clock in the morning the party rode out of Oxford by Magdalen Bridge, the king following Ashburnham as servants follow their masters, with a cloak strapped round his waist. At the same moment, parties like the royal one, of three individuals each, went out of Oxford by the other gates, in order to distract attention and embarrass pursuit. Charles and his two companions got through the lines of the parliamentarians, and reached Henley-upon-Thames without discovery. From Henley, instead of turning directly north towards the Scots, they proceeded to Slough: from Slough again they went to Uxbridge, and from Uxbridge to Hillingdon, a mile and a half nearer London. "Here," according to Hudson, "the king was much perplexed what course to

* Breviary.

* So completely had Charles deceived his friends at Oxford as to his journey, that, the day after his departure, his kinsman, the Duke of Richmond, with four other noblemen, came into Fairfax's quarters with the hope that they might be permitted to attend their sovereign.

† During his flight, at Downham, in Norfolk, "his majesty, going to be trimmed, the barber found much fault with the unevenness of his hair (which had been cut to prevent his being known), and told him, the barber that last trimmed him was much to blame for it."—*Rushworth.*

‡ Ashburnham does not so much as mention Hudson's being of the party.

resolve upon—London or northward." But the attitude of the parliament struck terror into his heart, and Charles was always deficient in that spirit which leads to bold and romantic resolutions; the people of London, too, had ever been the most enthusiastic of his opponents, and he probably had small faith in the reported changes of public opinion there. He accordingly rode across the country to Harrow, from whose pleasant hill his good steed might have carried him into the heart of London within an hour. But he turned off thence northwards towards St. Albans. As the travellers drew near that antique town, the rapid clattering of horses' hoofs in their rear put them in fear of pursuit; but it turned out to be only a drunken man. From St. Albans they made another circuit, and, by cross-roads, they got to Downham, in Norfolk.* Here Charles lay hid for four days, awaiting the return of Hudson, who had been sent forward to the lodging of Montreuil, at Southwell, near Newark, with a little note from the king to that ambassador, desiring him to make an absolute conclusion with the Scots, and to tell them (or so says Hudson) that, if they would offer "such honourable conditions for him as should satisfy him, then he would come to them; if not, he was resolved to dispose otherwise of himself." Hudson himself continues:—"I came to Southwell next morning, and acquainted the French agent with these particulars, who, on Thursday night (30th of April), told me they would condescend to all the demands which the king and Montreuil had agreed to make to them before Montreuil came from Oxford (of which Montreuil told me the sum), but would not give anything under their hands. I desired, to avoid mistakes, that the particulars might be set down in writing, lest I should afterwards be charged with making a false relation, and so he (Montreuil) set the propositions down in writing:—1. That they should receive the king on his personal honour. 2. That they should press the king to do nothing contrary to his conscience. 3. That Mr. Ashburnham and I should be protected. 4. That, if the parliament refused, upon a message from the king, to restore the king to his rights and prerogatives, they should declare for the king, and take all the king's friends under their protection; and if the parliament did condescend to restore the king, then the Scots should be a means that not above four of them (the king's friends) should suffer banishment, and none at all death. This done, the French agent brought me word that the Scots seriously protested the performance of all these, and sent a little note to the king to accept of them, and such security as was given to him in the king's behalf."

This, be it remembered, is simply the statement of Hudson, a most enthusiastic royalist, who had thrown aside Bible and cassock for sword and breast-plate, and who delivered this confession to the parliament of England at a moment when that body was prepared to receive any evil impressions against the Scots, and when the royalists were still hoping to profit by the jealousies and dissensions existing between the English Commons and the Scottish commissioners. Charles was accustomed to call Hudson—who must have been a better trooper than parson—his "plain-dealing chaplain;" but the priest-soldier was too decided a partisan to be over-honest with the king's enemies, or to indulge in plain dealing when it was hoped that so much might be gained by a different line of conduct. But, even waiving this objection, and taking Hudson's word for all these particulars, what does his story amount to? Simply to this—that Montreuil told him such and such things, and that the Scots told him nothing. The assurance was not given under the hands of the Scottish commissioners—even according to Hudson, they absolutely refused to give anything of the kind—but it was given, as he says, *by Montreuil*, who committed the particulars, or "set the propositions down, in writing." But even this paper of Montreuil's, so important if true, has nowhere been preserved, while great care has been taken of documents relating to this negotiation of far less consequence, but which happen to be corroborated by other state-papers. A doubt, therefore, may be fairly entertained whether Montreuil ever really wrote any such paper; and in no part of his correspondence with his own court does he ever pretend to have received any such formal agreement; though he vents himself frequently in indignant complaints and bitter insinuations against the Scots. But, again, was Charles so inexperienced and single-minded a person as to pin his faith to or rely upon such a document as this which Hudson says he received from the French envoy? Does any preceding act of Charles's life, from his boyhood down to this his mature manhood, authorise a belief in any such easy credulity? Clarendon, nearly always a prejudiced authority, has been quoted as proving that a formal engagement was made by Montreuil with the Scottish commissioners; but, if such an engagement had ever been made, Clarendon himself shows that Charles placed no confidence in that engagement; for he tells us that the king lurked about the country "purposely to be informed of the condition of the Marquess of Montrose, and to find some secure passage that he might get to him." If the authority of the great royalist historian is to be taken for part of a fact, assuredly it ought to be good for the whole of that fact. But that would prove more than is desired by certain writers; it would prove that, while the king was negotiating with the Scottish commissioners, he was endeavouring to escape to their sworn and most terrible foe, Montrose, who, a very few weeks before, had taxed them "with wicked atheism, barbarous tyranny, and insolent usurpation and rebellion," and who was still in arms in the mountains of Scotland, expecting reinforcements from Ireland, and watch-

* "The king," says Clarendon, "wasted his time in several places, whereof some were gentlemen's houses (where he was not unknown, though untaken notice of)."—*Hist.*

ing his opportunity to renew his sanguinary warfare. The fact appears to be, that Charles diverged from the northern route and went into the eastern counties on purpose to find some vessel on that coast wherein to escape to Scotland, and that he was deterred by the risk and danger of trusting himself to that element on which the parliament of England rode triumphantly as masters. The coasts were watched by cruisers, and strange stories were told of the fierceness of the English seamen, particularly when any ships from Ireland carrying papists to Scotland fell into their hands. A frail vessel, one or two great shot, or a storm, might have terminated the career of this wretched prince, without the closing scenes at Whitehall. A man who had lived in the midst of perils, and had through many a year faced them all, and revelled in them, was appalled by somewhat similar dangers, and preferred surrendering himself to his oldest or greatest enemies; and, just as Napoleon went on board the Bellerophon, did Charles go to the Scottish camp—because he could go nowhere else—because every other possible way of proceeding seemed infinitely more dangerous.

Hudson, continuing his report, says, "I came to the king on Tuesday, and related all, and he resolved next morning to go to them; and so upon Tuesday morning we all came to Southwell to Montreuil's lodgings,* where some of the Scots commissioners came to the king, and desired him to march to Kelham for security, whither we went after dinner." This happened on the 5th of May. "Many lords," says Ashburnham, "came instantly to wait on his majesty, with professions of joy to find that he had so far honoured their army as to think it worthy his presence after so long an opposition. Some of them desiring to know wherein they might best express their gratitude for the great confidence he had in them, his majesty replied that he should be well satisfied, for the hazards he had run to get to them, if they would cheerfully apply themselves to perform the conditions upon which he came unto them. The Lord Lothian (*as his majesty was pleased to inform me*) seemed to be surprised with the word conditions, and affirmed that he had never been privy to anything of that nature, nor did he believe that any of the commissioners residing in the army had any more knowledge of that treaty than himself. Whereupon his majesty desired the French agent to sum up his instructions from the crown of France, and to make a narrative of his negociations thereupon with the Scots commissioners residing in London; which when he had done, some of the lords did assure his majesty that they were altogether ignorant of those particulars, and that therefore the treaty being with their commissioners in London, and they being a distinct body of themselves could not be responsible, or any way concerned therein. His majesty then demanded how he came to be invited thither, and what reason they had to send him word that all differences were reconciled, and that David Leslie was to have met him with a party of horse. They answered that it was very true, for they approved well of his majesty's confidence in them, believing that the end of his honouring their army with his residence was only to have made that the place where he intended to settle a peace with his two kingdoms; in short, such was the indisposition of the Earl of Lothian towards his majesty as he (being president of that council and of good credit amongst them) would never suffer any discourse to be made to his majesty, other than the taking of the covenant, and subscribing all the nineteen propositions for the satisfaction of both kingdoms; things that, as they were most distant from his majesty's resolution, being most averse to his conscience and honour, so they were most unexpected from persons so highly favoured by the great adventures he had undergone for them."* On this point, as on others more important to the character of the groom of the chambers, there are several discrepancies between the account given by Ashburnham and the narrative of Clarendon. The latter goes on to say, "The great care in the (Scottish) army was, that there might be only respect and good manners showed towards the king, without anything of affection or dependence; and therefore the general never asked the word of him, or any orders, nor willingly suffered the officers of the army to resort to, or to have any discourse with, his majesty." And once, it appears, when the king ventured to give the word to the guard, old Leslie, or Leven, interrupted him, saying, "I am the older soldier, Sir; your majesty had better leave that office to me." Clarendon says that Montreuil was ill looked upon by the Scots "as the man who had brought this inconvenience upon them without their consent;" but that the envoy "was not frighted from owning and declaring what had passed between them, what they had promised, and what they were engaged to do." But, if so, surely Montreuil would have stated all this to his court, which he never did.†

* "After nine days' travel upon the way, and in that time having passed through fourteen guards and garrisons of the enemies, we arrived safe at the Scots army before Newark; where, being come, his majesty thought the most proper place for his reception by the general and Scots commissioners would be the house of the French [illegible]

"The Scots seemed surprised at his coming among them, and used him very coarsely, but yet with some show of civility; and, though Montreuil avers as before, yet the king complained they had kept none of those terms he was promised. For, though he was seemingly free, yet his person was under a guard; and for his honour this guard was not given him; because they permitted not the magistrates to do their duty to him in those places he passed through; nor did they as much as admit his own necessary servants about him: and for his conscience, they that pretended to fight for their own denied liberty to his; he being not to be hearkened unto in any proposition for peace upon less terms than the covenant."—*Memoirs.*

* Narrative. There is, however, most abundant proof to show what we have already stated—that the Scottish commissioners had all along insisted on the king's conformity to presbyterianism, and his consent to the establishment of the Kirk of Scotland in England.

† Rushworth.—Clarendon Papers.—Thurloe Papers.—Baillie.—Malcolm Laing, Hist. Scotland.—Quarterly Rev.—Edinburgh Rev.—Lister, Life of Clarendon.

In the mean time the king's motions were kept so secret that none could guess whither he was gone; but it was generally reported that he was gone for London, and Fairfax, who had now drawn up his army before Oxford, sent notice to that effect to the two Houses, who, on Monday, May the 4th, only the day before Charles reached the Scottish camp, caused an order to be published by beat of drum and sound of trumpet throughout London and Westminster, to this effect:—"That it be, and is hereby declared by the Lords and Commons in parliament assembled, that what person soever shall harbour and conceal, or know of the harbouring or concealing of, the king's person, and shall not reveal it immediately to the Speakers of both Houses, shall be proceeded against as a traitor to the commonwealth, forfeit his whole estate, and die without mercy." And on the same day the Houses passed an ordinance, that all papists whatsoever, all officers and soldiers of fortune, and other persons that had borne arms against the parliament, should, by the 12th day of May, depart and remove themselves twenty miles at the least from the capital and the lines of communication, giving previous notice in writing to the committee of parliament sitting at Goldsmiths' Hall of the places to which they intended to resort. Two days after this—that is, on the 6th of May—the two Houses received intelligence of the king's being in the Scots' army by means of letters from Colonel Poyntz, and from their commissioners before Newark.* The Commons hereupon voted: "1. That the commissioners and general of the Scots army be desired that his majesty's person be disposed of as both Houses shall desire and direct. 2. That his majesty be thence disposed of and sent to Warwick Castle. 3. That Mr. Ashburnham and the rest of those that came with the king into the Scots' quarters should be sent for as delinquents by the serjeant-at-arms attending the said House, or his deputy; and that the commissioners for the parliament of England residing before Newark should acquaint the Scots' general with these votes, and also make a narrative of the manner of the king's coming into the Scots' army, and present it to the House." While the Houses were thus voting, old Leslie and the Scottish commissioners were employed in writing the following letter. "The earnest desire which we have to keep a right understanding between the two kingdoms moves us to acquaint you with that strange providence wherewith we are now surprised, together with our carriage and desires thereupon. The king came into our army yesterday in so private a way that, after we had made search for him, upon the surmises of some persons who pretended to know his face, yet we could not find him out in sundry houses. And we believe your lordships will think it was matter of much astonishment to us, seeing we did not expect he would have come in any place under our power. We conceived it not fit to inquire into the causes that persuaded him to come hither, but to endeavour that his being here might be improved to the best advantage, for promoting the work of uniformity, for settling of religion and righteousness, and attaining of peace according to the league and covenant and treaty, by the advice of the parliaments of both kingdoms, or their commissioners authorised for that effect. Trusting to our integrity, we do persuade ourselves that none will so far misconstrue us as that we intended to make use of this seeming advantage for promoting any other ends than are expressed in the covenant, and have been hitherto pursued by us with no less conscience than care. And yet, for further satisfaction, we do ingenuously declare that there hath been no treaty nor capitulation betwixt his majesty and us, nor any in our names, and that we leave the ways and means of peace unto the power and wisdom of the parliaments of both kingdoms. And so far as concerns us, as we have a witness in heaven, we are confident to make it appear to the world that there is nothing more in our desires than, in all our resolutions and proceedings, to adhere to the covenant and treaty. Our gravest thoughts shall be taken up in studying, and our utmost abilities employed in acting, those things that may best advance the public good and common happiness of both kingdoms; wherein, by the help of the Most High, we shall labour to use so much tenderness and care, that we hope it shall soon appear that our actions have been the issue and result of honest and single intentions. And further, we cannot (in a matter of so deep consequence and common interest) but seek your lordships' advice; for which effect we have also written to the Committee of Estates of Scotland, with intentions to move by your joint counsels and resolutions; that we, at last, after a seed-time of many afflictions, may reap the sweet fruits of truth and peace. And in this confidence we remain, &c."*

On the same day on which this letter was written, Charles ordered the Lord Bellasis, the new governor of Newark, to surrender that important place; and, also on the same day, Newark, with the castle, forts, and sconces thereunto belonging, was surrendered to the committee of both kingdoms, for the use of the parliament of England. Charles had offered to surrender the place to the Scots, which would have made a fresh garboil, but Leven told him, that, to remove all jealousies, it must be yielded to the parliament of England. Clarendon says, that Charles's readiness on this occasion proceeded from his fear that Fairfax might be ordered to relinquish all other enterprises, "and to bring himself near the Scottish army, they being too near together already;" and that, "therefore he forthwith gave order to

* Rushworth.—Clarendon says, "An express was presently sent to the parliament at Westminster to inform them of the unexpected news, as a thing the Scots had not the least imagination of."—*Hist.*

* Rushworth.—This letter is dated "Southwell, May the 6th, 1646," and signed "Leven, Dumfermling, Lothian, Belcarris, S. D., Hume, Sir Th. Carre, R. of Freeland, W. Glendowyn, John Johnston."

the lord Bellasis to surrender Newark; that the Scots might march northward, which they resolved to do; and he giving up that place, which he could have defended for some months longer from that enemy, upon honourable conditions, that army with great expedition marched towards Newcastle; which the king was glad of." It is said, indeed, that the English commons at one moment entertained the notion of throwing forward Oliver Cromwell with the entire mass of their cavalry, in order to fall upon the Scots by surprise, and to take the king away from them by force; but in effect they only detached Poyntz, who, with a party of horse and dragoons, followed the Scots, and watched them on their march northward from the Trent. Soon after their rising from Newark, the Scottish commissioners sent to the parliament's commissioners, to desire a meeting with them on the 11th of May, in order to give them an account of their "so sudden departure," and their reasons for not delivering up Ashburnham and Hudson. But the meeting did not take place; and Ashburnham, about nine days after the king's departure from Newark,* when, as he says, there were disputes in the council of the Scottish army about disposing of him according to the desires of the parliament, was commanded by his majesty to make his escape with all the speed he could. "I besought him," continues Ashburnham, "that he would rather suffer me to be wrested from him, than that of myself I should desert his service upon any apprehension whatsoever; but his pleasure was so positive, that I should lose no time, as I had nothing left but my obedience to satisfy him, so that, his foreign despatches being closed, I did (with humble acknowledgments to God for the deliverance he then gave me) pass into Holland; my servants, horses, and all I had, being seized upon within two hours after my flight; where being arrived, and having obeyed such instructions as I was entrusted with, I hastened into France, to give the queen an account of what had passed in that unhappy expedition to the Scots."† It has been assumed that the Scots connived at the flight of Ashburnham, but he himself only tells us that he did escape, without saying anything of this connivance. It should appear indeed, that the Scots, in their great respect to the royal quality, did not guard even the king very closely; for we have Charles's own word, that he too might have got off if he had thought proper. Yet Hudson, when endeavouring to escape, was intercepted, and for the present secured in Newcastle; and, according to their own account, upon the very first notice they had of Ashburnham's flight, they tried to apprehend him also. Newcastle was now the seat of the war, for "wars are not only carried on by swords and guns, but tongues and pens are co-instrumental; which, as they had been too much employed formerly, were not idle now."* The king sounded some of the officers of the Scottish army, and offered David Leslie, the general of the horse, the title of Earl of Orkney, if he would consent to espouse his cause and unite with Montrose; but this project, considering the temper of that covenanting soldiery, must always have been a hopeless one, and it came to nothing, though Charles appears to have flattered himself that, by uniting the Scottish army in England and the Marquess's Highlanders and Irish, and by profiting by the dissensions between the Presbyterians and Independents, he might still subdue his parliament. The committee of estates at Edinburgh, the champions of the covenant, dispatched Lanark, Loudon, and Argyle, to Newcastle, to look after both the king and the army; and these noblemen, after telling Charles in the plainest manner that he must take the covenant, or expect no important service from them,—that he must not imagine that they would temporise with this great measure, or be put off with promises,—required of him, in the first instance, to do all that in him lay to put an end to the civil war in Scotland by ceasing all connexion or correspondence with Montrose. And at their instance he sent a positive order to the hero of Kilsyth to disband his forces and retire to France; which order was obeyed the more willingly as Montrose's name had lost its charm, and as help from Ireland was not to be expected.

About the same time, the king sent a very soft message to the two Houses, stating, that, "being informed that their armies were marching so fast up to Oxford as made that no fit place for treating, he did resolve to withdraw himself hither, only to secure his own person, and with no intention to continue this war any longer, or make any division between his two kingdoms, but to give such contentment to both, as by the blessing of God he might see a happy and well-grounded peace." "And," continued this practised dissembler, who now spoke as if he had made up his mind to give up the question of episcopacy, "since the settling of religion ought to be the chiefest care, his majesty most earnestly and heartily recommends to his two

* Ashburnham says, about nine days after the king's arrival at Newcastle, but this must be incorrect, as Charles certainly did not leave Newark until the 7th or 8th of May, nor arrive at Newcastle until the 13th; and Ashburnham certainly left Newcastle on the 16th, on which day the king himself wrote to Sir Edward Nicholas, —"Jack Ashburnham is this day gone for France." Nearly all the royalist writers of histories and memoirs wrote after the event from memory, and many of them, not excepting the great Clarendon, must have had very bad memories for dates.

† Among the dispatches, of which Ashburnham was the bearer, was the following letter to the queen:—

"Dear Heart, Newcastle, May 15th, 1646.

"The necessity of my affairs hath made me send Jack Ashburnham unto thee; who at this present is the most (and with the greatest injustice) persecuted of all my servants, and merely for his fidelity to me; which is so well known to thee, that I need neither recommend him to thy care, nor take the pains of setting down the present state of my affairs, and how they have changed since I came from Oxford, and why it is so long since I wrote to thee: referring all to his faithful relation; as likewise what I desire thee to do for my assistance; so transferring at this time the freedom of my pen to his tongue, I rest eternally thine,

"C. R."

"I owe Jack 9,200*l.*, which I earnestly recommend thou would'st assist him in for his repayment."

Jack Ashburnham was also the bearer of a warrant, in cipher, to raise money upon such of the crown jewels as he had in his custody, or by a surcharge upon those already pawned. For other particulars see the curious volumes published by the late Lord Ashburnham.

* The Perfect Politician, or a Full View of the Life and Actions (Military and Civil) of Oliver Cromwell.

houses of parliament all the ways and means possible for speedy finishing this pious and necessary work; *and particularly that they take the advice of the divines of both kingdoms assembled at Westminster.*" As for the militia of England, his majesty was well pleased to have it settled as was offered in the treaty at Uxbridge—"all the persons being to be named for that trust by the two houses of parliament, for the space of seven years; and after the expiration of that term, that it be regulated as shall be agreed upon by his majesty and his two houses of parliament; and the like to be for the kingdom of Scotland." Concerning the wars in Ireland, his majesty engaged to do whatever was possible to give full satisfaction. And if these assurances were not satisfactory, parliament was requested to send all such of the propositions as were already agreed upon by both kingdoms speedily to his majesty, he "being resolved to comply with his parliament in everything that should be for the happiness of his subjects, and for the removing of all unhappy differences, which have produced so many sad effects." His majesty, it was said in conclusion, would neither question the parliament's thankful acceptance of these offers, nor doubt that his two kingdoms would be careful to maintain him in his honour, and in his just and lawful rights. But the most important part of this message was in a postscript, apparently added under the persuasion, or it may be dictation, of the Earl of Lanark, and the Scottish commissioners. It ran in these words; —"His majesty being desirous to shun the further effusion of blood, and to evidence his real intentions to peace, is willing that his forces in and about Oxford be disbanded, and the fortifications of the city dismantled, they receiving honourable conditions; which being granted to the town and forces there, his majesty will give the like order to the rest of the garrisons."* About three weeks later, on the 10th of June, he sent another message to the two houses, expressing at greater length his earnest desire for the ending of this unnatural war, which in fact *was* ended by his thorough defeat, for as long as he had any chance of carrying it on, he was far indeed from entertaining any such horror at the effusion of blood. He told them, that in the Scottish army, where he was, he was "in freedom and right capacity to settle a true and lasting peace," and he again earnestly desired that their propositions should be speedily sent to him. He then "further propounded," that he might come to London with safety, freedom, and honour, where he resolved to comply with his houses of parliament in everything which might be most for the good of his subjects. And on the same day he signed a warrant to Sir Thomas Glenham, Sir Thomas Tildesley, Colonel H. Washington, Colonel Thomas Blague, governors of Oxford, Lichfield, Worcester, and Wallingford, and all other commanders of any towns, castles, and forts in the kingdom of England, commanding them, upon honourable terms, to surrender the towns, castles, and forts entrusted to them, and disband all the forces under their several commands, the more to evidence the reality of his intention of settling a happy and firm peace. Most of these few places, however, had surrendered some weeks before his majesty signed this paper. Banbury, which had been in possession of the royalists from the beginning of the war, opened its gates on the 6th of May, and even Oxford* proposed to treat as early as the 17th of May, which was one day before the king's first message to parliament. Parliament, however, considered the terms demanded as much too high, and ordered Fairfax to prosecute the siege, and the place did not surrender until the 24th of June, when very liberal terms were granted to the garrison, to the colleges, and to all persons within the walls of Oxford. Prince Rupert and Prince Maurice received their passports and took shipping at Dover. Charles's second son, the young Duke of York, was brought up from Oxford to St. James's Palace. Worcester surrendered on the 23rd of July; Wallingford opened its gates on the same day.

Ragland Castle was stoutly defended by the very loyal Marquess of Worcester, who, like many others, considered that the king was under restraint, and that it was his duty to disobey the royal orders for surrender.† Moreover, he took exception to his majesty's warrant, because it did not name him or his castle. "Truly, Sir," wrote the old marquess to Colonel Morgan, who had summoned him, "it is not in the power of man to make me think so unworthily of his majesty, that to one, in the opinion of the world, that hath given, himself and family, so great a testimony of his and their faith and fidelity towards him, that he would not please so much as to name his name or *Ragland*. I entreat you give me leave to suspend my belief. And for your summons, it makes it too evident that it is desired that I should die under a hedge like a beggar, having no house left to put my head into, nor means left

* On the following day Charles addressed a very friendly letter to his "right trusty and well-beloved," the lord mayor, aldermen, and common council of the city of London, telling them, that nothing was more grievous to him than the trouble and distractions of his people; and that nothing on earth was more desired by him than that they might henceforth live under him in religion and peace in all godliness and honesty. "And this profession," continued Charles, "we make for no other end but that you may know immediately from ourselves our integrity and full resolution to comply with our parliament in everything for settling truth and peace, and our desire to have all things speedily concluded which shall be found requisite for that end; that our return to that our ancient city may be to the satisfaction of our parliament, the good liking of you and all our good people, and to our own greater joy and comfort." He thus hoped to persuade the Londoners that his whole soul and nature was changed from what it had been.

* This seat of learning had been made a very formidable place of arms. "Here Art herself had contributed her utmost assistance to make the place impregnable; it being encompassed with regular fortifications, furnished with a strong garrison of stout soldiers, stored with abundance of all kind of provisions, and (which is more than all the rest) governed by one that had given sufficient proof of his valour and faithfulness formerly, in holding out two other garrisons (Carlisle and York) to the utmost extremity: but all this avails not, Oxford must yield."—*The Perfect Politician.*

† And, in fact, Charles himself had just written to his wife that he was in durance in the hands of the barbarous and perfidious Scots, and that she, his son, and all his faithful counsellors, were to regard every order from him as forced or surreptitious.

to find me bread. Wherefore I make choice, if it so please God, rather to die nobly than to live with infamy." Early in August Fairfax went himself with large reinforcements to reduce this very strong, magnificent, and very important castle; and on the 7th of that month he summoned the old marquess once more. Worcester told him that this was the only house he now had to cover his head. "I desire," said he, "leave to send to his majesty to know his pleasure what he will have done with his garrison. As for my house, I presume he will command nothing; neither am I knowing how, either by law or conscience, I should be forced out of it." Fairfax kindly and courteously told the old nobleman that, touching his sending to his majesty, it was a thing which had been denied to the most considerable garrisons of England, further than an account upon the surrender; that for the distinction which his lordship was pleased to make, that Ragland was his house, if it had not been formed into a garrison, he (Fairfax) would never have troubled his lordship with a summons; and that were it disgarrisoned, neither his lordship nor his house should receive any disquiet from him or any that belonged to him. To this letter Worcester replied in a tone in which self-interest (excusable in that extremity) was mingled with loyalty, and in which a very just appreciation of Charles's character may be detected. The marquess told Fairfax—and he might well say as much of that truly honourable and kind-hearted man—that he confided greatly in his honour; "but," continued the old man, "only one thing which is extraordinary, I offer to your consideration, as the just cause, besides my allegiance, of my reasonable request; which is, that upon his majesty's promise of satisfaction, I am above 20,000*l.* out of purse; *and if I should do anything displeasing unto him, I am sure all that is lost*, and no benefit to the parliament."* At last, on the 19th of August, Ragland was surrendered, and there marched out of the castle the marquess, who was above fourscore years of age, the Lord Charles, his son, the Countess of Glamorgan, the Lady Jones, four colonels, eighty-two captains, above eighty other officers and gentlemen, and above seven hundred soldiers, who had been placed there by the king. As in all other cases where Fairfax was concerned, the terms of capitulation were most honourably observed. Pendennis Castle surrendered three days before Ragland. In the same month the town of Conway, in North Wales, was taken by storm—an event which merits attention were it only for the re-appearance on the scene, in a very different character, of old Williams, the diocese within himself, the ex-lord-keeper, bishop of Lincoln, and now archbishop of York, who had quitted the king's party in the preceding month of April, apparently at the very moment when Charles had hopelessly fled to the Scots. This prelate, old as he was, and priest as he was, would not be neutral, but forthwith declared himself for the parliament, the winning party, and, betaking himself to his house at Purin, near Conway, he put a garrison therein for the parliament, and persuaded the county not to pay contribution any longer to Conway. This greatly incensed that garrison; and the Lord Byron, upon notice of the archbishop's revolt, sent out a party from Conway to besiege him in his house. Hereupon Williams sent for assistance to Colonel Mitton, who was serving in those parts for the parliament, and who presently detached a party to interpose and help him. Soon after, when Colonel Mitton laid siege to Conway, his grace the archbishop assisted at a council of war, wherein it was resolved to storm the town, which was accordingly done, but not without deaths and wounds, the most reverend father himself, who "became active on that side *in person*," being among the wounded. A few days after the storming of the town, the strong castle of Conway surrendered, as did also Flint Castle, and all other places in Wales. "So that now there was not one garrison in England or Wales remaining, but what was reduced to the power of the two Houses, save only those in the north, which remained in the hands of the Scots."

Meanwhile the Scots at Newcastle were labouring hard to make the king take the covenant. Charles thought that he might take it with a mental reservation, but having some scruples, or wishing for the countenance of a leading churchman, he wrote a letter, or, as it is described, "sent a case of conscience," to Dr. Juxon, bishop of London:—"My Lord," wrote the king, "my knowledge of your worth and learning, and particularly in resolving cases of conscience, makes me at this time, I confess, put to you a hard and bold task, nor would I do it, but that I am confident you know not what fear is in a good cause. Yet I hope you believe that I shall be loth to expose you to a needless danger, assuring you that I will yield to none of your friends in my care of your preservation. I need not tell you the many persuasions and threatenings that hath been used to me for making me change episcopal into presbyterial government, which absolutely to do is so directly against my conscience, that, by the grace of God, no misery shall ever make me: but I hold myself obliged, by all honest means, to eschew the mischief of this too visible storm, and I think some kind of compliance with the iniquity of the times may be fit as my case is, which at another time were unlawful. These are the grounds that have made me think of this inclosed proposition, the

* There is something very touching in this passage of the octogenarian's letter. "If you knew how well known I was in Henry Earl of Huntington's time unto your noble grandfather at York, I am assured I should receive that favour at your hands that safely you might afford. God knows, if I might quietly receive any means of subsistence and be in security, with the parliament's approbation, and freed from the malice of those gentlemen that are of the committee within this county, I should quickly quit myself of the garrison: for I have no great cause to take delight in it. I have that high esteem of your worth, nobleness, and true judgment, that, knowing you will offer nothing ignoble or unworthy for me to do, as the case stands with me, I desire to know what conditions I may have, and I will return you present answer."

which as one way it looks handsome to us, so in another I am fearful lest I cannot make it with a safe conscience; of which I command you to give me your opinion upon your allegiance; conjuring you, that you will deal plainly and freely with me, as you will answer it at the dreadful day of judgment. I conceive the question to be, whether I may, with a safe conscience, give way to this proposed temporary compliance, with a resolution to recover and maintain that doctrine and discipline wherein I have been bred. The duty of my oath is herein chiefly to be considered; I flattering myself that this way I better comply with it, than being constant to a flat denial, considering how unable I am by force to obtain that which this way there wants not probability to recover, if accepted (otherwise there is no harm done); for, my regal authority once settled, I make no question of recovering episcopal government, and God is my witness my chiefest end in regaining my power is to do the church service. So, expecting your reasons to strengthen your opinion, whatsoever it be, I rest

"Your most assured, real,

"Faithful, constant friend,

"CHARLES R."

"P.S.—I desire your opinion in the particulars, as well as in the general scope of it; and yet mend much in the penning of it. I give you leave to take the assistance of the Bishop of Salisbury and Dr. Sheldon, and either of them. But let me have your answer with all convenient speed. None knows of this but Will Murray, who promises exact secrecy. If your opinions and reasons shall confirm me in making of this proposition, then you may in some way be seen in it, otherwise I promise you that your opinion shall be concealed."*

It has been judged, from the fact of Charles's not pursuing the line of conduct so ingeniously hinted at, and also from the honest straight-forward character of Juxon, that the bishop's answer, which has not been preserved, was frank and honest, like that which he had given when consulted about the execution of the Earl of Strafford. The king, however, could not decline fulfilling the promise which he had made the Scots through Montreuil, to listen to the arguments of their presbyterian divines; and Alexander Henderson, the most celebrated of them, was sent for, it is said, at Charles's express desire.† The learned theologian chanced to fall sick and die during these disputations, at Newcastle; and the royalists, availing themselves of the circumstance, declared that he had been beaten in argument by the king, and had died of grief and vexation.*

But while Charles was pretending to give ear to the Presbyterian teachers, and to have made up his mind to cease all projects of hostility, and agree with every desire of the victorious parliament, he was corresponding with the papists in Ireland and devising the most desperate if not the most ridiculous plans for resuming hostilities. On the 20th of July he wrote to Glamorgan, expressing a wonderful affection for that nobleman's person and conversation, and telling him that he was not so strictly guarded but that, if he sent a prudent and secret person to Newcastle, he could communicate with him. "If," continued the king, "you could raise a large sum of money by pawning my kingdoms, I am content you should do it; and if I recover them, I will fully repay that money. And tell the nuncio that if once I can come into his and your hands, which ought to be extremely wished for by you both, as well for the sake of England as Ireland, since all the rest, as I see, despise me, I will do it. And if I do not say this from my heart, or in any future time if I fail you in this, may God never restore me to my kingdoms in this world nor give me eternal happiness in the next."† A copy of this letter was transmitted to the pope, who, it is said, "received great comfort from the reading of it, but at the same time shed tears of compassion for the king's circumstances." And Glamorgan, with the advice of Rinuccini, the pope's nuncio in Ireland, drew up in writing urgent reasons for inviting the king into Ireland. At the same moment Henrietta Maria proposed transporting herself to that country; and when her husband would not hear of this hazardous project, she endeavoured to make him avow all the secret articles concluded with Glamorgan in favour of the Catholics, upon which avowal she maintained that the pope would subsidise an Irish army, and the Irish papists rise to a man in his favour. Mazarin led her majesty to believe that he would land 10,000 Frenchmen in England to co-operate with the Irish Catholics; and it appears that the Cardinal really engaged with Lord Jermyn to seize upon Jersey and Guernsey, two islands which geographically belonged to France, and which it would have suited the French to recover. We cannot possibly mention half the wild schemes that were entertained at Newcastle and at Paris, between the going of Charles to the Scots' quarters and his delivery over to the English; but one of the most

* Sir Henry Ellis.

† On the 16th of May Baillie writes to Alexander Henderson:—"If that man go now to stickle on bishops and delinquents, and such foolish toys, it seems he is mad; if he have the least grace or wisdom, he may, by God's mercy, presently end the miseries wherein himself and many are likely also to sink. Let me entreat you for one thing, when you have done your uttermost, if it be God's pleasure to deny the success, not to vex yourself more than is meet; *si immundus vult vadere*, &c. When we hear of your health and courage it will refresh us. Go matters as they will, if men will not be saved, who can help it? And yet you know that I was never among those who had greatest aversion from his person, or least sympathy with his afflictions: if he be resolved to stop our mouths, and bind our hands, that we can neither speak nor do for him, let him go on so to make himself and us miserable; there is a better life coming; but woe to those villains who have bewitched, poisoned, and infatuated a good prince, for his own and so many millions' ruin; we are in a fair way, and daily advance into it, if his obstinacy spoil not all the play."

* A paper was even published in London, pretending to be a death-bed declaration of Henderson, in which he was made to recant his former opinions, and to express great remorse for the share he had taken in the war; and which the general assembly thought it necessary, by an act passed on the 7th of August, 1648, formally to denounce as forged, scandalous, and false. Although the controversy respecting the genuineness of this paper was renewed so lately as the middle of the last century, no doubt as to its being a forgery is now entertained in any quarter.

† Birch, Inquiry.

striking of them was, that Montrose, whom the king had ordered to lay down his arms, should be recalled to head a fresh insurrection in the Highlands and take the command of fresh hordes from Ireland.

On the 23rd of July the final propositions of parliament were presented to Charles at Newcastle by the Earl of Pembroke, the Earl of Denbigh, and the Lord Montague of the peers, and six members of the House of Commons; the commissioners of the parliament of Scotland being present and consenting to them. "The Lords and Commons, commissioners of the parliament of England," says May, "stayed long with the king at Newcastle, humbly entreating him that he would vouchsafe to sign and establish those propositions, being not much higher than those which had been offered to his majesty at Uxbridge when the chance of war was yet doubtful. The same thing did the commissioners of the parliament in Scotland humbly entreat; and the like did others daily, who came with renewed supplications to that end, from the parliament sitting at Edinburgh. But in vain were the supplications of both kingdoms; the king persisted obstinately in denial of his assent. But daily he seemed to take exception at some particulars, whereby time was delayed for some months, and the affairs of both kingdoms much retarded, which happened at an unseasonable time, when not only dissensions between the two nations about garrisons, money, and other things, were justly feared, but also, in the parliament of England and city of London, the divisions were then increasing between the two factions of the Presbyterians and the Independents, from whence the common enemy began to swell with hopes not improbable. *And this, perchance, was the cause of the king's delay.*"*

Many men that did not love the king personally, but that loved monarchy, implored him to accept the propositions as the only means of saving the throne. Others used prayers, mingled with threats. The Earls of Argyle and Loudon besought him on their knees, but all in vain. Then Loudon, now Chancellor of Scotland, told him that his assent to the propositions was indispensable for the preservation of his crown and kingdoms,—that the danger and loss of a refusal would be remediless, and bring on a sudden ruin and destruction. The noble Scot continued with increasing energy,—"The differences betwixt your majesty and parliament (known to no man better than yourself) are at this time so high that (after so many bloody battles) no composure can be made, nor a more certain ruin avoided, without a present pacification. The parliament are in possession of your navy, of all the towns, castles, and forts of England; they enjoy, besides, sequestrations and your revenue. Soldiers and monies are raised by their authority, and, after so many victories and successes, they have a standing strong army, who, for their strength, are able to act anything in church or commonwealth at their own pleasure. Besides, there are some so fearful, others so unwilling, to submit to your majesty, that they desire neither yourself nor any of your issue to reign over them. The people, weary of war, and groaning under taxes, though they desire peace, yet are so much against the pulling down of monarchy (under which they have long flourished) that they which are weary of your government dare not go about to throw it off until they have (once at least) offered propositions of peace to your majesty, lest the vulgar] (without whose concurrence they cannot perfect the work) should fall from them. Therefore, when the whole people, weary of war, desire security from pressures and arbitrary rule, the most honourable houses of parliament have consented to offer these propositions to your majesty, without which the greater part of the people do suppose the kingdom can neither enjoy peace nor safety. Therefore your majesty's friends and the commissioners of Scotland, though not without some reluctance, were forced to consent to the sending of these propositions (for else none had been sent) or else incur the public hatred as enemies to peace. Now, Sir, if your majesty (which God forbid) should deny to sign these propositions, you would lose all your friends, both in city and country, and all England, as one man, would rise up against you; and it may then be feared (all hope of reconciliation being taken away) that they may cite you, depose you, and set up another government. Moreover, they will require of us to deliver your majesty to them, to restore their garrison towns, and carry our army out of England. Lastly, if your majesty persists in denying, both kingdoms will be compelled to agree together for their mutual safety, to settle religion and peace without you, which (to our unspeakable grief) would ruin your majesty and your posterity. But if your majesty shall despise the counsel of us (who wish nothing more upon earth than the establishment of your majesty's throne), and, by obstinacy, lose England, your majesty will not be suffered to enter Scotland and ruin that.* Sir, we have laid our hands upon our hearts,—we have prayed to God to direct us,—and have seriously considered of the remedy for these mischiefs; but we can find nothing else (as the case now stands) which can preserve your crown and kingdoms than that your majesty should sign these propositions."† But Charles would not sign, and he was as deaf to the gentler representations of others as to the rough eloquence of Loudon.

* Brev. Hist. Parl.

* As far back as the month of May, Robert Baillie had written from London to Alexander Henderson at Newcastle,—"If God help you to make him quickly to do his duty, this people seem ready to welcome him; but if he shall remain obstinate, or delay much time, it is very like all his people will join against him and all who will take his part. This delay of a declaration from him and us increases jealousies and clamours. The great God help you to soften that man's heart, lest he ruin himself *and us with him.* Be assured he must either yield to reason, and altogether change his principles, or else he will fall in tragic miseries, and that without the commiseration of those who *hitherto have commiserated his condition.*"

† May, Breviary.—Rushworth gives the same speech in very nearly the

On the same day that the commissioners from parliament arrived at Newcastle, there came to the same place M. de Bellièvre, a new ambassador from France, who implored the king to accept the propositions, and presented to him fresh letters from the queen, who repeated her arguments and her prayers to the same effect. Bellièvre, seeing that his representations were but too little heeded, "by an express, quickly informed the cardinal (Mazarine) that the king was too reserved in giving the parliament satisfaction, and therefore wished that somebody might be sent over who was like to have so much credit with his majesty as to persuade him to what was necessary for his service. Upon which, the queen, who was never advised by those who either understood or valued the king's true interest, consulted with those about her, and sent Sir William Davenant, an honest man and a witty, but in all respects inferior to such a trust, with a letter of credit to the king,... having likewise other ways declared her opinion to his majesty that he should part with the church for his peace and security."* This was Davenant the poet, who, according to Clarendon, was personally well known to the king, but under another character than was like to give him much credit in this argument about religion. The poor poet, the better to induce Charles to yield the matter of episcopacy, the great bar to all negotiation, ventured to say that it was the advice and opinion of all his majesty's friends that he should do so. "What friends?" inquired Charles. "My Lord Jermyn," replied Davenant. "Jermyn does not understand anything about the church," objected the king. "The Lord Culpeper is of the same mind," rejoined the poet. "Culpeper hath no religion," replied Charles. And then, according to Clarendon, who never omits to laud his own orthodoxy, he inquired whether the Chancellor of the Exchequer (that is, Clarendon himself) was of that mind?—and Davenant told his majesty that he did not know, for that Clarendon was not at Paris. The poet then offering some reasons of his own, in which he mentioned the church slightingly, Charles was transported with indignation, and drove him from his presence. "Whereupon," adds the historian, "the poor man, who had in truth very good affections, was exceedingly dejected and afflicted, and returned into France to give an account of his ill success to those who sent him." M. de Bellièvre soon took the same route, having, however, previously paid a visit to the parliament of Scotland.† Edinburgh and other Scottish cities sent tender petitions to the king, imploring him to take the covenant, and save himself and his royal progeny; but all was of no avail. On the 5th of August the commissioners at Newcastle informed the two Houses, by letter, that they could not obtain his majesty's consent to the propositions, nor any answer any ways satisfactory; that he had given them a paper containing offers to come up to London to treat in person; and that this was all they could get from him. On the 10th of the same month they wrote again to say that the king still refused to sign, though the commissioners of both kingdoms had begged him on their knees to do it. Two or three days after the commissioners in person made a report of all that had passed at Newcastle between the king and themselves: they received the thanks of the House, and a committee was appointed to give the same thanks to the Scottish commissioners who had acted with them in that business. In the course of this debate a Presbyterian member exclaimed, "What will become of us now that the king has refused our propositions?" "What would have become of us if he had accepted them?" replied one of the Independents; whose query must incessantly occur to those who meditate upon all the circumstances of this great conflict, and upon the declared and confirmed character of Charles.

The vote of thanks to the Scots was a very important circumstance, and one that tended to dissipate the hopes which the king had built upon the jealousies and dissensions existing between the English House of Commons and the Scottish army, and which at one time really presented a prospect of hostile collision. On the 19th of May, without any settlement of the heavy pecuniary claims the Scots had upon them, the House of Commons had voted that England had no longer any need of the Scottish army. And at the same time, out of doors, loud complaints were heard against the Scots for retaining possession of Carlisle, Newcastle, with other towns in the North, and garrisoning them as if they meant to keep them. The Scots, on their part, did not forget to remind the English of how much they and the cause of liberty had owed to their well-timed assistance; and they called for a settlement of accounts and payment of the money rightfully due to them; for, previously to their second coming into England, the parliament had agreed to subsidise them. King or no king in their hands, the Scots would have claimed their money; but it is possible that, without that security, the payment would neither have been so prompt nor so liberal. This business was prolonged from the month of May to the month of September, and it was always considered as separate from any negotiation respecting the keeping or yielding the king's person. The pride of the Scots was incessantly irritated, but their prudence was stronger than their pride. On the 12th of August their commissioners presented a remarkable and

* Clarendon, Hist.

† He told the English parliament that he had had it in command from the queen regent and the king of France to endeavour a good reconciliation between his majesty and them; but that seeing in what a humour they were, and the propositions they had sent to his majesty, he had nothing further to do but to demand his passport. The parliament, in sending him his pass, told him "that they took in good part and thankfully from the King of France his good affections and intentions to these kingdoms, and willingness to see their troubles over, to end the which they had done, and would continue to do, their utmost. But they could not agree that any foreign state should interpose in the remaining differences, nor in particular the King of France, by his extraordinary ambassador."

spirited paper* to the English House of Lords, declaring that they were willing "forthwith to surrender the garrisons possessed by them in this kingdom, which they did keep for no other end but the safety and security of their forces, and without delay to recal their army; reasonable satisfaction being given for their pains, hazards, charges, and sufferings; whereof a competent proportion to be presently paid to their army before their disbanding, and security to be given for the remainder, at such times hereafter as shall be mutually agreed on." They demanded or desired that if forces should be kept on foot in either kingdom, they might be put under the command of persons zealous for reformation and uniformity in religion, and tender of the peace of the kingdoms, and against whom neither Scots nor English might have any just grounds of jealousy; that as the kingdom of Scotland had been invaded, and was still invested by forces from Ireland, the honourable Houses, according to the large treaty, should give such assistance to the Scots as might speedily reduce those rebels to obedience; that whereas propositions for a safe and well-grounded peace had been lately sent to the king for obtaining his majesty's consent, and as the utmost endeavours of the kingdom of Scotland had not been wanting to that great end,—though the success had not answered their wishes and hopes, the king, to their unspeakable grief, not having agreed to the said propositions,—they should still expect to be consulted with in settling that peace, or that, as men engaged in the same cause as the English, labouring under the same dangers, and aiming at the same ends, they might consult together and

* In the preamble the Scottish commissioners said, with equal truth and dignity,—"The same principles of brotherly affection which did induce both kingdoms to a conjunction of their counsels and forces in this cause, move us at this time to apply ourselves to the most real and effectual ways which tend to a speedy conclusion and amicable parting, and to the prevention of misunderstandings between the kingdoms in any of these things, which, peradventure, our common enemies look upon with much joy, as occasions of differences. *For this end we have not taken notice of the many base calumnies and execrable aspersions cast upon the kingdom of Scotland, in printed pamphlets and otherwise;* expecting from the justice and wisdom of the honourable Houses that they will themselves take such course for the vindication of our nation and army, as the estates of Scotland have showed themselves ready to do for them in the like case. *Upon the invitation of both Houses, the kingdom of Scotland did cheerfully undertake, and hath faithfully managed their assistance to this kingdom, in pursuance of the ends expressed in the covenant:* and the forces of the common enemy being, by the blessing of God upon the joint endeavours of both kingdoms, now broken and subdued, a foundation is laid and some good progress made in the reformation of religion, which we trust the honourable Houses will, according to the covenant, sincerely, really, and constantly prosecute till it be perfected" —*Rushworth.* The perfection of the covenant of course meant the establishment of the Calvinistic doctrine and Presbyterian kirk in England; but, in censuring the bigotry of the Scots, we should remember that the English parliament, in their hour of need and danger, when they took the covenant, led the Scots to believe, notwithstanding the strokes of Sir Harry Vane's pen, that they fully meant to go hand-in-hand with their allies in the great matter of religion. And it is quite certain that, without this conviction, the Scottish people would have been far less eager to take the field and march into England.

Anderson's Place, Newcastle. The House in which Charles was delivered to the Parliamentary Troops.
From an Original Drawing made before its demolition in 1836.

resolve what was next to be done for the safety of the two kingdoms. The Lords returned the Scottish commissioners their thanks, and the next day communicated their paper to the Commons. The Commons, taking the same into consideration, ordered that the sum of 100,000*l.* should be provided forthwith for the Scottish army, and voted that the House thankfully approved of their good affection and zeal, and of their offer to deliver up the garrisons and depart the kingdom. The Commons also appointed a committee to audit and settle the whole money account. The Scots demanded as the balance due to them the sum of 600,000*l.*; but, after some debate, their commissioners agreed with the Commons to take 400,000*l.*, of which one-half was to be paid before the army left England, the security of the public faith being given for the remainder. This bargain was fully concluded four months before the Scots delivered up Charles, and during the whole of those four months their commissioners continued to negotiate with the English parliament in favour of that unhappy prince.

On the 21st of September, after the money-account had been settled, the English parliament resolved, that the right of disposing of the king's person belonged exclusively to them. The Scots instantly remonstrated against this vote, showing that as Charles was King of Scotland as well as of England, as both nations had been parties in the war, and had an equal interest in all that concerned him and his government, so both had a right to be consulted respecting the disposal of his person. This was a sort of question most difficult to resolve, and several conferences seemed rather to embroil it than clear it, and ill-blood grew on both sides.* On the 26th of September, five days after this vote of the English parliament, Charles wrote to the Duke of Hamilton, who had obtained his liberty, and generously renewed his loyalty, notwithstanding all the harsh usage he had received. "I must tell you," said Charles, "that those at London think to get me into their hands by telling our countrymen that they do not intend to make me a prisoner: oh! no, by no means; but only to give me an honourable guard forsooth, to attend me continually for the security of my person. Wherefore I must tell you (and 'tis so far from a secret, that I desire that every one should know it,—only for the way, that I leave it to you to manage for my best advantage) that I will not be left in England when this army retires, and these garrisons are rendered (without a visible violent force upon my person), unless, clearly, and according to the old way of understanding, I may remain a free man, and that no attendant be forced upon me, upon any pretence whatsoever. So much for that." Everything, therefore, that tended to keep the Scottish army in England was acceptable to the king, whose friends (and he still had a few) in Scotland were exerting themselves in his favour. On the 10th of December the Scottish parliament, under the management of the Hamiltons, voted that they should do their best to maintain the monarchical system of government and Charles's title to the English crown; but on the very next day, this vote was rescinded,* and a declaration was adopted and published, that the kingdom of Scotland could not lawfully engage on the king's side even if he were deposed in England, seeing that he would not take the covenant nor give any satisfactory answer to the propositions tendered to him for peace. Nor was this all: the parliament of Scotland further declared that Charles should not be permitted to come into Scotland, or that, if he were, his royal functions should be suspended until he accepted the covenant and agreed to the propositions. At this moment the words of May appear very like truth. The Scots, he says, refused to carry the king to Edinburgh, fearing that his presence in an unsettled kingdom might give rise to new commotions: "they rather desired that he might be carried into the southern parts of England . . . . as if England were not in the same danger by his presence. So that in all that whole debate they seemed to contend, not who should have the king, but who should not have him."† Elated by the hopes which Hamilton had held out to him, Charles had a short time before written to his wife. "I am most confident that within a very short time I shall be recalled with much honour, and all my friends will see that I have neither a *foolish nor a peevish conscience*." But now his heart sank within him, and he resolved to escape, if possible, and fly to the continent,—a project which he had entertained once or twice before, but from which he had been dissuaded by his wife, who not only thought that his evasion would be dangerous to the monarchic principle, but who did not wish for his presence or society in France, where she was notoriously wasting the money she could get upon Jermyn and her other favourites. Never was the blindness of political partizanship more severely taxed than in exacting an idolatrous worship to this woman as a heroine—as a pattern of conjugal affection! But

* The very long arguments used on both sides are given by Rushworth.

* The Scottish estates, it appears, had been taken completely by surprise. Then vote gave the king's friends there great hopes. "But the next day," says Rushworth, "all was dashed again, for then a warning was presented to the parliament from the commission of the kirk." The laborious collector gives the latter document at full length. It is entitled, "A Solemn and Seasonable Warning to all Estates and Degrees of Persons throughout the Land, by the Commissioners of the General Assembly." The untamed, unreconciled presbyterians told the parliament that Satan was neither sleeping nor idle, that the Church of Christ, after seeming to be near the port, might be again tossed with another and perhaps a greater tempest; that all men ought to tremble at the remembrance of former, and appearances of future judgments crying mightily to Heaven; that these kingdoms were bound to the league and covenant as long as the sun and moon shall endure; that as his majesty had not yet subscribed that league and covenant, nor satisfied the lawful desires of his loyal subjects in both nations, they had just cause to fear that his coming into Scotland might be very dangerous both to his majesty and to this kingdom, which coming they therefore desired might be timely prevented. The warning ended by expressing a hope that the king might yet take the covenant as the only hopeful means of preserving himself, his crown, and posterity, that he might return to his houses of parliament in England as a reconciled prince to satisfied subjects; and that acclamations of joy might be heard in all his majesty's dominions, and no sound of war except against the bloody Irish rebels.

† Breviary.

now she could no longer prevail with her husband, and Charles, dreading equally the Scots and the English, concerted with Sir Robert Murray and William Murray a plan to escape in disguise. Flight, however, was no longer possible.* On the 20th of December the king wrote to the parliament of England, and to the commissioners of the parliament of Scotland at London, to ask again for a personal treaty, or, as he termed it, "a personal free debate with his two houses of parliament upon all the present differences." The houses took no notice of this message. The lords voted that he should be allowed to come to Newmarket, there to remain with such attendants about him as both houses should appoint; but the Commons would not agree with the Lords, and voted that Holmby House, in Northamptonshire, would be a fitter place for his majesty. This was on Christmas Eve, and the houses sat on the whole of the following day debating about the king's coming to Holmby. The Lords agreed with the Commons that that was the fitter place, and the Commons agreed with the Lords that his coming thither should be with all respect to the safety and preservation of his majesty's person, and in preservation and defence of the true religion; and the question being put whether the words, "according to the covenant," should be added, it passed in the affirmative. The Scots had now fully made up their minds to deliver Charles to the parliament; yet, they made one effort more to induce him to take the covenant and accede to the propositions. This effort was unsuccessful; but, on the 14th of January, 1647, he submitted the following paper to the Scottish commissioners, starting with a fatal position, which must always have rendered all negotiation with him a mere waste of time and paper, and which, by the way, was always uppermost in the minds of the parliaments of both kingdoms, without his reminding them of it. "*It is a received opinion by many, that engagements, acts, or promises of a restrained person are neither valid nor obligatory; how true or false this is, I will not now dispute; but I am sure, if I be not free, I am not fit to answer your or any propositions:* wherefore you should first resolve me in what state I stand, as in relation to *freedom*, before I can give you any other answer . . . . But if you object the loss of time and urgency of it, certainly in one respect it presses none so much as myself, which makes me also think it necessary, that I be not to seek what to do, when this garrison shall be surrendered up, to demand of you, in case I go into Scotland, if I shall be there with honour, freedom, and safety, or how?" The answer of the Scottish commissioners to his majesty's queries was very brief? "1. To the first, in what state you stand, as in relation to freedom, the parliaments of both your kingdoms have given such orders and directions as they have thought fittest for the good and safety of your majesty and the kingdoms, to the general and governor. 2. To your majesty's second query, of your going into Scotland, we shall humbly desire that we may not now be put to give any answer; but, if your majesty shall either deny or delay your assent to the propositions, we are in that case to represent to your majesty the resolution of the parliament of England." This was decisive; and two days after—on the 16th of January—the parliament of Scotland gave their full consent for delivering up the king, stating how desirous they were to remove all jealousies, to strengthen the peace and union between the two kingdoms, so firmly tied together by the solemn league and covenant; and how confident they were that the English parliament would satisfy their reasonable desires, and make the integrity of their proceedings and resolutions in all this business concerning his majesty appear to the world, either by declaration or otherwise, as in their wisdom they should think fit, whereby no occasion of calumny might be left to the wicked enemies of either nation.

In the mean time the English parliament had declared Episcopacy for ever abolished; and, by putting to sale the bishops' lands, money had been obtained to satisfy the claims of the Scottish army, who thus, as they themselves affirmed, got their rightful due out of the spoils of the priests of Baal.* On the 16th of December, 200,000*l.* in hard cash had been put in thirty-six carts, and sent off towards Newcastle, under a strong escort of infantry, commanded by that brave and steady soldier, old Skippon. The money bags arrived safely at York, where, on the 5th of January, 1647, their contents were counted out to the Scottish receiver, or rather begun to be counted out, for the process occupied some nine or ten days. On the 21st of January a receipt was signed at Northallerton. On the 30th the commissioners of the English parliament,—the Earl of Pembroke with two other lords and six commoners, with a numerous train,—received from the Scottish commissioners at Newcastle the person of the king, the Scottish troops evacuating that town on the same day. Charles affected to be pleased with the change: he talked courteously, and even cheerfully, to the Earl of Pembroke and the other commissioners, telling them he was well pleased to part from the Scots and to come nearer to the parliament.† It is said, however, that on first learning that the Scotch parliament had given its formal consent to the delivery of his person, he exclaimed, "I am bought and sold!" But, at the very last moment, the Earls of Lauderdale and Traquair again pressed the king with more ardour than ever to consent to establish Presbyterianism and approve the Covenant, undertaking upon those conditions to carry him off to Berwick, and to

* As late as the 27th of January, 1647, N. S., Montreuil writes to the French Court,—"The king still thinks of escaping, which I find every day more difficult, and now almost beyond all possibility, if the Scots should not like better to see him out of his kingdom than in the hands of the Independents."—*Thurloe State Papers.*

* Part of the money, however, for paying the Scots was raised by loan in the city of London.

† Herbert, Memoirs.

make the English content themselves with what his majesty had promised them. "I found the king," continues Montreuil, the authority for this statement, "absolutely confirmed, by letters which he had received from the queen, in his resolution not to do these things; but the Scots did not hesitate to offer me as much as 20,000 Jacobuses if the king would only promise to do what they desired."* It should also be continually borne in mind, in judging of this transaction, that the Scots did not deliver the king to the Independents, who had begun to declare their aversion to all kingly government, and who were the party that brought him to the scaffold, but to their brethren the Presbyterians, who entertained the highest respect for the kingly office (only loving democracy in the church), and who never entertained any design of republicanising England or taking the king's life. At that moment the Presbyterians of England, flushed by recent successes in the manœuvres of parliament, were decidedly the party dominant; and they seemed so powerful, and the Independents so depressed, that it would have required the gift of prophecy to foresee the things which happened in the course of two years. It has been a general, yet a strange and almost unaccountable error to connect the surrender of Charles at Newcastle, and his execution at Whitehall, like cause and effect, or like circumstances closely allied in time and in motive. The pen of an industrious writer might fall from his hand in despair if he undertook to detail at length the numerous subsidiary causes which brought about the tragical catastrophe.

In the mean time the Scottish army recrossed the borders, evacuating Carlisle, Berwick, and all the posts they had held in England; and Charles journeyed by easy stages towards Holmby House, a stately mansion in a pleasant part of Northamptonshire, but at no great distance from the fatal field of Naseby.† As they journeyed along, it was made evident that the traditions of royalty, and even an absurd superstition connected with them, had still a powerful hold on the public mind. The people flocked to see him, and accompanied him with their acclamations and their prayers for his preservation; and some there were that came to him to be touched for the king's evil. That witty and somewhat cynical Independent, Sir Harry Martin, said that the touch of the great seal of parliament might very well possess the same curing virtue; but the great mass of the English people were not prepared to relish the joke. "Not any of the troopers," says Herbert, "who guarded the king gave those country people any check or disturbance as the king passed, that could be observed,—a civility his majesty was well pleased with. Being arrived at Holmby, very many country gentlemen, gentlewomen, and others of ordinary rank, stood ready there to welcome the king with joyful countenances and prayers." Charles reached Holmby on the 16th of February, and found his house and table and little court well furnished with everything except chaplains. In vain he petitioned to have chaplains of his own church. The dominant Presbyterians sent him chaplains of *their* church. He would not listen to them, nor permit them so much as to say grace at his table. He passed his time in reading, playing chess, walking, riding, and playing at bowls; and as there was no fit bowling-green at Holmby, he would ride to Althorp, or even to Harrowden, a distance of nine miles, to indulge in his favourite game. He seemed to bear his misfortunes with a sort of cheerful dignity, being seldom heard to utter a word of useless complaint. He was attended by two persons selected by the parliament, one being Thomas Herbert, who has left some touching memorials of his last days; the other, James Harrington, the speculative republican and author of 'Oceana,' who was personally known to his majesty and acceptable to him, and trusted by the parliament because he was no partisan. "His majesty loved his company, and finding him to be an ingenious man, chose rather to converse with him than with others of his chamber. They had often discourses concerning government; but when they happened to talk of a commonwealth, the king seemed not to endure it."*

At this moment it was rather the head of Oliver Cromwell than that of King Charles that was in imminent danger. The elections which had been recently made to fill up the vacancies in the House of Commons caused by deaths of the old members, had gone generally in favour of the Presbyterians, while not a few thorough-going royalists had found seats and friends in that House. Triumphing in their strength, the Presbyterians had proclaimed the establishment of their form of worship to the exclusion of all others, and they had laboured, and were still labouring, to crush the many sects included under the general term of Independents, men who differed from them both in political and religious principles. It was the army commanded by, and mainly composed of, these Independents that had finished the war, the Presbyterians and their generals having left that war in a doubtful state; but regardless of its great services, and forming a very incorrect estimate of its power and spirit, they now resolved to disband this victorious army and create a new one on the Presbyterian model. The Independents in the House of Commons,—the Vanes, the Martins, the St. Johns,—the most sagacious of men, who hardly ever made a false step, yielded to the storm as long as it was necessary, profiting by the blunders of their bigoted adversaries. One

* Thurloe, State Papers. It is proved, however, by her own letters, that Henrietta Maria previously had repeatedly urged Charles to accept the terms offered by the Scots. Montreuil appears to have been rather a fantastic, light-headed person, and his assertions are almost invariably to be taken *cum grano*.

† Holmby, or Holdenby, House was originally built by Queen Elizabeth's gallant dancing Lord Chancellor, Sir Christopher Hatton, and afterwards purchased by King James for his son Charles, then Duke of York.

* Antony Wood.

of these blunders was the haste of the Presbyterians in getting their brethren, the Scots, out of England; another was, that, in their hurry to reduce the army, they disbanded the strong corps of Massey, which was all-powerful in the west of England, and which, with its leader, was far more inclined to Presbyterianism than to Independency. It was, in fact, just that part of the army which the Independents were glad to be rid of.

In the month of February, 1647, it was proposed in the House to reduce the army to a peace establishment, and to dismantle the garrisons in England and Wales. The Presbyterians pretended that the war was at an end, but other parties said that the royalists, though defeated and dispersed, were not much reduced in numbers, and were watching their opportunity to renew the contest. After a few days' debate, it was resolved to dismiss all except 5400 horse, and 1000 dragoons, and all the infantry except a number sufficient to garrison forty-five castles and fortresses, which it was thought fit to keep up. It was next voted that Sir Thomas Fairfax should continue commander-in-chief; but, three days after this, it was carried by the Presbyterian majority and their allies the disguised royalists, that no officer under Fairfax should have a rank higher than that of colonel, that no commander of any garrison should be a member of parliament, and that every officer whatsoever should take the covenant and conform to the government of the church as by ordinance established. Well might the Independents exclaim, What have we gained in religious liberty? Some of these votes were aimed directly at Oliver Cromwell, whose influence with the army excited the liveliest jealousy; and they would also have excluded those brave soldiers and leading men in the parliament, Ludlow, Blake, Ireton, Skippon, Algernon Sydney, and others, who had fought the good fight and won the victory. It was at this crisis that Ireton married the eldest daughter of Cromwell. The Hollises, the Stapletons, and the other leaders of the Presbyterians, blinded by their majorities in the two Houses, thought that they could do what they liked with the army by a vote or a stroke of the pen; and on the 6th of March they resolved that 3000 horse, 1200 dragoons, and 8400 foot, all to be drawn from Fairfax's forces, should be forthwith shipped for Ireland. The soldiers exclaimed, in a fury, that the ungrateful parliament wanted to send them there to die of famine and sickness. But what most rendered them averse to this Irish service was the avowed intention of taking all their old officers from them—those with whom they had prayed and fought most lustily—and substituting none but Presbyterians. Matters, perhaps, might have gone a little smoother if the Presbyterian managers in parliament had contrived to pay the large arrears due to the troops; but at this moment they had neither paid nor spoken of paying. What followed might have been foreseen by every one except such a blundering, wordy blockhead, as Denzil Hollis: the army, which lay in and round Nottingham, broke up from its cantonments, marched upon London, and halted at Saffron Walden, in Essex. Then the Presbyterians, in a panic, hurried to vote an assessment of 60,000*l.* per month for one year, for paying the army. On the following day—the 17th of March—a petition was presented to both Houses from the common council and Presbyterians of the city of London, praying that the army might be removed to a greater distance from the capital; complaining bitterly of a petition set on foot in the city by the Independents, and recommending the immediate suppression of it, and the punishment of those who had contrived and promoted it. This petition of the Independents was in all respects a remarkable document—the first or the loudest call that had yet been made upon republican principles. It was addressed "To the right honourable and supreme authority of the nation, *the Commons* in parliament assembled;" and it complained of the power assumed by the House of Lords, of the expensiveness of law suits, and the obscurity of the law, of tithes, of the oppressions and persecutions exercised against all those who could not conform in point of church government, and of the exclusion of such persons from all offices of public trust. The Presbyterian majority in the House of Commons, recovering somewhat from their panic, voted that this Independent petition should be condemned,* and that the army should not come within twenty-five miles of London. And the committee of government sitting at Derby House for the affairs of Ireland sent down a deputation to Saffron Walden to treat with Fairfax and the officers of the army, telling them and their men of the money voted for their use, and sounding their intentions. On the day after their arrival at head-quarters Fairfax summoned a convention of officers to communicate with him. These soldiers told the commissioners, that before they could answer their questions about going to Ireland, they must know what particular regiments, troops, and companies it was intended to keep at home for the service and safety of England, who were to be their chief commanders in Ireland, what assurance those that went to Ireland should have of pay and subsistence; and, in conclusion, they demanded the payment of the arrears already due to them, and some indemnity for their past services. The deputation could give no satisfactory answer, and they returned as they had come to those who sent them. In reporting their doings, or their non-doings, to the Commons, they mentioned a petition in progress in the army. The Commons, to repress this proceeding, summoned to their bar Hammond, lieutenant-general of the Ordnance, Colonel Robert Hammond, his

* "The committee," says Whitelock, "imprisoned one Towleday, an active man for that petition. Many excused him as being as lawful for those of one judgment, as of another, to petition the parliament, but it was carried in the House to approve of his commitment. Divers citizens came to the House to avow the petition complained of."

nephew, Colonel Robert Lilburn, and Lieutenant-Colonel Grimes, purposing to examine these officers together with Cromwell's son-in-law, Ireton, a member of their House; and, as if to terrify the army by a sudden boldness, they voted that the three regiments of the staunch Presbyterians, Poyntz, Copley, and Bethel, should be part of the 5000 horse to be kept at home for the service of England. In these stormy times late debates had become common. This night the House sat very late, and, "being grown thin with long sitting," the Presbyterians voted the petition of the army, which they had not seen, to be an improper petition; and further, that those of the army who continued in their distempered condition, and went on in advancing and promoting the petition, should be proceeded against as enemies to the state and disturbers of the public peace. The hot-headed, imbecile Hollis, who ought to have reflected that there was little or nothing between an unwarlike, divided, crazed parliament, and a victorious army led on by the most adroit of men, drew up this stinging resolution on his knee. On the morrow the Lords voted their adherence to the resolution. Fairfax remonstrated in a mild manner, but the army complained of the injustice of not being allowed to petition while the petitions against them were not suppressed, and the horse talked of drawing to a rendezvous to compose something for their vindication. Apparently to conjure this storm, the Presbyterians, on the 8th of April, agreed that the regiments of Fairfax, Cromwell, Rossiter, Whalley, and Graves should be five of the regiments of horse to be kept in England.* On the 15th of April a deputation from the two Houses again conferred with the army at Saffron Walden, the Earl of Warwick making "a pathetical speech to the officers, and using many exhortations to make them accept of terms and undertake for Ireland." Colonel Lambert, in the name of the rest, desired to know what satisfaction the parliament had given to the four queries they had put at their last meeting with the deputation. Sir John Clotworthy assured Lambert that, in Ireland, they should all be under the command of the popular Major-General Skippon; but then he added the unpopular name of the Presbyterian Massey, and said, that the Houses had not yet nominated the rest of their superior officers. Some of the army also had reason to believe that Skippon would not go. Colonel Hammond declared, that if they had good assurance that Skippon would go, he doubted not but a great part of the army would engage; "such was the great, endeared respect, and high esteem the whole army had of the worth and valour of that great soldier." To this the officers cried out, "All, all!" but others shouted still louder, "Fairfax and Cromwell—give us Fairfax and Cromwell, and we all go." After a vain attempt to gain over volunteers, the deputation returned in dismay to London. It was then debated whether the army should be disbanded, and what pay to give them before disbanding; or whether it were not more convenient to send the army *entirely* into Ireland (that is, with all their old Independent officers); but the Presbyterians feared that Ireland might thus be converted into an independent kingdom under the rule of what they called heretics and anti-Christians, and the question was adjourned from the 23rd to the 27th of April. On that day the Presbyterians were greatly encouraged by reports that many of the officers and a considerable body of foot had really volunteered to go to Ireland upon the parliament's conditions; and that all the rest would go but for the obstruction of certain officers in the army. Upon this faint hope,—upon these delusive reports, Hollis urged on his party to vote that the whole army, horse and foot, should be disbanded with all convenient speed, and six weeks' pay given upon their disbanding, and that four of the officers should be summoned by the sergeant-at-arms to attend at the bar of the House. Hollis flattered himself that it would be exceedingly easy to draft the well-affected men into other regiments, and to get them speedily into Ireland under Presbyterian commanders; but he most miserably misunderstood the temper and the very composition of this remarkable army, which, in many respects, was unlike any army that had ever existed, and entirely different from the mere mercenaries that take the pay of a government upon all or any terms. On this very day some of the officers of that army presented an energetic petition to the Commons. This paper, which was a vindication of their conduct, rather than a petition, was signed by Thomas Hammond, lieutenant-general of the ordnance, 14 colonels and lieutenant-colonels, 6 majors, and 130 captains, lieutenants, and other commissioned officers. "The misrepresentation of us and our harmless intentions to this honourable House," said these citizen-soldiers, "occasioning hard thoughts and expressions of your displeasure against us, we cannot but look upon as an act of most sad importance; tending, in our apprehensions, to alienate your affections from your ever trusty and obedient army; than which nothing can more rejoice your adversaries, or minister greater hopes of their readvancement; nothing more discouraging to us, who should esteem it the greatest point of honour to stand by you till the consummation of your

* On this same day parliament was informed by the commissioners at Holmby House that, notwithstanding all their care to prevent the delivery of papers to his majesty, one Colonel Bosville, formerly of the king's party, in the disguise of a countryman, put a packet of letters into the king's hands, as his majesty and the commissioners were passing over a narrow bridge; that the commissioners had apprehended him, and that he had confessed that the letters came from France. The House ordered that Colonel Bosville should be sent up as a delinquent. On the 12th of April other letters from Holmby certified, that when Bosville delivered the letters to the king, no man perceived it but a miller that stood by, and he, espying it, cried out, "Nobles and gentlemen, there is a man gave his majesty letters!" That Bosville offered gold to the miller to be silent, but he would not take it; that Bosville got away, and the miller told some of it that attended the king, and they rode after Bosville, and brought him back, who, being examined, confessed he brought the letters from Paris from the queen, being told that the letters contained a desire of the prince (Charles) to go into the war with the Duke of Orleans this summer, in point of honour; and that the king being desired to make known the contents of the letters, answered he was not to give an account to any man living.—*Whitelock.*

work, the removal of every yoke from the people's necks, and the establishment of those good laws you shall judge necessary for the commonwealth." After insisting on their right of petitioning, they said, "We hope, by being soldiers, we have not lost the capacity of subjects, nor divested ourselves thereby of our interests in the commonwealth; that in purchasing the freedom of our brethren we have not lost our own." "We have not till now," they continued, "appeared in petitioning, though our necessities have been frequent and urgent; not that we doubted our liberty, but because we were unwilling to interrupt you in your other weighty affairs; and we proceeded at this time with the greatest care and caution, intending not to present our petition, but with the approbation and by the mediation of his Excellency, our ever-honoured general. . . . . And it should be known that that petition took its first rise from amongst the soldiers, and that we engaged but in the second place to regulate the soldiers' proceedings, and remove as near as we could all occasion of distaste." They energetically justified their demands for money. "For the desire of our arrears," said they, "*necessity*, especially of our soldiers, enforced us thereunto. That we have not been mercenary, or proposed gain as our end, the speedy ending of a languishing war will testify for us, whereby the people are much eased of their taxes and daily disbursements, and decayed trade restored to a full and flourishing condition in all quarters. We left our estates, and many of us our trades and callings to others, and forsook the contentments of a quiet life, not fearing or regarding the difficulties of war for your sakes; after all which, we hoped that the desires of our hardly earned wages would have been no unwelcome request, nor argued us guilty of the least discontent or intention of mutiny."* But before this time an entire disaffection to the Presbyterian majority had declared itself among the common soldiers; and, irritated by the late disbanding vote, and by the House not taking this petition of the officers into immediate consideration, rank and file, troopers, dragoons, and infantry drew closer their recently-formed compact, and prepared a document of their own for the perusal of the House. They here described "a model of a military common-council, who should assemble two commissioned officers and two private soldiers out of every regiment, to consult for the good of the army, and to be called by the name of Adjutators."† From this council or conclave the superior officers stood aloof; but Berry, a captain in Fairfax's regiment of horse, and an old and bosom-friend of Cromwell, became president of it, whence it has been generally concluded by historians that the whole affair, if not originally got up by Cromwell, was guided and directed by him.‡ On the 30th of April these adjutators, whose name was soon changed into that of *agitators*, sent three troopers —Sexby, Allen, and Shepherd—to present their first manifesto to the Commons. They protested against the service of Ireland without due satisfaction given; proclaimed the measure for drafting and disbanding to be a plan to break them up most unjustly without pay or recompense, and the authors of that plan to be ambitious men, who, having lately tasted of sovereignty, and been lifted above their proper sphere, sought to become masters, and were degenerating into tyrants. Cromwell, who a few days or weeks before was given to believe that the Presbyterians intended to seize him of a sudden and commit him to the Tower,—a plan which appears really to have been entertained at several distinct times,—rose up and spoke at great length about the danger of driving the army to extremities, and about the pure and entire loyalty of that meritorious body; and, strange and unaccountable as it is, it is certain that the House forthwith commissioned him, with Skippon, Ireton, and Fleetwood, to repair to head-quarters, and quiet the distempers of the army by assuring them that the House had appointed an ordinance to be speedily brought in for their indemnity, payment of arrears, &c. Cromwell, and those who had been appointed with him, presented themselves to the army on the 7th of May. The officers required time to confer with their regiments, and a second meeting took place on the 15th. Cromwell, Ireton, and Fleetwood encouraged the discontents, and even Skippon wavered, and at last decided in favour of the proposition presented by Lambert, that the redress of the grievances of the army should have precedence of all other questions. But disagreements broke out among the soldiery, some of whom would have closed with the offers of parliament; and, emboldened by these symptoms of division, the Presbyterian leaders, after hearing the report of Cromwell, who had returned from the camp to the House, passed a resolution, that immediate measures should be taken for auditing the accounts of the soldiers, and disbanding the regiments, coupled, however, with an assurance that no person who had been engaged in the late war should be liable to be pressed for service beyond sea. This was on the 21st of May. On the 25th it was further settled that such of the foot regiments as did not engage for the war in Ireland should be disbanded at certain times and places specified in the votes, the places of disbanding being distant from each other. On the same day Fairfax, who had been in London under a real or pretended sickness, returned to the army by the desire of the House of Commons, and on the morrow he removed the mass of that army from Saffron Walden to Bury St. Edmund's. Fairfax found the soldiers resolute not to disband without previous redress and payment, and the punishment of those who, as they said, had contrived their destruction; and they called for a rendezvous,

* Rushworth. † The Perfect Politician.

‡ Two other officers, said to have had great influence with the adjutators, were Ayres and Desborough. They were both old friends of Cromwell,—they both took service with him when he first raised a troop of horse at his own expense,—and Desborough, six years before, had married a sister of Cromwell.

telling their officers that, if they would not grant it, they would hold it without them. He communicated all this to both Houses. "I entreat you," he wrote to the Speaker of the Commons, "that there may be ways of love and composure thought upon. I shall do my endeavours, though I am forced to yield to something out of order to keep the army from disorder or worse inconveniences." The Presbyterians disregarded the warning; they were deluded by hopes that the dissensions which they had encouraged in the army would end in the majority of the troops submitting to their will and pleasure; and on the 28th of May they appointed the Earl of Warwick and Lord Delawar, with Sir Gilbert Gerrard and three other members of the House of Commons, to be a committee to act with the general (Fairfax) in executing the disbanding vote. Fairfax told the deputation that he could venture to do nothing of the sort for the present, and must wait for further orders from parliament.

The crisis was now hurried on. The Lords voted that the king should be brought from Holmby to Oatlands near the capital, and that a fresh treaty should be opened with him. The army and the Independents, who were almost one, resolved to forestall the Lords and the Presbyterians, who flattered themselves that, with the sovereign in their power, they could dictate to their opponents. On the 3rd of June, a little after midnight, a strong party of horse, commanded by Joyce, a cornet in Whalley's regiment, presented themselves at Holmby House. After surrounding the mansion, and setting guards at the different avenues, Joyce dismounted and demanded to be admitted, telling Colonel Graves and Brown, who commanded the small garrison there, that he came to speak with the king. They asked him from whom? "From myself," said Joyce; at which they laughed. "This is no laughing matter," said Joyce. Graves and Brown advised him to draw off his troops (they were seven hundred, or, as some say, a thousand, strong), and in the morning he might speak with the commissioners placed by parliament over his majesty. "I came not hither to be advised by you," said Joyce, "nor have I any business with the commissioners; my errand is to the king, and speak with him I must and will presently." Brown and Graves commanded their soldiers in the house to stand to their arms and defend the place; but, instead of obeying these orders, their men threw open the gates, and bade their old comrades welcome. Joyce then proceeded to the chamber where the commissioners lay, and told them that there was a secret design to convey or steal away the king, and to raise another army to suppress that under the command of his Excellency Sir Thomas Fairfax: that there was no other way to keep the kingdom from blood and another war but by making sure of the king's person, and seeing that he was no more misled. "And," said Joyce, "there be some who endeavour to pull down king and people, and set up themselves." He then retired to another apartment, lest the king should be disturbed in his bed-chamber; and then Major-General Brown went to the king, and assured his majesty that no hurt should come to him, for that they were all civil gentlemen. As the morning grew Joyce repaired again to the commissioners, and found that Colonel Graves was gone quite away, upon some secret design, as was supposed; "and some of his damning blades did say and swear they would fetch a party." According to the 'True and Impartial Narration concerning the Army's preservation of the King,' Joyce and his followers then unanimously declared that they thought it most convenient to secure the king in another place from such persons as might cunningly and desperately take him away, to break the peace of the kingdom and the prosperity of the army. All this time it appears the king had not been spoken to; but at ten o'clock at night Joyce sent to demand audience. But some of the commissioners, being unwilling, held him in discourse till the king was asleep in his bed. Yet, notwithstanding, the cornet would not be contented till he had spoken with his majesty; and, with as much gentleness and tenderness as he could, he went in to the king, and told him that dangerous plots were afoot, as all rational men might see by the actions of the Presbyterian leaders; adding, "It is now come to this—they must sink us or we must sink them." According to this narration, which, like all others bearing on the same point, is open to a variety of doubts, Charles told Joyce—*because* the commissioners of the parliament were present—that he could not go with him; adding, however, that reasons might be produced that might prevail with him, and that then nothing should stay him, and that he would go whether the commissioners would, yea or nay; and reasons were thereupon given which did prevail with his majesty to promise to go with Joyce the next morning. He said, however, he should be the more willing to go if the cornet would promise him the things which he would now propose. Joyce said he would promise them if they were just and warrantable. Then his majesty, speaking before the commissioners, said, "I will propound them." "May it please your majesty," returned Joyce, "I am willing to hear, but I am sorry I have disturbed you out of your sleep." "No matter, if you mean me no hurt," said the king,—"if you will promise me that I shall have no hurt, seeing you may take away my life if you will." The cornet assured him that the army had no ill intention of that sort, but only desired to secure him from being taken away, and put at the head of another army. The king's second demand was, that he should not be forced to anything against his conscience. Joyce replied that he would be most unwilling to force any man against his conscience, much less his majesty; that he hoped he was sensible of those that did

endeavour to force men against their consciences, and yet delayed to do justice or settle the kingdom, endeavouring to disband or break the army in pieces, who sought nothing but justice, as would appear hereafter to all the world. "Pray God it may!" said the king. His third demand was, whether he should have his servants with him, and whether he should be provided for like a man in his place? The cornet assured him that he should have his servants, and be treated with all just and due respect. "Then," said the king, "I will willingly go along with you, if the soldiery will confirm what you have promised me." And, it being now eleven o'clock at night, he dismissed Joyce, saying that he would be ready by six the next morning to hear what the soldiers would say; that it was so bad an air at Holmby that he could never be so well as he had been; and that, if he were once gone, he would be unwilling to come back again to that place. According to his promise, Charles appeared at six o'clock in the morning. The soldiers were mounted, and ready to accompany him; but, before he would set out, he desired to say the same things to the soldiers which he had spoken over night to the cornet, to see if they would confirm what he had promised, which they did with one consent. Charles, then, in presence of all the soldiers, asked Joyce what commission he had to secure his person? Joyce replied, that, if the parliament had ever made an order that the army should not secure the king's person, he should not have dared to do what he had done; but, being informed his majesty was to be conveyed away to cause another war, this was the only cause of his securing the king's person. This answer did not satisfy Charles, who again demanded what commission he had. "I told his majesty," says Joyce (himself the author of this *impartial* narration), "the soldiers of the army, or else I should not have dared to have done what I have; and conceiving it to be the only way to bring peace to England, and justice with mercy, the thing which all honest men desire, and none will hinder but some guilty consciences, who seek to destroy both king and people, to set up themselves." But still the king was not satisfied; and he asked whether Joyce had nothing in writing from Sir Thomas Fairfax, his general? The cornet desired the king not to ask him such questions, for he conceived he had sufficiently answered him before. "I pray you, Mr. Joyce," said the king, "deal ingenuously with me, and tell me what commission you have?" "Here is my commission," said Joyce. "Where?" said the king. "*Here!*" replied Joyce. His majesty again asked, "Where?" "Behind me," replied Joyce, pointing to the mounted soldiers, "and I hope that will satisfy your majesty." Charles smiled, and said, "It is as fair a commission and as well written as I have ever seen a commission written in my life; a company of handsome, proper gentlemen as I have seen a great while. But what if I should refuse yet to go with you? I hope you would not force me? I am your king; you ought not to lay violent hands on your king; I acknowledge none to be above me here but God." Joyce assured his majesty that they meant not to injure him, nor so much as to force him thence against his will; and, after some more talk, Charles said, "Now, gentlemen, for the place you intend to have me to?" "If it please your majesty, to Oxford," said Joyce. "That is no good air," replied Charles. "Then to Cambridge," said Joyce. The king did not like that either, but said he liked Newmarket; that was an air that did very well agree with him. Thereupon it was granted by Joyce that he should go to Newmarket. Then the king asked how far he intended to ride that day. "As far as your majesty can conveniently ride," answered the cornet. The king smiled, and said, "I can ride as far as you or any man here." And so he courteously took his leave to prepare for his journey. Joyce and his troopers conducted him that day as far as Hinchinbrook, whence on the morrow they led him to Childerley, near Newmarket.*

On the same day that Joyce had moved from Holmby House Cromwell had left London, having, it is said, intimation of a private resolution that had been taken by the parliament to secure him, and not suffer him to return to the army. He got hastily and secretly out of town, and without stop or stay rode to Triploe Heath, his horse all in a foam, and there was welcomed with the shouts of the soldiery.† Forthwith the army entered into a solemn engagement not to disband or divide without redress of grievances, security against oppression to the whole free-born people of England, and the discontinuance of "the same men in credit and power," that is, the dismissal of the present Presbyterian government, who were charged with entertaining cruel and bloody purposes to be executed when the army should be disbanded or divided—purposes which some of that party were quite capable of entertaining. Fairfax, Cromwell, Ireton, Hammond, and other officers of rank, waited upon the king. That their demeanour was respectful is certain; but nearly everything else that passed at this meeting, or these meetings, is involved in doubt, and in an obscurity which will probably never be cleared up. Fairfax and Cromwell both protested that they were wholly ignorant of Joyce's design; and it has been pretty generally admitted, though perhaps on insufficient grounds, that Fairfax at least spoke the truth. The lord-general, it is said, urged the king to return to Holmby House, and was told by Charles himself that he would rather stay with the army—that he had as good interest in the army as Fairfax himself. Nor are there wanting authorities to show that the king, though keeping up the appearance of being forced from Holmby against his will, had in reality gone willingly and full of hope. "The king," says Herbert, "was the merriest of the company,

* Rushworth.—Journals.—Herbert. † Perfect Politician.

having, as it seems, a confidence in the army, especially from some of the greatest there, as was imagined." He was not, indeed, without sundry reasons for congratulating himself on his change of keepers. The Presbyterians had refused him the attendance of any minister of the church of England; the Independents and the army allowed him whatever clergymen he chose. One of the most devoted or heated of his partisans says, in a strange sentence, "The deep and bloody-heated Independents all this while used the king very civilly, admitting several of his servants, and some of his chaplains, to attend him, and officiate by the service-book."*

On the 10th of June, while parliament was voting that no part of the army should come within forty miles of the capital, the whole of that army marched upon London, sending out manifestoes as they advanced, collecting addresses of confidence from Norfolk, Suffolk, Essex, and other counties, and demanding the speedy purging of parliament of such members as were disentitled to sit there by delinquency, corruption, abuse to the state, or undue election. On the 15th of June, from their head-quarters, at St. Albans, the army formally accused Hollis, Waller, Clotworthy, Stapleton, Lewis, Maynard, Massey, Harley, Long, Glynne, and Nichols. The house of commons repeated its command to the army not to advance, and voted the removal of the king to Richmond, there to be in the custody of their commissioners. The army advanced immediately by Berkhampstead upon Uxbridge; and then the "eleven members," that is, Hollis and the other Presbyterian leaders, went and hid themselves. At first the house of commons had made a show of resistance, had doubled the guard they had from the city of London, and had filled their rooms and lobbies with arms: but now they abandoned this hopeless course, voted that the army under Fairfax was, in very deed, the army of England, and to be treated with all respect and care; and they sent propositions to the general, which induced him to remove his head-quarters from Uxbridge to Wycombe. This movement gave wonderful courage to the eleven accused members, who came forth from their hiding-places to their seats in the house, accusing their accusers, and demanding a trial; but very soon they lost heart, and obtained leave of absence and the speaker's passport to go out of the kingdom. Their party, by this time, had rendered themselves contemptible by their rashness, weakness, and vacillation.

Meanwhile the king had been removed from Newmarket to Royston, from Royston to Hatfield, the Earl of Salisbury's house, from Hatfield to Woburn Abbey, and thence to Windsor Castle. Among the "several servants" that were admitted to attend him were Ashburnham, one of the companions of his flight from Oxford to the Scottish army,* Sir John Berkeley,† and Legge, another favourite and confidential attendant. By means of these gentlemen Charles opened, or continued, a very secret negociation with Cromwell, Ireton, and other chief officers. Ashburnham says that on his arrival he found his master already deep in this treaty, and that he and Berkeley were then appointed to conduct it, which they did for about three weeks with good hopes of success. It seems scarcely possible to believe that Fairfax could be a stranger to these negociations; but the king probably knew, as did every one else, that Cromwell was mightier than he. At this time Fairfax requested the parliament to consent that the king should see his children, who had so long been in their hands. The house of commons apprehended that the army would keep the children, as well as the father; but, on Fairfax's pledging his word of honour that they should be returned to St. James's palace, they very reluctantly sent the Duke of York, the Duke of Gloucester, and the Princess Elizabeth, to the beautiful little village of Caversham, near Reading, where the king was then residing. The interview was tender in the extreme, for Charles was a fond father, and the children were young, innocent, and helpless. Cromwell shed tears. After passing two days with their unfortunate parent, the children went back to London, where the Presbyterians were making a last and blundering effort to regain the ascendancy. The army and the Independents resident in the city had demanded that the command of the London militia should be put into other hands. The Presbyterians not only refused, but chose this very moment for getting up a petition, calling for the suppression of all conventicles; that is, all chapels wherein the Independents worshipped God according to their own notions. At the same time they exhibited for signature, in Guildhall, another paper, which, after reciting the Covenant, engaged the subscribers of all degrees, soldiers or sailors, citizens, apprentices, or trained bands of the city, to keep away the army, and bring the king to Westminster, for the purpose of concluding a personal treaty. One hundred thousand signatures were set to this paper; and a few days after a disorderly rabble, consisting probably of as many royalists as Presbyterians, surrounded the houses of parliament, and caused such terror there that both speakers and many members fled to the army for protection. After an adjournment of three days the residue of the two houses met, and then—on the 30th of July—elected Lord Willoughby of Parham to be temporary speaker, forbade the army to advance, appointed a committee of safety, called out the city militia, to be

* Sir P. Warwick.

* Ashburnham, according to his own account, had recently arrived from France with "instructions from the queen and prince of Wales in some things which it was not proper his majesty should appear in."—*Narrative.*

† Berkeley had also just arrived from France, from the queen, having, as he says himself, received "advertisement that his majesty was well received by the officers and soldiers of the army, and that there were great hopes conceived that they would concur to establish his majesty in his just rights."

put under the command of Massey, Waller, and Poyntz, and recalled the eleven fugitive Presbyterian members. Fairfax, who had advanced with the army to Hounslow Heath, there met the fugitive Independent members. Besides the two speakers, there were fifteen lords and a hundred commoners. The general forthwith published a declaration, "showing the grounds of his present advance to the city of London, and ordered Colonel Rainsborough to cross the Thames at Kingston bridge, and take possession of the borough of Southwark, which wholly disavowed the proceedings of the city. Rainsborough executed his commission without any difficulty, and detached soldiers that occupied the blockhouses near Gravesend and all the posts on that side of the river between Gravesend and Southwark. "And when the citizens heard of the army's approach, their stomachs being somewhat abated, and their opinions so much divided in common council that it appeared impossible for them suddenly to raise any forces to oppose the army, they sent to the general for a pacification, which, by consent of the members of parliament then with him, was granted to them upon these conditions:—1. That they should desert the parliament now sitting, and the eleven impeached members. 2. That they should recall their declarations lately published. 3. That they should relinquish their present militia. 4. That they should deliver up to the general all their forts and the Tower of London. 5. That they should disband all the forces they had raised, and do all things else necessary for the public tranquillity. All which things, none of them daring to refuse, were presently ratified."*

On the 6th of August Fairfax came to Westminster, with the speakers of both houses, and the rest of the expelled lords and commoners, whom he restored to their seats. The speakers, in the name of the whole parliament, gave thanks to the general, made him commander of all the forces in England and Wales, and Constable of the Tower of London; and as a gratuity a month's pay was given to his army. On the next day Fairfax and Cromwell, with the whole army, marched through London to the Tower, where some commands were changed, and the militia settled in the hands of the Independents. "And lest the city should swell with too much power, her militia, by order of parliament, was divided, and authority given to Westminster, Southwark, and the hamlets about the Tower, to exercise and command their own militias. Thus was the Presbyterian faction depressed."† Never, perhaps, did a great party fall with less honour. Hollis, Stapleton, Waller, Clotworthy, Lewis, and Long, ran away to the seacoast, and were allowed to escape into France. They were thereupon charged with treason, and the lord mayor of London, four aldermen, and two officers of trained bands, the Earls of Suffolk, Lincoln, and Middleton, the lords Willoughby, Hunsdon, Berkeley, and Maynard were included with them in the charge. But the conduct of the now triumphant Independents did not betray in them any great anxiety for retaliation or party vengeance, or severity of any kind; and the army—giving another proof that it was no mere mass of soldiery—behaved with the greatest moderation and justice. Half the number of Presbyterian preachers at a like crisis would have set the city in a blaze. Fairfax, presently marching out of London, quartered his troops in the towns and villages adjacent, fixing his head-quarters at Putney, and only leaving two or three regiments about Whitehall and the Mews to guard the parliament. While these things were in progress the council of officers had prepared their "Proposals," wherein they provided for the general reform and re-settlement of the kingdom upon principles of the largest liberty, both civil and religious, and of a glorious toleration, which Europe had not yet seen even in a theory. The great fault of this theory was, that it too much overlooked the intellectual condition of the people, who were not yet fit for its application. Ireton is generally considered to have been the principal author of this ever remarkable paper; but he acted concurrently with his father-in-law, Cromwell, who entertained the highest and justest notions about religious liberty, freedom of trade, and the other points which reflect the most honour upon this scheme.* In many respects, notwithstanding the republican tendencies of Ireton and its other framers, this constitution would have left Charles more power and dignity as a king than the Presbyterian parliament had ever thought of giving him. And how acted Charles when these proposals were privately submitted to him? This is the account given by one of his own partisans, Sir John Berkeley:—"What with the pleasure of having so concurring a second as Mr. Ashburnham, and what with the encouraging messages which his majesty had (by my Lord Lauderdale and others) from the Presbyterian party and the city of London, who pretended to despise the army, and to oppose them to death, his majesty seemed very much erected: insomuch that, when the proposals were solemnly sent to him, and his concurrence most humbly and earnestly desired, his majesty (not only to the astonishment of Ireton and the rest, but even to mine) entertained them with very tart and bitter discourses, saying, sometimes, that he would have no man to suffer for his sake, and that he repented of nothing so much as the bill against the Lord Strafford (which, though most true, was unpleasant for them to hear); that he would have the church established according to law, by the Proposals. They replied, it was none of their work to do it; that it was enough for them to waive the point, and, they hoped, enough for his majesty, since he had waived the government (of the church) itself in Scotland. His majesty said, that he hoped God had forgiven him that sin, and repeated often, *You*

* May, Breviary. † Ibid.

* One of the clauses was—"All monopolies, old or new, and the restraints to the freedom of trade, to be taken off."

cannot be without me; you will fall to ruin if I do not sustain you. Many of the army that were present, and wished well (at least, as they pretended) to the agreement, looked wishfully and with wonder upon me and Mr. Ashburnham; and I, as much as I durst, upon his majesty, who would take no notice of it, until I was forced to step to him, and whisper in his ear—Sir, your majesty speaks as if you had some secret strength and power that I do not know of; and since your majesty hath concealed it from me, I wish you had concealed it from these men too. His majesty soon recollected himself, and began to sweeten his former discourse with great power of language and behaviour. But it was now of the latest. For Colonel Rainsborough (who, of all the army, seemed the least to wish the accord) in the middle of the conference stole away, and posted to the army, which he influenced against the king with all the artificial malice he had."* Nor does Charles's conduct or good policy improve in the report of his other principal agent. Ashburnham, after mentioning sundry instances of double dealing, goes on to describe a very remarkable interview he had for the king's business, a few days after the army's marching through London, with Cromwell and Ireton. "Being commanded by his majesty," says this confidential agent, "to desire from Cromwell and Ireton that he might go from Stoke to one of his own houses, they told me, with very severe countenances, he should go if he pleased to Oatlands; but that they had met with sufficient proof that the king had not only abetted and fomented the differences between them and their enemies, by commanding all his party to take conditions under the then parliament and city, but that likewise he had at that instant a treaty with the Scots, when he made greatest profession to close with them; for the justification of which, they affirm that they had both his and the queen's letters to make it good, which were great allays to their thoughts of serving him, and did very much justify the general misfortune he lived under of having the reputation of little faith in his dealings."† And, in fact, Charles at this moment was negotiating, not only with Cromwell and Ireton, and with other officers in the army who entertained very different views, but also with Lauderdale and the Scottish Covenanters, with the English Presbyterians, and with the Irish Catholics—to each and all of whom he made promises and paid compliments. Doubts have been raised—perhaps unjustly—touching the sincerity of Cromwell and Ireton in their negotiations with the king; but the king was certainly insincere to all parties, with the exception of the old and devoted royalists, now headed by the Marquess of Ormond, that nobleman, after making terms with the parliament in Ireland, having been allowed to come over to England. Nor could the king control his own temper sufficiently to cloak his designs. In talking one day with Ireton, he had the folly to exclaim—"I shall play my game as well as I can!" Ireton instantly replied—"If your majesty have a game to play, you must give us also liberty to play ours."* On other occasions he grossly insulted both Ireton and Cromwell to their faces. And now, according to Ashburnham, Cromwell first began to talk of "the happy condition the people of this kingdom would be in if the government under which they in Holland lived were settled here;" and both Ireton and Cromwell were found "at a great distance to what formerly they appeared to be in relation to his majesty's good;" so that Ashburnham saw clearly that there was no more to be hoped from them. After his rude refusal of the "Proposals," Charles sent Sir John Berkeley to the army to desire a meeting with Ireton and the rest of the superior officers. Berkeley, putting a leading question, asked, "If the king should grant the Proposals, what would ensue?" The officers replied, that they would offer them to the parliament. "But," continued Berkeley, "if *they* refuse them, what will you do then?" They replied that they would not tell him. "I then returned," says Berkeley, "that I would tell them, I would lose no more time with them; for if there came of proposals nothing but the propounding, I could

* Memoirs.

† Narrative.—"Lord Bolingbroke told us—Mr. Pope, Lord Marchmont, and myself (June 12th, 1742)—that Lord Oxford had often told him that he had seen, and had in his hands, an original letter that King Charles I. wrote to the queen, in answer to one of her's that had been intercepted, and then forwarded to him, wherein she had reproached him for having made those villains too great concessions (viz., that Cromwell should be lieutenant of Ireland for life without account; that that kingdom should be in the hands of the party, with an army there kept, which should know no head but the lieutenant; that Cromwell should have a garter, &c.). That in this letter of the king's it was said that she should leave *him* to manage, who was better informed of all circumstances than she could be; but she might be entirely easy as to whatever concessions he should make them; for that he should know in due time how to deal with the rogues, who, instead of a silken garter, should be fitted with a hempen cord. So the letter ended: which answer, as they waited for, so they intercepted accordingly—and it determined his fate. This letter Lord Oxford said he had offered 500*l.* for."—*Richardsoniana.*

Morrice, in the Life of Lord Orrery, prefixed to the Orrery State Papers, gives a story in detail about the seizure of this important letter. He says that one day (in the year 1649) when Lord Broghill was riding between Cromwell and Ireton, Cromwell declared to him, that if the late king had followed his own mind and had trusty servants, he would have fooled them all; and further told his lordship that at one time they really intended to close with Charles. Broghill asked a question or two, to which Cromwell freely replied, saying, "The reason why we would once have closed with the king was thus: we found that the Scots and the Presbyterians began to be more powerful than we; and if they had made up matters with the king, we should have been left in the lurch, therefore, we thought it best to prevent them, by offering first to come in upon any reasonable conditions." But, while they were occupied with these thoughts, they were told by one of their spies, who was of the king's bedchamber, that their doom was decreed by Charles, as they might see if they could only intercept a letter from the king to the queen, which letter was sewed up in the skirt of a saddle, and the bearer would be that night at the Blue Boar Inn, in Holborn, where he was to take horse for Dover. Upon this warning, Cromwell and Ireton, disguised as troopers, and with one trusty fellow with them, went to the inn, called for cans of beer, and continued drinking till the man with the saddle came in, when they seized the saddle, ripped up the skirts, and there found the letter, in which the king informed the queen that he was now courted by both factions—the Scotch Presbyterians and the army—and which bid fairest for him should have him. but he thought he should close with the Scots sooner than the other, &c. Upon this, Cromwell took horse and went to Windsor, and they immediately, from that time forward, resolved the king's ruin. This story is sufficiently romantic, but these were times full of romantic incidents, and we think it not improbable that something of the kind really happened. With Cromwell and his party it was matter of life or death to ascertain Charles's real intentions. Oliver, it is said, held the principle that it was right to be crafty with the crafty, and the men who acted with him had their eyes everywhere.

* Mrs. Hutchinson's Memoirs of the Life of Colonel Hutchinson, Governor of Nottingham Castle, &c.

then propound as well as they. They all replied, that it was not for them to say directly what they would do against the parliament; but intimated that they did not doubt of being able to prevail with the parliament. When I appeared not fully satisfied with this reply, Rainsborough spoke out in these words—*If they will not agree, we will make them;* to which the whole company assented." With this assurance—which was something weighty and wished for—Berkeley posted back to the king; but there, he says, he had "harder work with his majesty," who was still "far from consenting." "At this time," says Berkeley, "those that were supposed best inclined to his majesty in the army seemed much afflicted with his majesty's backwardness to concur with the army in the "Proposals." Two or three days before the army got undisputed possession of London, and before it was commonly thought that the city would submit, Cromwell and Ireton requested that, since his majesty would not yield to the Proposals, yet he should, at least, send a kind letter to the army. A meeting was held at Windsor by Cromwell, Ireton, Berkeley, and Ashburnham, and a letter was immediately drawn up; but Charles would not sign it till after three or four days, that is, not until the army, contrary to the expectations of many persons, were become absolute masters of the city. Berkeley, making the best of the business for his master's honour, says, "Mr. Ashburnham and I went with it, at last, and, upon the way, met with messages to hasten it. But, before we came to Sion, the commissioners from London were arrived, and our letter was out of season; for, though his majesty was ignorant of the success when he signed the letter, yet, coming after it was known, it lost both its grace and its efficacy. All that the officers could do, they did; which was, while the army was in the act of thanksgiving to God for their success, to propose that they should not be elevated with it, but keep still to their former engagements to his majesty, and, once more, solemnly vote the Proposals; which was accordingly done." Even after this, when his majesty was lodged at Hampton Court, "Mr. Ashburnham had daily some message or another from the king to Cromwell and Ireton, who had enough to do both in the parliament and council of the army—the one abounding with Presbyterians, the other with Levellers, and both really jealous that Cromwell and Ireton had made a private compact and bargain with the king; Lilburne, printing books weekly, to that effect. . . . . On the other side, the Presbyterians were no less confident of their surmises; and, amongst them, Cromwell told me, that my Lady Carlisle affirmed that he was to be Earl of Essex and captain of the king's guards."*

About three weeks after the army had entered London, the Presbyterians in parliament, who were still a majority, encouraged by Lauderdale and the other Scottish commissioners, who, like themselves, held religious toleration to be monstrous wickedness, voted another solemn address to the king, which was conceived on the basis of the old nineteen propositions which had been presented at Newcastle. The army was, of course, very unwilling that the king should accept these propositions; and all Charles's friends were of opinion that it was unsafe for him to close with the enemies of the army whilst he was in its hands. And, therefore, he refused the articles offered by parliament, saying that he thought the Proposals of the army a better ground for an arrangement than these nineteen propositions, and again desiring a personal treaty. "We gave our friends in the army," says Berkeley, "a sight of this answer to parliament the day before it was sent, with which they seemed infinitely satisfied, and promised to use their utmost endeavours to procure a personal treaty, *and, to my understanding, performed it:* for both Cromwell and Ireton, with Vane and all their friends, seconded with great resolution this desire of his majesty. But, contrary to their and all men's expectations, they found a most general opposition, and that this message of his majesty had confirmed the jealousy of their private agreement with the king; so that the more it was urged by Cromwell, &c., the more it was rejected by the rest, who looked on them as their betrayers. The suspicions were so strong in the House, that they lost almost all their friends there; and the army that then lay about Putney were no less ill-satisfied; for there came down shoals every day from London of the Presbyterian and Levelling parties, that fomented these jealousies; insomuch that Cromwell thought himself, or pretended it, not secure in his own quarters. The adjutators now began to change their discourses, and complained openly in their councils both of the king and the malignants about his majesty. One of the first they voted from him was myself. They said that, since his majesty had not accepted of their Proposals, they were not obliged any further to them; that they were obliged to consult their own safety and the good of the kingdom, and to use such means towards both as they should find rational: and, because they met with strong opposition from Cromwell and Ireton, and most of the superior

* Memoirs of Sir John Berkeley.—What Berkeley adds immediately after these revelations is far too important to be overlooked in the story of these, in part, mysterious and almost inexplicable intrigues. "But these and the like discourses *made great impression on the army;* to which Mr. Ashburnham's secret and long conferences contributed not a little, insomuch that the adjutators, who were wont to complain that Cromwell went *too slow* towards the king, began now to suspect that he had *gone too fast, and left them behind him:* from whence there were frequent complaints in the council of the army, of the intimacy Mr. Ashburnham and I had in the army; that Cromwell's and Ireton's door was open to us when it was shut to them; that they knew not why malignants should have so much countenance in the army, and liberty with the king. These discourses, both in public and private, Cromwell seemed highly to be offended with; and, when he could carry anything to his majesty's advantage amongst the adjutators, could not rest until he had made us privately partakers of it; but withal he told Mr. Ashburnham and me, that, if he were an honest man, he had said enough of the sincerity of his intention—if he were not, nothing was enough; and therefore conjured us, as we tendered his majesty's service, not to come so frequently to his quarters, but send privately to him, *the suspicions of him being grown to that height, that he was afraid to lie in his own quarters.* But this had no operation upon Mr. Ashburnham, who alleged that we must show them the necessity of agreeing with the king, from their own disorders."

officers, and some even of the adjutators, they had many private solemn meetings in London, where they humbled themselves before the Lord, and sought his good pleasure, and desired that he would be pleased to reveal it to his saints, which they interpret those to be who are most violent, or zealous' (as they call it) in the work of the Lord. These found it apparent that God had, on the one side, hardened the king's heart, and blinded his eyes, in not passing the Proposals, whereby they were absolved from offering them any more; and, on the other side, the Lord had led captivity captive, and put all things under their feet, and, therefore, they were bound to finish the work of the Lord, which was to alter the government according to their first design: and to this end they resolved to seize the king's person, and to take him out of Cromwell's hands."

Thus threatened on all sides by the hatred and power of the Presbyterians and Scots, who had disliked him from the first,—by the vacillation, insincerity, and duplicity of the king, and by the violence of the republican party in the army,—Cromwell, by the instinct of self-preservation, was obliged to choose; and nobody can reasonably doubt that for his own safety the best choice he could make was the republican section. At the same time he and Ireton devised how they might at once check the spirit of mutiny and the levelling principles in politics which had spread so widely in the army. If we are to believe a story told by two contemporaries, the hot-headed levellers already looked upon Cromwell as their greatest enemy; and our old acquaintance free-born John, now *Colonel* John Lilburne, but a leader of the adjutators, in alliance with Wildman, another adjutator, a man of the same stamp, had formed a plot to assassinate him as a renegade to the cause of liberty.* Ireton agreed with Cromwell, that the best thing to do, under the circumstances, was to draw the army together to a general rendezvous at Ware; and, as Fairfax readily consented, that meeting was fixed for the 16th of November. As soon as the tumultuous part of the army had notice of it, they resolved, before the day of the rendezvous, to seize the king's person.† And these Levellers had already given indications which had filled Charles with terror: they had declared him to be an Ahab,—a man of blood,—an everlasting obstacle to peace and liberty, and they had called for justice upon his head as the cause of the murder of thousands of free-born Englishmen. They had published "The Case of the Army," and "An Agreement of the People," which contained a new scheme of government on an essentially republican model, without king or lords. According to this constitution, the sovereignty resided solely in the people; parliaments were to be triennial, the elective franchise was to be extended, the representation to be distributed more equally; the law was to be reformed; and an entire freedom of conscience was to be granted to every man. Sixteen regiments seemed ready to draw the sword for this theory, and for the trial and punishment of the king. About a fortnight before the time appointed for the drawing together of the army, Ashburnham went from Hampton Court to Ditton, and told Sir John Berkeley that his majesty was really afraid of his life from the tumultuous part of the army, and was resolved to make his escape. Two nights after this interview Berkeley went to Hampton Court, where he was introduced privately by a back way. The king told him that he was afraid of his life, and that he would have him assist in his escape. Berkeley then asked which way his majesty would go; and Charles told him he should know that through Will Legge. It is generally asserted that it was Cromwell that gave Charles warning of his danger from the Levellers, though opinions are divided whether this were done out of a real regard to the king's safety, or as a device to frighten him into the hands of his worst enemies: but Berkeley, one of Charles's main agents, never alludes to Cromwell as the cause of the king's fears, and charges a very different party. "The Monday before," says Berkeley, "Mr. Ashburnham told me that the Scots had much tampering with the king, but could come to no agreement; that they would fain have his majesty out of the army, and to that end had much augmented his just fears." But Ashburnham, the other chief instrument, though he mentions that Lord Lanark and the Scotch commissioners had been with Charles, and engaged to assist him, does not mention their inspiring these fears, saying, "that his majesty . . . . being then confined to his chamber, was frequently advertised by *persons of good affection to him*, that there was some private practice upon his life; particularly Mr. Ackworth informed his majesty that Colonel Rainsborough was resolved to kill him."* Clarendon says—without any allusion to Cromwell—"The king every day received little billets or letters, secretly conveyed to him without any name, which advertised him of wicked designs upon his life: many who repaired to him brought the same advice from men of unquestionable sincerity." But, perhaps, without any warning from sincere friends, or any plot from Cromwell or from enemies, the manifestos of the Levellers in the army, and the reports of their behaviour which must have reached the king's ears, were of themselves cause sufficient to make him tremble and fly. At one moment, it appears, Charles thought of taking refuge in the city of London. Berkeley says that Ashburnham asked him what he thought of his majesty's going privately to London, and appearing in the House of Lords, and that he (Berkeley) replied, very ill; because the army were absolutely masters both of the city and parliament, and would undoubtedly seize his majesty;

* Memoirs of Denzil Hollis.—Sir John Berkeley's Memoirs.
† Sir John Berkeley.

* It is not the least perplexing part of this story that the chief actors in it—Berkeley and Ashburnham—frequently disagree with one another.

and, if there should be but two swords drawn in the scuffle, they would accuse his majesty of beginning a new war, and proceed with him accordingly. Here again there is some discrepancy. Ashburnham says that he proposed that his master should ask the Scottish commissioners whether they would meet his majesty at the lord mayor's house in London (whither he, Ashburnham, undertook to carry him), and there declare their whole nation to be satisfied with the king's last answer to the propositions delivered to him, and endeavour to make all the Presbyterian party in the city acquiesce; and that, that being done, his majesty should instantly send to the House of Peers to make the like offer, with this addition—that if the Peers were not satisfied, he would go in person to their House, and, with reservation of his conscience and honour, give them all other imaginable contentment;—that Lanark and the Scottish commissioners, after declaring that his majesty had never anything in view since the beginning of his troubles that was so likely to do his work, and unanimously agreeing to do their parts, cooled upon reflection, and finally excused themselves upon the defect of their power to undertake so weighty a business without the knowledge and command of the estates of Scotland, saying likewise that it would be too hazardous an attempt both for his majesty and them; yet handsomely offering to wait upon him in the utmost dangers as private persons, though they could not do it as public ministers.* Ashburnham adds, that upon this his majesty commanded him to propose some other place for him to go to, he being resolved to stay no longer at Hampton Court. "I did then," he says, "calling to mind what Colonel Hammond had said to me some few days before, that he was going down to his government because he found the army was resolved to break all promises with the king, and that he would have nothing to do with such perfidious actions; as likewise what had passed between the king and the Scots commissioners, and between me and Sir John Berkeley, in their dissent from his majesty's going to London, *unfortunately (in regard of the success, not of the ill choice of the place), offer to their thoughts Sir John Oglander's house in the Isle of Wight;* where his majesty might continue concealed till he had gained the experience of the governor's inclinations to serve him, which if good, that place would secure him certainly from the fears of any private conspiracy of the agitators at Putney (the principal end of his remove), there being then no soldiers of the army in that island; keep intelligence with the army if by any accident they should resume their desires of serving him (his flight from thence being liable to no other interpretation than to save his life); hold up the drooping hearts of his own party; give opportunity to the Scots or the Houses of parliament (both being then highly in opposition to the army) to make some further application to his majesty, and be more in readiness there than in any other part of the kingdom, to receive advantage by the fleet, if at any time the seamen should return to their duties. But if no conditions could be had from the governor, his majesty would be then close by the water-side, and might (when there should be no argument left for his stay) take boat and dispose of his person into what part beyond the seas he pleased."

Ashburnham adds, that Sir John Berkeley fully concurred in this plan; and, that having but a very little time to debate anything, "so pressing, and so impatient was the king to be gone," they sent Mr. Legge to desire his majesty to come in the evening into the gallery at Hampton Court, where Sir John Berkeley and himself would find means to gain access to him; that the king met them at the place appointed; that he (Ashburnham) besought his majesty to say whether really and in very deed he was afraid of his life in that place, as his going from thence seemed to them likely to produce a very great change in his affairs; that his majesty protested to God, that he had great cause to apprehend some attempt upon his person, and did expect every hour that it should be; that thereupon they said that it did not become them to make any further inquiry, but if his majesty would be pleased to say whither he would go, they would carry him thither or perish in the attempt; that the king replied that he had some thoughts of going out of the kingdom, but, for the shortness of the time to prepare a vessel, he was resolved to go to the Isle of Wight; and that then, the manner of his escape being agreed upon, they left him, till the next night.

On the 11th of November, late at night, news reached London that the king was gone from Hampton Court. According to Rushworth, "about nine of the clock, the officers who attended him wondered he came not forth of his chamber, went in, and missed him within half an hour after his departure." He had left his cloak in the gallery, and some letters in his own hand-writing upon the table in his withdrawing room. One of these letters was addressed to the parliament, to the following effect:—"That liberty, the thing now generally pretended and aimed at, was as necessary for kings as any other; that he had a long time endured captivity and restraint, hoping it might tend to the settlement of a good peace; but, finding the contrary, and the unfixedness of the army, and new guards set upon him, he had withdrawn himself. That

* The following passage fully agrees with the king's plans as they were made more evident afterwards:—"One of the principal ends in that proposition was, to engage that nation (the Scotch) in such a public action as they would have no colour left them to desert his majesty any more: that either they should have prospered and had a very remarkable part in his restoration, and the rewards justly due to their merits, or have run the same fortune with the king, whereby a certain foundation would have been laid for a faithful conjunction between his majesty and them."—*Ashburnham's Narrative.* Sir John Berkeley, in describing the journey or flight from Hampton Court, says that his majesty "complained very much of the Scots commissioners, *who were the first that presented his dangers to* him, and offered him expedients for his escape; but when he proposed to make use of those they had offered, they were full of objections to them, saying, that his coming into London was desperate, his hiding in England chimerical, and his escape to Jersey prevented." Berkeley adds other circumstances which reflect rather severely on the honour or sincerity of the Scotch commissioners.

wheresoever he should be, he would earnestly labour the settlement of a good peace, and to prevent the effusion of more blood; and if he might be heard with honour, freedom, and safety, he would instantly break through his cloud of retirement, and show himself ready to be *Pater patriæ*.

"CHARLES REX."*

On the morrow the Lord Montague acquainted the House of Lords of the king's flight the preceding night; and a letter from Cromwell, dated on the 11th, at twelve at night, was read in the Commons, "signifying the king's escape; who went away about nine of the clock yesterday evening." On the 13th Colonel Whalley made a narrative to the Lords concerning his guarding of the king, and the manner of his majesty's escape.† On the same day the Scottish commissioners directed a letter to the Speaker of the House of Lords, stating that they had heard that his majesty was gone from Hampton Court, and desiring that both Houses would make known to them the certainty thereof. The Commons declared it to be high treason to conceal or harbour the king's person, or know of any that did without revealing it immediately to the Speakers of both Houses, and that every person so guilty should forfeit his whole estate and die without mercy.

Neither Ashburnham nor Berkeley gives any clear account of the escape from Hampton Court. Ashburnham, indeed, says not a word about the journey until they were within less than twenty miles of the Isle of Wight. Berkeley says that on the Wednesday they had orders to send spare horses to Sutton, in Hampshire; and that on the Thursday his majesty, with Will Legge, came out at the close of the evening, and immediately went towards Oatlands, and so through the forest, where his majesty acted as guide. The other particulars given by Berkeley are, that that November night was exceedingly dark and stormy; that they lost their way in the forest, though his majesty was so well acquainted with it; that in the course of conversation the king agreed that the Scottish commissioners had deceived him in saying that he (Berkeley) had had a ship ready, and that that ship had been discovered; and that they had so acted in order that "by this means his majesty, being excluded from all other means of escaping, should have been necessitated to make use of Scotland." Berkeley does not pretend, however, that he had ever had any ship, but intimates that he expected that Ashburnham, who kept the king's money, would have provided some vessel. If we are to credit Berkeley, Charles, even in that stormy night, was undecided whither he would go. "I asked his majesty," says he, "which way he would go," and his majesty replied that he hoped to be at Sutton three hours before day, and that, while our horses were making ready, we would consider what course to take. But, what by the length and badness of the road, the darkness of the night, and our going at least ten miles out of our way, it was day-break when we came to our inn at Sutton; where our servant came out to us, and told us there was a committee of the county then sitting about the parliament's business." Berkeley goes on to say, that thereupon, without venturing into Sutton, they sent for their horses out, and continued their way towards Southampton; that, on descending a hill, they all alighted, and, leading their horses in their hands, consulted what they were to do; and that then for the first time, for ought he (Berkeley) could discover, his majesty resolved to go to the Isle of Wight. Ashburnham, on the other hand, who has before asserted that Berkeley knew everything, and fully concurred in the scheme of going to the Isle of Wight, says, that *now* his majesty's mind was changed, and he would not go into the isle until he knew how the governor would receive him. These two managers of the flight agree in stating that they were sent forward to confer with Hammond; and that his majesty, with Legge, went to a house of my Lord Southampton's at Titchfield, there to wait till he heard from them. But Berkeley relates other circumstances, of which Ashburnham says nothing, affirming that they carried with them (to show to the governor of the Isle of Wight) a copy of the letter his majesty left at Hampton Court, and of two letters sent to him, one from Cromwell, the other without a name; both expressing great apprehensions and fears of the designs of the levelling party in the army and city against his majesty; that from Cromwell adding, that, "in prosecution thereof, a

* Whitelock; who adds, "On the night of the 11th news came to town of the king's escape; that the officers who attended him, wondering that he came not forth of his chamber, where he had been writing most part of the night before, went in and missed him: that posts were sent into all parts to discover and stay him."

† Journals—Parl. Hist.—Whalley, in a letter to the Speaker of the House of Commons, says, "And as for the manner, Mr. Speaker, of the king's going away, it was thus. Mondays and Thursdays were the king's set days for his writing letters, to be sent into foreign parts. His usual time for coming out of his bed-chamber on those days was betwixt five and six o'clock. Presently after he went to prayers. And about half an hour after that to supper; at which times I set guards about his bed-chamber. Because he made no long stay after supper before he retired himself thither. About five of the clock I came into the room next his bed-chamber, where I found the commissioners and bed-chamber men. I asked them for the king: they told me he was writing letters in his bed-chamber. I waited without mistrust till six of the clock; I then began to doubt, &c." The following account was given by a newspaper of the day:—"Nov. 11. This day will be famous in after times, because towards the end of it his majesty escaped a kind of restraint, under which he was at Hampton Court; and, according to the best relation, thus:—He, as was usual, went to be private a little before evening prayer; staying somewhat longer than usual, it was taken notice of; yet at first without suspicion; but he not coming forth suddenly, there were fears, which increased *by the crying of a greyhound again and again within*; and upon search it was found that the king was gone; and by the way of Paradise, a place so called in the garden; in probability suddenly after his going in, and about twilight. He left a paper to the parliament, another to the commissioners, and a third to Colonel Whalley."—*The Moderate Intelligencer, from Thursday, Nov. 14 to Thursday, Nov. 18, 1647, as quoted by Lord Ashburnham, in Vindication of the Character and Conduct of John Ashburnham.* There is confirmation for this touching little newspaper story about the crying of the poor hound that missed its master. In the postscript to one of the letters which Charles left on his table, he said to Whalley, "I had almost forgot to desire you to send the black-gray bitch to the Duke of Richmond." And Sir Philip Warwick tells us that Charles had a great love for greyhounds, preferring them much to spaniels. In the same letter to Whalley there are other and more affecting passages relating to Charles's disposal of the family pictures he had kept with him at Hampton Court.

new guard was the next day to be put upon his majesty of that party." There are other disagreements in the accounts of these two servants of royalty, who both endeavour to exculpate themselves from the charge of being the cause of leading the king into captivity (that either of them did so knowingly we cannot credit), and who were both but too ready to seek to relieve themselves from their share in the misadventure, at the expense of any body and everybody else. We believe, for our own part, that their heads and that of the king as well were utterly bewildered, that they knew not what to do for the best, and the circumstances of the case may well excuse their confusion and wavering. Berkeley says that they came to Lymington that night, but could not pass over to the island by reason of a violent storm; that the next morning they got over and went to Carisbrook Castle, where the governor dwelt; that, at Mr. Ashburnham's desire, he took Hammond aside, and delivered the king's message to him word for word. "But," continues Sir John, "he grew so pale, and fell into such a trembling, that I did really believe he would have fallen off his horse; which trembling continued with him at least an hour after, in which he broke out into passionate and distracted expressions, sometimes saying, O, gentlemen, you have undone me by bringing the king into the island, if, at least, you have brought him; and, if you have not, pray let him not come; for, what between my duty to his majesty, and my gratitude for this fresh obligation of confidence, on the one hand, and my observing my trust to the army, on the other, I shall be confounded. Otherwhile he would talk to a quite contrary purpose. I remember that, to settle him the better, I said that, God be thanked, there was no harm done; that his majesty intended a favour to him and his posterity, in giving himself an occasion to lay a great obligation upon him, and such as was very consistent with his relation to the army, who had so solemnly engaged themselves to his majesty: but if he thought otherwise his majesty would be far from imposing his person upon him. To that he replied, that then, if his majesty should come to any mischance, what would the army and kingdom say to him that had refused to receive him? To this I replied, that he did not refuse him, who was not come to him. He returned, that he must needs know where his majesty was, because he knew where we were. I told him he was never the nearer for my part, He then began a little to sweeten, and to wish that his majesty should have reposed himself absolutely upon him, because it would have been much the better for both. I then went to Mr. Ashburnham, and told him that this governor was not a man for our purpose, and that, for my part, I would never give my consent that his majesty should trust him. Mr. Ashburnham acknowledged that he did not like him; yet, on the other side, he much feared what would become of his majesty, if he should be discovered before he had made his point, and made appear what his intention was; for then he would be accused of what his enemies pleased to lay upon him." Thus far Sir John Berkeley. But Ashburnham describes this strange scene very differently. He says that, on first addressing the governor, Berkeley asked him who he thought was very near him? That Hammond said he knew not; and that Berkeley replied, "Even good King Charles, who is come from Hampton Court for fear of being murdered privately." "This," continues Ashburnham, "was, to speak modestly, a very unskilful entrance into our business, nothing being to be preserved with greater secrecy from him, than that the king was come from Hampton Court, our pretence naturally being to have to return thither with his answer, to the end that his majesty might have made a judgment of Hammond's resolution at his own leisure, which of necessity he must have done, if Sir John Berkeley had not discovered that the king was so near him." Ashburnham confirms Berkeley's account of Hammond's confusion. "At the first," says he, "the governor seemed very much discomposed, but, after some pause, desired to know what his majesty would expect from him. I told him, to preserve him in honour and safety so as became his duty to the peace of the nation, by a happy reconciliation between him and the parliament and army; so he desired we would dine with him, and he would think further of what we had proposed, professing to be very willing to serve the king." Ashburnham goes on to inform us that, by this invitation to dinner, Sir John Berkeley and he got opportunity to confer together, and concluded that, as his majesty was in great danger to be taken if he stayed where he then was, it was necessary they should shorten the work with the governor by desiring his positive answer to this question—whether he would deliver his majesty to the parliament or army, in case they should desire unreasonable things from him, such as were altogether repugnant to his conscience and honour, and such as he must refuse to grant; that the governor hesitated a little, but, after debating the question for a while with Sir John Berkeley alone, he cheerfully offered to bind himself thus far, that, since it appeared his majesty came from Hampton Court to save his life, if he pleased to put himself into his hands, whatever he could expect from a person of honour or honesty, his majesty should have it made good by him; and that then both Ashburnham and Berkeley, setting still before them the sad apprehensions of the king's being pursued and taken before they could get back to him, concluded upon closing with this engagement. Berkeley, on the other side, saying not a word about the invitation to dinner, asserts that the conference apart was between Ashburnham and the governor; that, after some conference, they came both to him, when the governor said that, since they desired it, he would say that, because his majesty had made choice of him as a person of honour and honesty, to lay this

great trust upon, he would not deceive his majesty's expectation; that thereupon he (Berkeley), more cautious than his companion, replied that the governor's expressions were too general, and did not come home to their instructions from the king; that Hammond then made many discourses not much to the purpose, during which time he kept himself between him (Berkeley) and Mr. Ashburnham, and when he found him still unsatisfied, he told him that he was harder to content than Mr. Ashburnham, and that he believed his majesty would be much easier pleased than either of them; and that thereupon he (Hammond) concluded that Berkeley should go into the castle, and that Mr. Ashburnham should take his horse and go to the king, and tell his majesty what he had said. "I embraced the motion," continues Berkeley, "most readily, and immediately went over the bridge into the castle, though I had the image of the gallows very perfectly before me. Mr. Ashburnham went, I believe, with a better heart to horse; but before he was gone half a flight-shot, the governor, being before the castle gate, called to him, and had a conference of at least a quarter of an hour with him, to what purpose I never knew, until I came into Holland, where a gentleman of good worth and quality told me, that the governor affirmed afterwards in London, and in many places, that he then offered to Mr. Ashburnham that I should go, and he should stay, as believing his majesty to be less willing to expose him than me, but *that* Mr. Ashburnham absolutely refused.* Whatever passed between them, I am sure they came both back to me; and the governor, putting himself between us, said, that he would say that which he was sure ought to content any reasonable man, which was, that he did believe his majesty relied on him, as on a person of honour and honesty, and therefore he did engage himself to us, to perform whatever could be expected from a person of honour and honesty. Before I could make any, Mr. Ashburnham made this reply—I will ask no more. The governor then added, Let us all go to the king, and acquaint him with it. Mr. Ashburnham answered, With all my heart. I then broke from the governor, who held me in his hand, and went to Mr. Ashburnham, and said, What, do you mean to carry this man to the king before you know whether he will approve of this undertaking or no? Undoubtedly you will surprise him. Mr. Ashburnham said nothing but—*I'll warrant you.* And so you shall, said I; for you know the king much better than I do. . . . Well; he would take that upon him. I then desired he would not let the governor carry any other person with him, that, in all events, we might the more easily secure him (the governor), which he consented to. Nevertheless, when we came to Cowes Castle, where we were to take boat, Hammond took Basket, the governor of the castle, along with him; and when I complained of it to Mr. Ashburnham, he answered, it was no matter, for that we should be able to do well enough with them two." Though he tells the story somewhat differently, taking to himself the credit of refusing to stir if Hammond should take any soldiers with them, Ashburnham agrees with Berkeley in the main point of their conducting Hammond to the king's hiding place, saying, "I presently laid hold of his going to the king, and was very glad of that motion, there being no better salve, in any understanding, for the only difficulty which rested with me, which was, that his majesty would not be at liberty to do anything else, in case he should not approve of what was tendered to him. The governor having then the knowledge of his being come from Hampton Court, and not far from him, would certainly have sent spies with either of us, and so have been sure to have seized him, if he should have taken any other course; and by his going I conceived *a good expedient was offered* to put into his majesty's power to dispose of himself any other way, if he liked not to go to the Isle of Wight upon these conditions."

What the good expedient was which offered itself to Ashburnham's mind we shall see presently. Crossing the narrow strait which separates the beautiful isle from the main, the party landed, and went on all together—Berkeley, Ashburnham, Hammond, and Basket—to the Lord Southampton's house; and there, as the two narrators agree, Ashburnham first went up and spoke with Charles. He himself says, that when he had made the whole relation, the king told him, with a very severe and reserved countenance, that notwithstanding the engagement he verily believed the governor would make him a prisoner. "I presumed to tell him," continues Ashburnham, "that I was sure his instructions had been fully obeyed, they being to try what conditions we could get for him; but since what was done did not please him, I was happy that I had *provided an expedient;* so that if he would say what other course he would steer, I would take order that the governor should not interrupt him. (*It would be curious to know whether Hammond had any notion of the risk he was running in accompanying this very desperate servant of royalty.*) His majesty asked me how that could possibly be, since the governor was come with us? I answered, that his coming made any other way more practicable than if he had stayed behind. He then told me that he had sent to Hampton for a vessel, to transport him into France, and was in good hope to be supplied, and that he expected news of it every moment, but very earnestly pressed to know how I would clear him of the governor; I

* Ashburnham says that Sir John Berkeley offered himself to stay, which proposal he (Ashburnham) did not much dispute, both because he thought that part (the staying in the castle) least dangerous, "signifying only a man's drawing his neck out of the collar," and because he (Ashburnham) believed himself likely to be the more useful of the two to his majesty in case he had taken up any other resolution, as he well knew all the sea-coasts of that country. How Berkeley's going into a strong castle—which he himself says he did with the fear of the gallows before his eyes—can be described as a man's drawing his neck out of the collar, we are at a loss to understand.

answered that I was resolved and prepared to kill him and the captain with my own hands. His majesty, walking some few turns in the room, and (as he was afterwards pleased to tell me) weighing what I had proposed to him, and considering, that if the ship should not come, it would not be many hours before some (in pursuance of him) would seize him, the consequence whereof he very much apprehended, resolved he would not have execution done upon the governor, for he intended to accept of what he had proffered and to go with him, and therefore commanded he should be called up, Sir John Berkeley being not yet come to the king."* The governor (Hammond) and Sir John Berkeley were then called up. "His majesty," says Berkeley, "judged that it was now too late to boggle, and therefore received Hammond cheerfully, who promised more to his majesty than he had done to us; and we all went over that night to the Cowes." The next morning they went to Carisbrook Castle, Charles being comforted on the way by divers gentlemen of the island, who assured him that the whole island was in his favour, except the governors of the castles and Hammond's captains. The king had for a while nothing to complain of, and no apparent grounds for any other than feelings of satisfaction: he was allowed to ride abroad, and led to believe that he might freely quit the island whenever he chose. His friends at a distance approved, by their letters, the step he had taken; and he and Ashburnham assailed the governor very prosperously: so that Hammond and his captains seemed to desire nothing but that he would send a civil message to the Houses, signifying his inclination to peace and agreement. Three days after their arrival at Carisbrook, the parliament, informed by Hammond where the king was, send to demand his three attendants—Ashburnham, Berkeley, and Legge; but the governor refused to let them go. At the same time, nevertheless, Hammond attended to the order that he was to guard the person of the king with all vigilance.

On the fifth day after their arrival in the Isle of Wight, Charles and his friends learned the result of the rendezvous of the army, which they had looked forward to with extreme anxiety, apprehending nothing but destruction from the triumph of the mutinous soldiery. Nor had Cromwell been less anxious: the Levellers had accused him of taking the king out of their hands and smuggling him away; and they had threatened to take the life of the renegade. But wise measures had been adopted; Fairfax had set his high name and authority against the adjutators and Levellers, and at the decisive moment it was found that that faction was numerically weak. When the troops met at Ware, only two regiments—Harrison's horse and Robert Lilburne's foot, who both came to the ground wearing in their hats the motto "The people's freedom and the soldiers' rights"—showed any mutinous spirit. Cromwell, followed by some of his favourite officers, galloped into the ranks of these mutineers, seized one of their ringleaders, and caused him to be shot on the instant;—and in that single instant all opposition vanished. The army was thus again united, but it was presently seen that Ireton and Cromwell, though they had checked the ultra-revolutionary Levellers, had thrown themselves into the republican movement. Within a week after the rendezvous at Ware, the officers of the army and a vast number of the soldiers waited upon Cromwell and Ireton, and told them, that though they were certain to perish in the enterprise, they would leave nothing unattempted to bring the whole army over to their side; and that, if all failed, they would make a division in the army, and join with any one who would assist them in the destruction of those that should oppose them. This signified that Cromwell and Ireton *must* join the republican party, or lose everything. It is said that Cromwell and his son-in-law thereupon concluded that, since they could not bring the army over to their views, it would be best for them to comply with the demands of the army—a schism between them being sure destruction to both parties. In pursuance of this resolution, Cromwell bent all his thoughts to make his peace with that party which was most opposed to the king—acknowledging to them that the glory of the world had so dazzled his eyes that he could not discern clearly the great works that the Lord was doing. And from this time it is certain the commonwealth or republican party, both in the army and in parliament, were resolved to decline treating with the king for his restoration to the exercise of the royal authority, upon any terms at all, thinking it safer and better, for the permanent peace and welfare of the nation, to settle the state without him.*

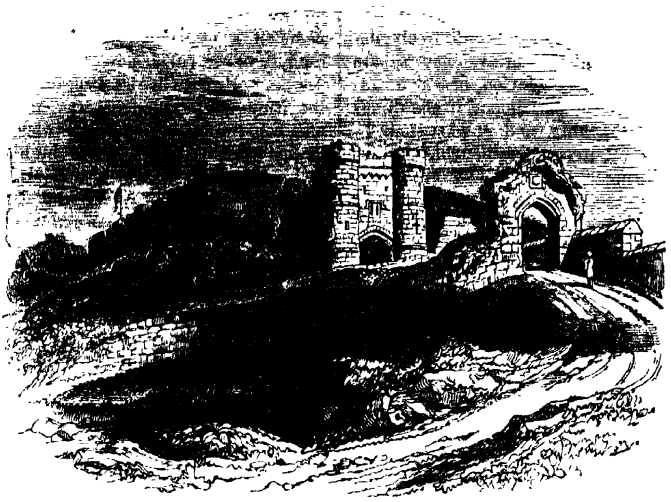
In the mean time Charles had sent Sir John Berkeley from the Isle of Wight with letters to Fairfax, Cromwell, and Ireton, at Windsor. "As I was half-way between Bagshot and Windsor," says Berkeley, "Cornet Joyce, a great adjutator, and he that had taken the king from Holmby, overtook me. . . . Upon my discourses with him,

* Berkeley, who acknowledges that he was not present, thus describes what passed between the king and Ashburnham. "I afterwards understood, that when Mr. Ashburnham had given an account of our message and the governor's answer, and came to say that he was come along with us to make good what he had promised, his majesty struck himself upon the breast, and said, What! have you brought Hammond with you? O, you have undone me; for I am by this means made fast from stirring. Mr. Ashburnham replied, that if he mistrusted Hammond, he would undertake to secure him. His majesty said, I understand you well enough; but the world would not excuse me. For, if I should follow that counsel, it would be said, and believed, that he (Hammond) had ventured his life for me, and that I had unworthily taken it from him. No, it is too late now to think of anything but going through the way you have forced upon me, and to leave the issue to God. But when his majesty began anew to wonder that he could make so great an oversight, Mr. Ashburnham, having no more to reply, wept bitterly."

* Baron Maseres's Preface to Select Tracts relating to the Civil Wars in England.—This learned and and acute writer adds, "And in this resolution Cromwell, since his late reconciliation with the Commonwealth party, seems to have concurred; but, till that event, I conceive him to have continued sincere in his professions of attachment to the king, and his desire of being the chief instrument of his restoration to the royal authority upon the moderate proposals drawn up by Commissary-General Ireton, or such others as might be thought sufficient to protect the liberties and privileges of the people against any future attempts of arbitrary power in the crown.

I found that it had been discoursed among the adjutators, whether for their justification the king ought not to be brought to a trial; which he held in the affirmative: not, he said, that he would have one hair of his head to suffer, but that *they* might not bear the blame of the war." On reaching Windsor, Berkeley went to Fairfax's quarters, and found the officers met there in a general council. After waiting an hour he was admitted into that full assembly; and, having delivered his letters to the general, he was desired to withdraw. After waiting another half hour he was again called in. "The general," says he, "looked very severely upon me, and, after his manner, said that they were the parliament's army, and therefore could not say anything to his majesty's motion of peace, but must refer those matters to them, to whom they would send his majesty's letters." Berkeley then looked about, upon Cromwell and Ireton and the rest of his acquaintance among the officers, who saluted him very coldly, and had their countenance quite changed towards him. The next morning Berkeley contrived to let Cromwell know that he had secret letters of instruction to him from the king; but Cromwell now sent him word that he durst not see him, bade him be assured that he would serve his majesty as long as he could do it without his own ruin, but desired him not to expect that he should perish for the king's sake. Berkeley thereupon proceeded to London, and put himself in communication with the Lords Lauderdale and Lanark. At the same time, the queen was applied to for a ship of war to carry off Charles from the Isle of Wight. Almost at the same moment, while the parliament were again deliberating about fresh propositions to be sent to the king, Charles addressed a letter to the Speaker of the Lords' House, to be communicated also to the House of Commons. He reiterated his scruples of conscience concerning the abolition of episcopacy, but said that he hoped he should satisfy the parliament with his reasons, if he might personally treat with them. The commissioners of Scotland, who were almost frantic at the triumphant march of the Independents, urged with great vehemence that this desire of the king for a personal treaty might be granted, The parliament "resolved upon a middle way," and on the 14th of December they passed four propositions, drawn up in the form of acts, which, when the king had signed, he was to be admitted to a personal treaty at London. These propositions were. 1. That his majesty should concur in a bill for settling of the militia. 2. That he should call in all declarations, oaths, and proclamations, against the parliament, and those who had adhered to them. 3. That all the lords who were made after the great seal was carried away should be rendered incapable of sitting in the House of Peers. 4. That power should be given to the two Houses of Parliament to adjourn as they should think fit. The commissioners of Scotland, who had been acted upon by Lauderdale and Lanark and Berkeley, and who had received several communications from Charles himself, protested against the sending of these four bills to the king before he should be treated with at London. On the 24th of December the bills were presented to Charles at Carisbrook Castle, where the king, understanding the mind of the Scots, and the factions in London, absolutely refused to give his assent; and the commissioners, with this stern denial, returned to London. But, by this time, Charles, notwithstanding his scruples of conscience, had made up his mind to a secret treaty with the Scots, in which he engaged to renounce episcopacy and accept the covenant, the Scots, on their part, engaging to restore him by force of arms; and on the 28th of December he privately signed this treaty.

A D. 1648.—And now Charles thought of flying from the Isle of Wight, being probably alike apprehensive of the consequences of his refusing the four propositions of parliament, and of those which must follow any detection of his treaty with the Scots or of his other plans—for other plans of various kinds were certainly entertained. But Hammond had now sent Ashburnham, Berkeley, and Legge out of the island, so that they could no longer be active in the business of contriving the king's escape from Carisbrook, and the guards had been doubled at the castle. In fact, Charles was now, for the first time, a close prisoner. A French vessel had arrived in Southampton Water, but it was dismissed. Ashburnham and Berkeley, however, kept a relay of saddle-horses on the coast, hoping that Charles might get out of the castle; and such was the activity and ingenuity of these men, and of the king himself, that an active correspondence was still carried on between the royal captive and his friends in France, Scotland, and London. On one dark night Charles well nigh got out of the castle. "Being confident," says Ashburnham, "of the assistance of one about him, and having discovered (upon trial) that he could pass his body between the bars of the window of his chamber, because he found there was room for his head (the rule being that where the head can pass the body may); but most unhappily he mistook the way of measure, for, instead of putting forth his head sideways, he did it right forward; by which error, when all things were adjusted for his escape the second time, and that he thought to put in execution what he thought so sure (his passage through the window) he stuck fast in it, and (as he was pleased to send me word) did strain so much in the attempt, as he was in great extremity, though with long and painful strugglings he got back again without any certain notice taken by any man, but by him who waited to have served him when he had come down." On another occasion a drum beat suddenly at dead of night in the quiet little island town of Newport; and one Captain Burley tried to get up an insurrection and rescue the king—"a design so impossible for those that undertook it to effect, they consisting chiefly of women and children, without any arms, saving



Carisbrook Castle,
In its present state; from an Original Drawing.

one musket, that no sober man could possibly have been engaged in it." Poor Burley was made prisoner and subsequently put to death as a traitor. Silken cords wherewith to descend and aqua fortis wherewith to corrode the bars of his prison, it is said, were adroitly conveyed to the royal prisoner.* But the parliament were now working with more corrosive acids. On the 3rd of January, 1648, the Commons took into consideration the king's refusal of their four propositions. "The dispute," says May, "was sharp, vehement, and high, about the state and government of the commonwealth; and many plain speeches made of the king's obstinate averseness and the people's too long patience. It was there affirmed, that the king, by this denial, had denied his protection to the people of England, for which only subjection is due from them; that, one being taken away, the other falls to the ground; that it is very unjust and absurd that the parliament, having so often tried the king's affections, should now betray to an implacable enemy both themselves and all those friends who, in a most just cause, had valiantly adventured their lives and fortunes; that nothing was now left for them to do, but to take care for the safety of themselves and their friends, and settle the Commonwealth (since otherwise it could not be) without the king."† Sir Thomas Wroth declared that kings of late had carried themselves as if they were more fit for Bedlam than Tophet—that he cared not what forms of government were set up, so it were not by kings or devils; and there were other members equally violent against monarchical government. Ireton spoke with great force, declaring that the king had denied that protection to the people which was the condition of their obedience to him; that they ought not to desert the brave men who had fought for them beyond all possibility of retreat or forgiveness, and who would never forsake the parliament, unless the parliament first forsook them. "After some further debate, Cromwell brought up the rear. It was time, he said, to answer the public expectation; that they were able and resolved to govern and defend the kingdom by their own power; and teach the people they had nothing to hope from a man whose heart God hardened in obstinacy." It is said, that in warning the House of the danger of driving the army to despair, he laid his hand upon his sword, and told them he trembled to think of what might follow.* The end of all this was a vote, in which the Lords concurred with the Commons—that no further addresses or applications should be made to the king, or any message received from him, without the consent of both Houses, under the penalties of high treason.† At the same time, it was voted that a committee should draw up a declaration to satisfy the kingdom.

On the 9th of January there was sent up from head-quarters at Windsor, "a declaration from his Excellency Sir Thomas Fairfax and the general council of the army, of their resolution to adhere to the parliament, in their proceedings concerning

* According to Herbert, while Charles was in Carisbrook Castle he spent much of his time in reading. "The Sacred Scripture was the book he most delighted in: he read often in Bishop Andrews' Sermons, Hooker's Ecclesiastical Polity, Dr. Hammond's works, Villalpandus upon Ezekiel, Sands's Paraphrase of King David's Psalms, Herbert's Divine Poems, and also Godfrey of Bulloigne, writ in Italian by Torquato Tasso, and done into English heroic verse by Mr. Fairfax,—a poem his majesty much commended,—as he did also Ariosto, by Sir John Harrington, a facetious poet, much esteemed, &c., and Spenser's Fairy Queen, and the like, for alleviating his spirits after serious studies."—*Memoirs.*

† Breviary.

* Walker, Hist. of the Independents.—This Presbyterian writer is not free from the most violent prejudices.

† Whitelock.—May.

the king." After a rapid review of the history of the case, of the king's denials, &c., this remarkable declaration ended thus: "We do freely declare for ourselves and the army, that we are resolved, through the grace of God, firmly to adhere to, and stand by, the parliament, in the things voted concerning the king, and in what shall be further necessary for prosecution thereof, and for settling and securing of the parliament and kingdom, *without the king, and against him*, or any other that shall hereafter partake with him."* Both Houses passed a vote of thanks to the army for this declaration.

The Scottish commissioners, whose secret treaty with the king was more than suspected, now ran down to Scotland to prepare for war. As long as these noble Scots remained in London and in good agreement with the English parliament, they had had a share in the executive power, which was vested in a committee of both kingdoms. Now this executive power was lodged solely in an English committee, called the Committee for the Safety of the Commonwealth. It was composed of seven peers—the Earls of Northumberland, Kent, Warwick, and Manchester, the Lords Saye, Wharton, and Roberts; and thirteen members of the House of Commons—Mr. Pierpoint, Mr. Fiennes, Sir Harry Vane, senior, Harry Vane, junior, Sir William Armine, Sir Arthur Haselrig, Sir Gilbert Gerrard, Sir John Evelyn, Lieutenant-General Cromwell, Mr. St. John, Mr. Wallop, Mr. Crew, and Mr. Browne, who all sat together at Derby House, and who had power to suppress tumults and insurrections, and to raise forces as they saw occasion. Part of the army, which had certainly overawed the House of Lords and driven them into compliances, was now quartered about Westminster, the Mews, and the city. "The parliament," says May, "though victorious, though guarded with a gallant army, no forces visibly appearing against it, was never in more danger. All men began, in the spring, to prophesy that the summer would be a hot one, in respect of wars, seeing how the countries were divided in factions, the Scots full of threats, the city of London as full of unquietness. And more sad things were feared, where least seen; rumours every day frightening the people of secret plots and treasonable meetings. . . . The king's party began to swell with great hopes, and look upon themselves not as vanquished, but as conquerors; nor could they forbear vaunting every where, and talking of the king's rising, and the ruin of the parliament. The same thing seemed to be the wish of those whom they called Presbyterians, who were ready to sacrifice themselves and their cause to their hatred against the Independents, who wished that quite undone, which themselves could not do, and desired that liberty might be quite taken away by the king, rather than vindicated by the Independents. The king himself (though set aside, and confined within the Isle of Wight) was more formidable this summer than in any other, when he was followed by his strongest armies. The name of king had now a further operation, and the pity of the vulgar gave a greater majesty to his person. Prince Charles also, by his absence, and the name of banishment, was more an object of affection and regard to those vulgar people, than he had ever been before; and, by his commissions (which his father privately sent him) seeming to be armed with lawful power, did easily command those that were willing to obey him; and, by commands, under his name, was able to raise (as will afterwards appear) not only tumults, but wars."

In the course of the late debate which ended in the vote against more addresses one member of the Commons at least had proposed setting the king aside and confining him for life in some inland fortress; but the present aspect of things showed that, be where he would, Charles would ever be a most dangerous enemy. The first insurrectionary movement of any consequence took place in London, upon Sunday, the 9th of April, when a mob of apprentices and other young people stoned a captain of the train-bands, in Moorfields, took away his colours, and marched in disorderly rout to Westminster, crying out, as they went, "King Charles! King Charles!" They were quickly scattered by a troop of horse that sallied out of the King's Mews; but, running back into the city, they filled it with fears and disorders all that Sabbath night, broke open houses to procure arms, and enforced the lord mayor to escape privately out of his house and fly into the Tower. On the morrow morning Fairfax stopped this mischief in the beginning, but not without bloodshed. Shortly after, a body of about three hundred men came out of Surrey to Westminster, demanding that the king should presently be restored. As they cursed the parliament and insulted the soldiers on guard there, a collision ensued, in which several lives were lost. At the same time the men of Kent drew together in great numbers, and, on the other side of the Thames, Essex became the scene of a great rising for the king. In various other parts of the kingdom there were tumultuary gatherings or attempts made by the royalists to surprise castles and magazines of arms. Pontefract Castle was nearly carried in the night by eighty cavaliers, each with a foot soldier mounted behind him. The Presbyterians, uniting with the concealed royalists, seemed again to acquire the ascendancy in the House of Commons; and to Cromwell and the Independents the triumph of the Presbyterians would have been nothing less than destruction. On the 24th of April* a Presbyterian majority voted that the military posts and defences of the

* May.—Whitelock.

On the preceding day, "at a conference the Lords acquainted the Commons that the Duke of York, with the Duke of Gloucester, and the Lady Elizabeth, being together playing in a room the last night after supper by themselves, the Duke of York privately slipped from them down the back stairs without cloak or coat, in his shoes and stockings, and by the way of the Privy Garden, having got a key of the door, he escaped away through the park, and could not be found."—*Whitelock.* Charles, who, as we have mentioned, contrived to maintain communications with St. James's, had ordered his second son to fly.

city of London should be again intrusted to the common council; and four days after they carried their motion that the government of the kingdom should continue to be by king, lords, and commons, and that a new treaty should be opened with King Charles, notwithstanding the recent vote of non-addresses. And, being as intolerant as ever,—hating the Independents much more on account of their religious opinions than on that of their republicanism,—they revived an ordinance which punished heresy and blasphemy with death.

The men of Kent, after threatening the parliament for some time at a distance, marched boldly upon London. Fairfax encountered them in the end of May on Blackheath, with seven regiments, and drove them back to Rochester. But Lord Goring, with several officers of the late army of the king, made head again and got into Gravesend, while other bodies of the Kentish men took possession of Canterbury and tried to take Dover. Ireton and Rich soon gave an account of the latter, and Goring was soon fain to cross the Thames and raise his standard in Essex. He was followed by Fairfax, who drove him into Colchester, and shut him up in that place. Simultaneously with these movements the royalists had risen in Wales and had taken Pembroke Castle; and at this time it may be said that scarcely any part of England was quiet. But victorious Cromwell got again to horse, rode rapidly into Wales, defeated Langhorn and the royalists there, and retook Pembroke Castle. The whole of the north of England was in commotion, and every day a Scottish army was expected across the borders, not to fight as aforetime against the king, but for him. Upon the return of their commissioners, the Scottish parliament, after demanding from the English the establishment of presbytery, the extirpation of heresy, the disbanding of Fairfax's heretical army, the immediate restoration of the king, and other things equally unlikely to be granted, voted that they would preserve the union and ends of the covenant, and oppose the popish, prelatical, and malignant party, as well as the sectaries, if they should be put to engage in a new war; that they would endeavour to rescue his majesty, and put the kingdom of Scotland into a posture of defence. And soon after they began to raise an army, not for the defence of Scotland, but for the invasion of England. Duke Hamilton and his party, who managed these matters, took care to proclaim that Charles would take the covenant, and give his assurance by oath and under his hand and seal to uphold the true Presbyterian kirk; but the old Covenanters, now headed by Argyle, the declared enemy of Hamilton, and the clergy, the most effective soldiers in all these warfares, were as far as possible from being satisfied with these assurances, and soon the whole kirk of Scotland cursed the war as impious. The vote which Hamilton had carried in parliament was for 30,000 foot and 6000 horse; but he could only raise 10,000 foot and 400 horse, nor even these till the month of July, by which time Cromwell and Ireton and Fairfax had restored order in most parts of England. When the Scots crossed the borders, they were disgusted and horrified at the thought of being joined by the English royalists under Langdale, because they were prelatists or papists, or men that had fought against the blessed covenant. The forces of the parliament in the north, being too weak to risk a battle, retreated before Langdale and Hamilton, but not far; for Cromwell, who had entirely finished his work in Wales, came up, joined Lambert and Lilburne, surprised Langdale near Preston, in Lancashire, drove him back upon the main body of the Scots, and then, on the same day, completely routed Hamilton, whom the conqueror pursued to Warrington. Lieutenant-General Baillie, with a great part of the Scotch army, who had only quarter for their lives, was taken prisoner. Duke Hamilton himself was captured within a few days at Uttoxeter, and Langdale not long after was taken in a little village near Widmerpool. And this was the success of Duke Hamilton's invasion of England to liberate the king. His party, never strong in Scotland, was utterly annihilated; Argyle, the friend and correspondent of Cromwell, organised a new government,* invited the conqueror, who had pursued part of the routed army beyond the Tweed, to Edinburgh Castle, and there most honourably entertained him. Thanks were given by the ministers to Cromwell, whom they styled the preserver of Scotland under God. And it was forthwith ordered by the committee of estates and the assembly of the kirk, that no man who had joined with Hamilton in the late invasion of England should be elected for the new parliament or admitted a member of the assembly, for the faction of Hamilton were adjudged enemies to religion and to both the kingdoms.†

On the 16th of October, having finished his business in Scotland, Cromwell left Edinburgh, being conducted some miles on his road by Argyle and the Scottish nobles of that party; at whose parting great demonstrations of affection passed betwixt them.‡ During his absence in the north the royalists had not been idle in the south. The Earl of Holland, who had served and deserted

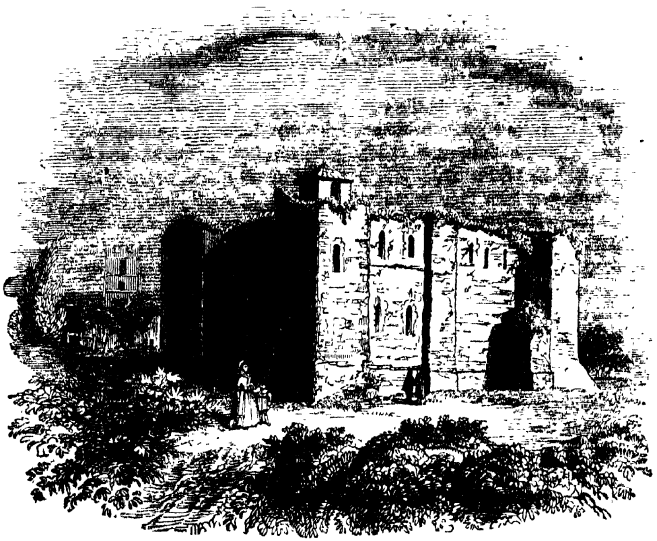
* Soon after, "Argyle took at Leith a ship with 10,000 arms, from Denmark, designed for Duke Hamilton."—*Whitelock.*

† May, Breviary.—"It was worthy of noting," adds this contemporary, whose affections were with the Independents, "that that English army which were by the religious party of Scotland called a bundle of sectaries, and reviled by opprobrious names, should now be acknowledged by the same Scots to be the instruments of God, and vindicators both of the church and of the kingdom of Scotland The greatest peers of Scotland, also, did ingenuously confess their rashness and error the year before, for accusing this army as rebellious, for acting the very same things in England, which now themselves were enforced to act in Scotland, for preservation of that kingdom. This great change in the council of Scotland would have been much to be wondered at, if the change that then happened in the English parliament had not been a still greater miracle. Who would not be amazed at this, that Cromwell, for vanquishing a Scottish army (by which he delivered England from the worst of miseries), should be acknowledged there to have been the preserver of Scotland, and yet should not here be allowed to have been the preserver of England! And that the same victory of his against the Scots should please the Presbyterian Scots for religion's sake, and yet, for religion's sake, should displease the Presbyterians of England! Œdipus himself cannot unriddle this; especially if he judge according to reason, and not according to what envy, hatred, and embittered faction, can produce."

‡ The Perfect Politician.

every party, veered round once more to the court, irritated by the contempt in which the parliament held him, and animated perhaps by a hope that the Presbyterians, united with the Scots, must now prove victorious. He corresponded with Duke Hamilton, and engaged to make a rising in London on the same day on which Hamilton should cross the border. And upon the 5th of July, whilst Fairfax was busy at Colchester, he collected five hundred horse in the city, and called upon the citizens to join him for King Charles. This call was little heeded, for the citizens had suffered severely for their late apprentice-boy riot, and the earl marched away to Kingston-upon-Thames, whence he issued invitations to join him, and manifestos of his intention of ending the calamities of the nation. Sir Michael Levesey and other gentlemen, "who took occasion by the forelock," fell suddenly upon him, and put him to flight after a short but sharp engagement, in which the Lord Francis Villiers, who, with his brother the Duke of Buckingham, had joined Holland, was piteously slain. Holland fled with a small part of his horse to the town of St. Neots, but, being pursued by Colonel Scrope, whom Fairfax detached for that purpose, he surrendered at discretion on the 10th of July. On the 27th of August Goring and the royalists, who had bravely defended themselves in Colchester for more than two months, surrendered at discretion to Fairfax, who refused any other terms, as the officers had been declared traitors by parliament. Cromwell had set the example at Pembroke Castle, by shooting one officer, whose fate was determined by drawing lots; and now Fairfax shot two, Sir Charles Lucas and Sir George Lisle, in the same manner at Colchester. Goring was committed to close prison to abide the doom of parliament.

While the Earl of Holland was going over to the king, his brother, the Earl of Warwick, remained steady to the parliament, and performed the most important of services. About the beginning of June several of the chief ships in the national fleet revolted, put their vice-admiral, Ramsborough, ashore, affirming that they were for the king, and would serve Prince Charles, and sailed away to Holland, where the prince then was, and with him his brother the Duke of York. The parliament at this crisis re-appointed the Earl of Warwick to be lord high admiral; and this nobleman, so beloved by the seamen, entered upon the command with a cheerful certainty of success. From the moment that he raised his flag mutiny and desertion ceased. He stationed himself at the mouth of the Thames to watch the Essex coast, to prevent supplies and reinforcements being sent to Colchester, and to defend the approach to London. In the month of July the Prince of Wales appeared in the Downs with a good fleet, consisting of the English ships which had deserted to him, and of some which he had procured abroad. Men would naturally have imagined that the son's first attempt would have been for the liberation of his father from Carisbrook Castle; but, though young Charles remained absolute master of the sea and coasts for several weeks, Warwick being too weak to face him, no such attempt was ever made. Clarendon says plainly that the person of the king was not wanted, or at least that "it cannot be imagined how wonderfully fearful some persons in France were that he should have made his escape, and the dread they had of his coming thither."



REMAINS OF COLCHESTER CASTLE. From an Original Drawing.

The prince sent a command to Warwick to strike his flag, and yield obedience to him as supreme admiral by the king's commission; but the earl kept his flag flying, and, avoiding an engagement, waited the arrival of reinforcements from Portsmouth, still covering the Essex coast. The prince, from the mouth of the Thames, maintained a secret correspondence with some persons in the city of London, but the merchants there were greatly indisposed to his service when he demanded money from them to save their ships from capture. The utter failure of Hamilton's expedition and of all the royalist risings, the surrender of Colchester, and the temper of the people along the coasts, rendered the presence of the royalist fleet useless; but still if it had sailed to the Isle of Wight it might have saved the king, whose very life was now threatened. The hapless prisoner expressly urged this course by a message, yet the prince still lay about the Downs, the sailors, it is said, insisting upon fighting the fleet under Warwick. To our minds, these things suggest darker thoughts than arise out of any other transaction of these times. On the other side, Warwick waited patiently till Sir George Ayscough, successfully sailing by Prince Charles in the night, brought round the reinforcements from Portsmouth. Then the parliament's fleet was a match for the royalists, but the prince ventured no attack, fired not a gun, and, through a real or pretended want of provisions, stood round and steered away for the Dutch coast, without an effort for—apparently without a thought of—his hapless father. The Levellers reproached Warwick for not engaging and destroying the prince and his fleet; but, by the course he pursued, that commander, perhaps, did better service for the parliament: he followed the retreating fleet to the coast of Holland, most carefully avoiding any collision with such of the ships as were English; he sent his men on shore to talk with their countrymen and old comrades about the wickedness and folly of deserting their own country, and serving against it with foreigners; he offered the mutineers a free pardon from the parliament, and he soon recovered most of the ships and nearly every English seaman that had deserted.

While Cromwell, who had with him several of the republican leaders in parliament, was engaged as yet with the war in Wales, the Presbyterians carried several important votes, and entirely annulled and made void the resolution against making more addresses to the king. Emboldened by their success, they proposed that, without binding him to anything, they should bring the king to London, and there treat with him personally with honour, freedom, and safety; and this would have been carried but for Cromwell's decisive victories, the ruin of Hamilton, and the other circumstances which revived the hopes and courage of the Independents, the fears and misgivings of the Presbyterians. At last, as a sort of compromise between the two parties, it was voted that fifteen commissioners—the Earls of Northumberland, Pembroke, Salisbury, Middlesex, and Saye, of the Upper House, and the Lord Wenman, Sir Harry Vane, junior, Sir Harbottle Grimstone, Hollis, Pierpoint, Browne, Crewe, Potts, Glynne, and Buckley, of the Commons—should conduct a treaty personally with Charles, not in London, but at Newport, in the Isle of Wight. The treaty was not fairly entered upon until the 18th of September, when Prince Charles had returned to Holland, and when Cromwell was thinking of returning from Scotland. "The king," says May, "during this treaty, found not only great reverence and observance from the commissioners of parliament, but was attended with a prince-like retinue, and was allowed what servants he should choose, to make up the splendour of a court. The Duke of Richmond, the Marquess of Hertford, the Earls of Southampton and Lindsey, with other gentlemen of note, and a competent number of them, waited in his train; his own chaplains and divers of his lawyers, to advise him in the treaty, were allowed there. But whilst this treaty proceeded, and some months were spent in debates, concessions, and denials, behold, another strange alteration happened, which threw the king from the height of honour into the lowest condition. So strangely did one contrary provoke another. Whilst some laboured to advance the king into his throne again upon slender conditions, or none at all, others, weighing what the king had done, what the commonwealth, and, especially, what the parliament's friends might suffer, if he should come to reign again with unchanged affections, desired to take him quite away. From hence divers and frequent petitions were presented to the parliament, and some to the General Fairfax, that whosoever had offended against the commonwealth, no persons excepted, might come to judgment."* The first of these petitions, entitled "The humble petition of many thousands of well-affected men in the cities of London and Westminster, in the borough of Southwark, and the neighbouring villages," was presented to parliament on the 11th of September; it was followed by many others from different counties of England, and from several regiments of the army, the scope of them all being the same—that is, that justice might be done; that the chief authors of so much bloodshed, and particularly those who had been the raisers of this second civil war, and were now in the parliament's custody, as Hamilton, Holland, Goring, Capel, and the rest, should be proceeded against; that the king himself, the chief offender, the raiser of the whole war, should be called to judgment; that the parliament should not ungratefully throw away so many miraculous deliverances of Almighty God, nor betray themselves and their faithful friends by deceitful treaties with an implacable enemy. The important cities of Newcastle, York, and Hull, with others that had been among the greatest sufferers in the war, called for impartial and speedy justice, for the execution of incendiaries, and the

* May, Breviary.

forfeiture of their estates to go towards discharging arrears and paying the public debt. The counties of Oxford, Somerset, and Leicester, petitioned to the same effect. On the 4th of October the petition of many commanders in the army was presented; on the 10th three other petitions were brought up in one day; on the 18th Ireton's regiment petitioned for justice upon the king as if he were the humblest commoner; and on the 21st Ingoldsby's regiment proclaimed the king to be a traitor, and the negotiations at Newport a trap.

But there was small chance now that the Presbyterians and Independents would agree with the king in any treaty. The matured successes of Cromwell had removed all cause of apprehension from Sir Harry Vane, the chief manager for the Independents, and the Presbyterians were wholly disconcerted by the king's determined resolution not to gratify them in church matters. The articles submitted to the king were substantially the same as those which had been proposed to him at Hampton Court, and not much harsher than the articles which had been discussed so long before at Uxbridge. Again were the Liturgy and episcopacy debated at a wearisome length. Charles asked what fault they found in the Book of Common Prayer. The Presbyterians replied that the Liturgy was taken out of the mass-book, only spoilt in the translation. The king said that, if it were good in itself, that did not make it ill. The sale of bishops' lands Charles held to be sacrilege. He insisted that episcopacy should not be abolished, but only suspended; that the bishops' lands should not be sold, but only leased for a term of years; that all his adherents and followers should be admitted to composition for their delinquency; and that the covenant should be forced neither upon any of them, nor upon himself, until his conscience were better satisfied. The Presbyterian commissioners, who saw their own ruin in that of the king, knelt, and wept, and prayed, but all was in vain. Other points Charles yielded readily enough, but he promised, as he had ever done, with a mental reservation to break his promises as soon as he should be able. On the 24th of October, when he had assented to the propositions of the commissioners about the command of the army, he wrote to Sir William Hopkins, a gentleman in the Isle of Wight, with whom he was concerting some new means of escape:—"To deal freely with you, the great concession I made this day was merely in order to my escape, of which if I had not hope, I would not have done it." He had also agreed to cease all connexion with the papists in Ireland, and yet, encouraged by some circumstances which had occurred in that island, he wrote to Ormond, who, after yielding to the parliament, was ready to do everything against it, desiring him to obey all the queen's commands, not to obey any command of his own until he should advertise him that he was free from restraint, and not to be surprised at his great concessions concerning Ireland—"for," said Charles, "they will come to nothing." This letter, which was written on the 10th of October, was soon followed by another, in which he spoke in the following terms of the pending treaty with the parliament:—"And though you will hear that this treaty is near, or at least most likely to be concluded, yet believe it not, but pursue the way you are in with all possible vigour. Deliver also this my command to all your friends, but not in a public way, because otherwise it may be inconvenient to me." The English parliament had no knowledge of these royal letters; but a letter written by Ormond came into their hands, and from it they learned that Ormond had returned from France to Ireland with authority to treat with the insurgents. The commissioners consequently desired his majesty to make a public declaration that he had given no authority to Ormond, and that he disapproved of his proceedings. After several palpable falsehoods, Charles wrote a public letter commanding Ormond to desist; but the marquess, who had been well schooled, went on more vigorously than ever.*

All this time the king was buoying himself up with hopes that he should be able to escape,—that his friends would relieve him,—or that, if all failed, he should give that colour to his resistance that would entitle him to the honour of a martyr. "Though they cannot relieve me in the time I demand it," said Charles, "let them relieve me when they can, else I will hold it out till I make some stone in this building my tombstone. And so will I do by the Church of England."† In the course of the discussions at Newport, he always put the church question foremost, and it is said that he displayed very considerable knowledge upon that head, and a presence of mind and of wit in no way impaired by misfortune. "For," says Warwick, "through the whole treaty, managing all thus singly himself, he showed that he was very conversant in divinity, law, and good reason, insomuch as one day, whilst I turned the king's chair, when he was about to rise, the Earl of Salisbury came suddenly upon me and called me by my name, and said, The king is wonderfully improved; to which I as suddenly replied, No, my lord, he was always so; but your lordship too late discerned it."

The Presbyterians in parliament, beset by the army, and deeming their only salvation to lie in a successful termination of the negotiations with the king, added twenty days to the forty originally prescribed for the duration of the treaty. This brought them down to the 27th of November; but, in the interval, their scheme had been shaken to pieces by the Independents. The army had drawn together in the town of St. Albans, and there a council of officers, after a week's deliberation and preparation, drew up a remonstrance to the House of Commons, which was presented by a deputation from their own body, and seconded by

* Birch, Inquiry.

† Sir Philip Warwick's Memoirs. Warwick was admitted to attend upon the king at Newport.

a letter from Fairfax. The remonstrance urged their sad apprehensions of the danger and evil of the treaty with the king, and of any accommodation with him; that he ought to be brought to trial on account of the evils done by him; that the English monarchy should henceforward be elective, or, "that no king be hereafter admitted but upon the election of, and as upon trust from, the people by their representatives, nor without first disclaiming and disavowing all pretence to a negative voice against the determinations of the said representatives or commons in parliament, and that to be done in some certain form, more clear than heretofore in the coronation oath;" that a period should be set to this present parliament; that parliaments for the future should be annual or biennial; and that the elective franchise should be extended and made more equal. This remonstrance, which is of very great length, and signed by Rushworth, now secretary to the Lord General Fairfax, "induced a long and high debate, some inveighing sharply against the insolency of it, others palliated and excused the matters in it, and some did not stick to justify it, but most were silent because it came from the army, and feared the like to be done by them as had been done formerly: in fine, the debate was adjourned."*

In fact Cromwell was now at hand; and he, the most powerful of all, was determined, above all, not to trust for an hour to so weak a reed as a treaty with Charles,—not to brook the existence of the Presbyterian faction, which of late had carried most of their measures by large majorities. He had been for some time in earnest correspondence with Governor Hammond, representing to him that, before the Lord and in his own conscience, he would be justified in keeping the person of the king for the service and uses of the army, which alone combated for the good cause; and now he and Ireton, perceiving that Hammond withstood these appeals and inclined to keep the king for the parliament, procured his recall to head-quarters, and got Colonel Ewer appointed in his stead. Ewer, a zealous republican, hastened to the Isle of Wight; and there, on the 30th of November, he sent a squadron of horse and Lieutenant-Colonel Cobbet to make sure of his majesty. Cobbet presented himself to the king in an abrupt manner, telling him that he had orders to remove him from Newport. Charles, much moved, asked for a sight of these orders, and to know to what place he was to be carried. Cobbet told him that it was to be out of the island, but he would not show any orders. The noblemen, bishops, and officers of the household gathered round in alarm and grief; "but, no remedy appearing, they approached to kiss the king's hand, and to pour forth their supplications to Almighty God to safeguard and comfort his majesty in that his disconsolate condition; and his majesty, who at other times was cheerful in parting from his friends, showed sorrow in his heart by the sadness of his countenance."† He was sent over to the surer prison of Hurst Castle, situated on a little promontory which projects from the coast of Hampshire, right over against the Isle of Wight,—"a place which stood in the sea (for every tide the water surrounded it); and it contained only a few dog-lodgings for soldiers, being chiefly designed for a platform to command the ships."* The solitude and dreariness of the place struck like a death-damp to the heart of Charles. So confident was he that the "treasons" of the Independents were "not able to endure the sight of day" that he never, until the last moment, suspected that they would venture to bring him to a public trial and execution; but darker suspicions of secret assassination haunted his mind, and, as he looked round the dreary walls of Hurst Castle, he thought that were a fitting place for such a deed. Yet, whatever were the errors or crimes of the great leaders of the Independents, they were certainly men that abhorred this kind of guilt, and that had courage equal to the open course which they deemed essential to the preservation of their party—their own lives—their country. No notion of secret murder or assassination ever entered their heads. The enthusiasts on the other side were less innocent in this respect, and one of the bravest officers in the army had recently fallen beneath their daggers. This was Colonel Rainsborough, a thorough-going republican, who was shot and stabbed to death at Doncaster by three royalist ruffians, who got access to him by pretending that they were the bearers of a letter from his friend Cromwell.† Several other officers of less note were assassinated, and many persons were attacked, so that the report of the desperate royalists being banded for the purpose of removing in this way the enemies of the king was not altogether an absurd rumour.

On the 30th of November, the same day on which Ewer removed the king from Newport, the question, whether the remonstrance of the army should be taken into speedy consideration, was negatived by the Presbyterian majority in the Commons, and a letter from Fairfax, demanding money and threatening to take it where he could find it if he were not seasonably supplied, was voted "a high and unbeseeming letter." And on the same eventful day a "declaration" from a full council of the army was presented to the

* Whitelock. † Herbert

* Warwick.

† Rushworth.—Whitelock says, "They came to his chamber, there called to him, and said they had a letter from Lieutenant-General Cromwell. The colonel rose and opened his door to them, expecting such a letter that morning, and presently the three soldiers fell upon him, shot him into the neck, and another shot him into the heart, with other wounds, and left him dead, escaping away without any alarm given." Clarendon says that they only intended to carry him off as security for the life of their general, Sir Marmaduke Langdale, who had been taken prisoner; that they found Rainsborough in his bed, and that, upon his beginning to struggle and to cry out, seeing no hope of carrying him away, they immediately ran him through with their swords; that, when Rainsborough's soldiers found their general dead upon the ground without any body in view, they thought the devil had been there, and that the "gallant party" (for so the royalist historian styles the assassins) got safe home without the least damage. The victim was as much distinguished by his knowledge of maritime affairs and his services at sea as by his military ability and services on shore. "There was not an officer in the army," says Clarendon, "whom Cromwell would not as willingly have lost as this man."

House, wherein the officers, after reciting their late remonstrance and justifying the heads of it, said, that to their great grief they found that, instead of a reasonable answer, they were put off from day to day; that they could see, in the majority of those trusted with the great affairs of the kingdom, nothing less than a treacherous or corrupt neglect of, and apostasy from, the public trust reposed in them; that, this parliament being sole judges of their own performance or breach of trust, they (the officers) held themselves necessitated to, and justified in, an appeal from the parliament as now constituted unto the extraordinary judgment of God and good people; that yet, in the prosecution of this appeal, they should wholly seek the speedy obtaining of a more orderly and equal judicature in a just representative, endeavouring to preserve so much of the present parliamentary authority as might be safe or useful till a purer constitution could be introduced; that they should rejoice if the majority of the House of Commons would become sensible of the destructiveness of their late ways, and exclude all such corrupt and apostatized members as had obstructed justice, safety, and public interest; desiring, however, that so many of them as God had kept upright would, by protests or otherwise, acquit themselves of guilt, promising to own such as should so do as having the chief trust of the kingdom remaining in them, &c. But the last clause of all was the most effective, for it told the House that, for all these ends, they were drawing up with the army to London, there to follow Providence as God should clear their way.*

The Presbyterian majority mustered courage to fall with some dignity. Notwithstanding this unequivocal declaration, notwithstanding the approach of the army, they, on the following day, the 1st of December, twice read over the report of the commissioners, detailing all his majesty's concessions in the treaty at Newport, and passed a vote of thanks to Hollis,† Pierpoint, and the Lord Wenman, three of the commissioners who had come last to town, for their great pains and care in managing that good treaty; Hollis then moved that the king's answer should be declared satisfactory and sufficient;* but this vital question was adjourned to the next day. Before they rose they ordered that a letter should be written to Fairfax to acquaint him that it was the pleasure of the House that he should not bring the army nearer to London. On the 2nd of December, when the question of the king's answer was resumed, and while they were in a long and high debate, Fairfax and his army arrived at London, and took up their quarters in Whitehall, St. James's, the Mews, York House, and other vacant houses. Another adjournment took place, and the House did not meet till the 4th of December. Then they learned—apparently for the first time—that the army had the person of the king in their hands; and they voted that the seizing of the king, and carrying him prisoner to Hurst Castle, was without the advice and consent of the House. It was on this day that Cromwell arrived in London. The debate about the answer and treaty was stoutly maintained by the Presbyterians, and the House sat all that night. Yet on the morning of the 5th they proceeded with the same debate. In the course of this long and fierce struggle many remarkable speeches were made on both sides. Sir Harry Vane the younger said that a treaty had been carried on for months, and that, after all, the king, if he were to be understood even by his own answers, reserved to himself the power or right of being as great a tyrant as before; and he moved that the House should instantly return to its former vote of non-addresses, cease all negotiations, and settle the commonwealth on another model. Sir Henry Mildmay declared that "the king was no more to be trusted than a caged lion set at liberty:" this was the conviction of the entire body of the Independents, and of a very considerable portion of the nation besides; nor can we conceive how the case should possibly have been otherwise. The Presbyterians, in the end, modified their resolution so as to make it assert, not that the king's answers were satisfactory, but that his concessions to the propositions of the parliament upon the treaty were sufficient grounds for settling the peace of the kingdom; and in this form it was carried in the course of the morning of the 5th by a majority of 140 to 104. This done, they appointed a committee to confer with Fairfax and the officers of his army for the continuance of a good correspondence and friendship between the parliament and them. But the mighty stream of revolution could not now be checked,—the sword was all-powerful,—the mace become a bauble. Twenty thousand brave and enthusiastic men had vowed in their hearts that they would purge this parliament; and on the morning of the 6th the regiment of horse of Colonel Rich and the foot regiment of Colonel Pride surrounded the Houses and dismissed the City train-bands who had kept guard. Colonel Pride, from whose active part in it the operation has been called "Pride's purge," drew up divers of his foot in the Court of Requests, and upon the stairs and in the lobby of the House; and, as the members were going into the House, the colonel having a paper of names in his hand, and one of the door-keepers, and sometimes Lord Grey of Groby standing by him to inform him who the members were, he seized upon such as were down on the list, and sent them away as prisoners, some to the Queen's Court and Court of Wards, and some to other places, by special order from the

* This declaration is signed by Rushworth, "by the appointment of his Excellency the Lord Fairfax, lord general, and his general council of officers held at Windsor." It was followed on the morrow by a letter from Fairfax to the lord mayor and common council of London, telling them of the immediate advance of the army towards the city, and referring them for the reasons thereof to their late remonstrance and declaration. The general assured the civil authorities that they were far from the least plunder or wrong to any, and that, for the better prevention of any disorder, they desired 40,000*l.* should be paid to them forthwith, and then they would quarter in the void and great houses in and about the city.—*Whitelock.*

† Hollis and the rest of the expelled members had been recalled by the Presbyterian majority.

general and council of the army. Forty-one leading Presbyterians were thus secured; and Pride continued his purge on the following day. Not a few of the members fled into the country or hid themselves in the city; so that, by the 8th of December, all that were left in the House of Commons were some fifty Independents, who were afterwards styled the Rump.

On the 6th, which Whitelock calls "a s and most disorderly day," Cromwell went into the purged or purified House, and received their hearty thanks for his great services to the kingdom. On the 8th, which was kept as a solemn fast, accompanied by a collection of money for poor soldiers' wives and widows, they adjourned till the 11th. On the Sunday, Hugh Peters, the Independent minister and great advocate of republicanism, preached in St. Margaret's, Westminster, upon the significant text, "Bind your king with chains, and your nobles with fetters of iron;" and, in the course of his sermon, he called King Charles the great Barabbas, murtherer, tyrant, and traitor. Twenty commoners of note, four earls, and the Prince Palatine, Charles's own nephew, were present at this discourse.

The Houses did not sit, as they had appointed to do, on the 11th; but Fairfax and the council of the army received on that day a new scheme of government, styled "A new representative, or an agreement of the people," which was said by its authors to be published with the view that any man might offer what he thought fit by way of alteration or addition to any part of it. The composition was generally thought to be Ireton's. It contained much the same matter as the late remonstrance of the army; but it went into more particulars about elections, and it prescribed that the present parliament should be wholly dissolved by April next, and a new one chosen according to the new rules. It declared that officers and malignants should be incapable of electing or being elected; that the country should be more equally represented; and that the House of Commons should consist in all of 300 members. On the following day both Houses—if we can call them by that name—sat, and letters from Ireland were received, intimating that the Marquess of Ormond was acting openly with the Papists and insurgents, whose main design was to seize upon Dublin. In the Commons the Independents, who had it all their own way, annulled the vote for revoking the order of disabling the eleven Presbyterian members, and for re-admitting them into the House; and they likewise voted that the House, by concurring with the Lords in rescinding the former vote which forbade any more addresses to the king, had acted in a manner highly dishonourable to parliament and destructive to the good of the kingdom. On the 13th they finished this part of their business, by deciding that the old vote of non-addresses should stand; and that the treaty in the Isle of Wight had been a monstrous error, a dishonour, and a great peril to the country. On the 16th a strong party of horse, under the command of Colonel Harrison, were detached to Hurst Castle with orders to remove the king to Windsor Castle. It was at the dead of night when Charles was startled by the creaking of the descending drawbridge and the tramp of horsemen. Before dawn he summoned Herbert to his bedside, and bade him learn what was the matter. Herbert soon told him that it was Colonel Harrison that had arrived. The king, in great trepidation, bade Herbert wait in the outer room, and went himself to his devotions, being still haunted by the dread of secret assassination, and believing that his last hour was now come. He prayed for nearly an hour, and then calling in Herbert, told him that Harrison was the man that had been named to him as designing to assassinate him. The king added, "I trust in God, who is my helper, but I would not be surprised; *this is a place fit for such a purpose.*" He was completely unmanned—he shed tears. Herbert went to glean more news, and, when he returned this second time, he told the king that Harrison's commission was merely to remove him to Windsor. Harrison, the suspected assassin, still kept out of sight. On the morrow Charles, with great alacrity, "bade solitary Hurst adieu." The party of horse guarded him to the entrance of Farnham, when another troop appeared drawn up in good order. "In the head of it was the captain gallantly mounted and armed; a velvet montier was on his head, a new buff coat upon his back, and a crimson silk scarf about his waist richly fringed; who, as the king passed by with an easy pace, as delighted to see men well horsed and armed, gave the king a bow with his head à la soldade, which his majesty requited."* It was Harrison; and Charles, who professed to have some judgment in faces, declared, after a searching gaze, that that man did not look like a murderer. That night, in the house where he was to lodge, the king took Harrison by the arm, and led him to the embrasure of a window, where they conversed for half an hour or more. Charles reminded the republican soldier how he had been warned that he had meant to assassinate him. Harrison replied, "that what was reported of him was not true; what he had said he might repeat—that the law was equally obliging to great and small, and that justice had no respect to persons—or words to that purpose."† Herbert tells us that his majesty finding these things "affectedly spoken, and to no good end, left off further communication with him, and went to supper, being all the time

* Herbert, Memoirs.

† Clarendon says, "In this journey, Harrison observing that the king had always an apprehension that there was a purpose to murder him, and had once let fall some words of the odiousness and wickedness of such an assassination and murder, which could never be safe to the person who undertook it; he told him plainly that he needed not to entertain any such imagination or apprehension,—that the parliament had too much honour and justice to cherish so foul an intention,—and assured him that whatever the parliament resolved to do would be very public, and in a way of justice, to which the world should be witness, and would never endure a thought of secret violence; which his majesty could not persuade himself to believe, nor did imagine that they durst ever produce him in the sight of the people under any form whatsoever of a public trial."—*Hist.*

very pleasant." On the 22nd of December he slept at Lord Newburgh's house, or lodge, in the royal park of Bagshot, and on the 23rd he was safely lodged in Windsor Castle.

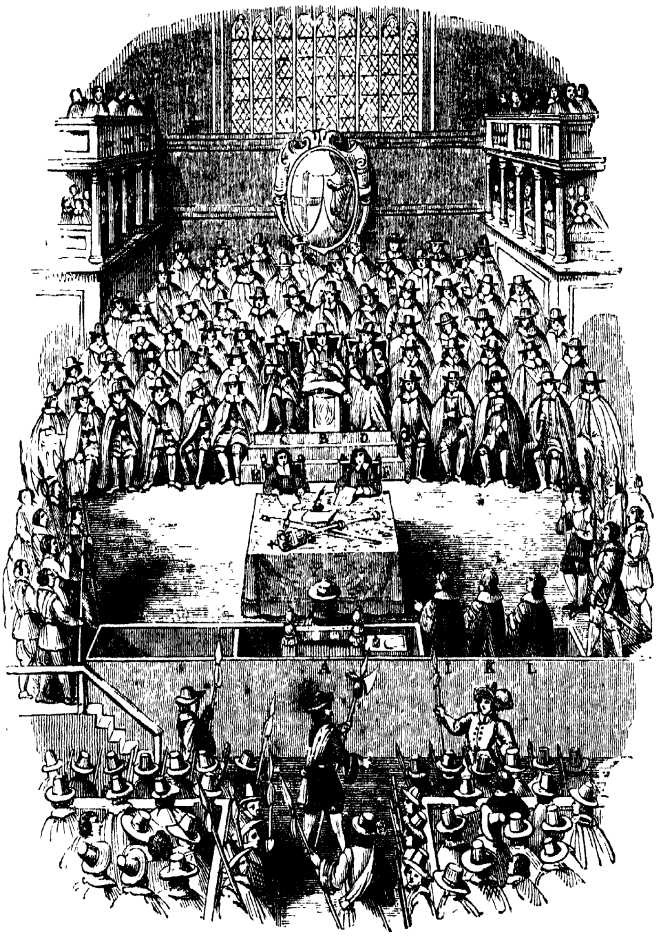
A.D. 1649.—On the same day the Independents, calling themselves the House of Commons, appointed a committee of thirty-eight "to consider of drawing up a charge against the king, and all other delinquents that may be thought fit to bring to condign punishment." A few voices were raised for the saving of life; but on the 1st of January an ordinance, prepared by a committee of thirty-eight, was reported to the fragment of the House. The preamble was to this effect:—"That the said Charles Stuart, being admitted king of England, and therein trusted with a limited power to govern by and according to the laws of the land, and not otherwise; and, by his trust, oath, and office, being obliged to use the power committed to him for the good and benefit of the people, and for the preservation of their rights and liberties; yet, nevertheless, out of a wicked design to erect and uphold in himself an unlimited and tyrannical power, to rule according to his will, and to overthrow the rights and liberties of his people; yea, to take away and make void the foundations thereof, and of all redress and remedy of misgovernment, which, by the fundamental constitutions of this kingdom, were reserved, on the people's behalf, in the right and power of frequent and successive parliaments, or national meetings in council; he, the said Charles Stuart, for accomplishing of such his designs, and for the protecting of himself and his adherents in his and their wicked practices, to the same ends hath traitorously and maliciously levied war against the present parliament and the people therein represented."† This ordinance was sent up to the Lords on the next day. Those few Lords that remained in the House rejected it without a dissentient voice, and then adjourned.‡ Forthwith the Commons, with closed doors, came to this resolution—"That the Commons of England, in parliament assembled, do declare that the people are, under God, the origin of all just power. And do also declare that the Commons of England, in parliament assembled, being chosen by representing the people, have the supreme power in this nation. And do also declare, that whatsoever is enacted or declared for law by the Commons in parliament assembled, hath the force of a law; and all the people of this nation are concluded thereby, although the consent and concurrence of king or House of Peers be not had thereunto."§

While these things were passing at Westminster, Charles, confident in the sacred dignity of majesty, was deluding himself with unaccountable hopes at Windsor. According to the Earl of Leicester's journal, it was reported on the 2nd of January, "that the king seems to be as merry as usual, and saith that he fears none; he makes the business talked on, for questioning him, a jest; and he saith that he hath yet three games to play, the least of which gives him hope of regaining all." And, under the date of the 3rd of January, the same nobleman notes, on the authority of Sir John Temple,—"The king yet takes no notice of their proceedings, and *gave order very lately for saving the seed of some Spanish melons which he would have set at Wimbledon.* He hath a strange conceit of my Lord Ormond's working for him in Ireland; he hangs still upon that twig."*

But in the House of Commons the storm rolled onward with increasing rapidity. On the 6th of January the ordinance for trial of the king was brought in, and the same day engrossed and passed. By this ordinance the Independents erected what they styled a High Court of Justice for trying the king, and proceeding to sentence against him; to consist of a hundred and thirty-five commissioners, of whom any twenty were to form a quorum. Among the commissioners were Fairfax, Cromwell, Ireton, Waller, Skippon, Harrison, Whalley, Pride, Ewer, Tomlinson,—in all, three generals and thirty-four colonels of the army; the lords Monson, Grey of Groby, and Lisle; most of the members of the Rump; Wilson, Fowkes, Pennington, and Andrewes, aldermen of the city; Bradshaw, Thorpe, and Nicholas, serjeants-at-law; twenty-two knights and baronets; various citizens of London, and some few country gentlemen. But, of all this number, there never met at one time more than eighty. On the 8th of January fifty-three assembled in the Painted Chamber, headed by Fairfax, who never appeared after that day, and ordered that, on the morrow, a herald should proclaim, and invite the people to bring in what matter of fact they had against Charles Stuart. And, on the morrow, Serjeant Dendy, who attended the commissioners, rode, according to their order, into Westminster Hall, with the mace on his shoulder, attended by some officers of the army and six trumpeters on horseback, guards both of horse and foot being drawn out in Palace-yard. The trumpets sounded in the middle of the Hall, the drums beat in the yard, and then proclamation was made that the commissioners for trial of the king would sit again on the morrow, and that all those who had anything to say against the king might then be heard. And by order of the House of Commons, then sitting, the like proclamation was made at the old Exchange, and in Cheapside.† On the same day (the 9th) the residue of the Commons voted that the great seal in use should be broken, and a new one forthwith made, and that this new seal should have on one side the inscription, "The Great Seal of England;" and on the other, "In the First Year of Freedom, by God's Blessing restored, 1648."‡ The commissioners for the trial chose

* Herbert.—Rushworth.—Whitelock.
† Rushworth.
‡ It appears that there were only twelve, at most thirteen, lords present.
§ Rushworth.

* Sydney Papers. † Whitelock.
‡ It would be 1649, New Style.—Whitelock says, "This was for the most part the fancy of Mr. Henry Martin, a noted member of



Trial of Charles I. From a Print in Nalson's Report of the Trial, 1684.

A. The King.
B. The Lord President Bradshaw.
C. John Lisle, } Bradshaw's Assistants.
D. William Say, }
E. Andrew Broughton, } Clerks of the Court.
F. John Phelps, }
G. Oliver Cromwell, } The Arms of the Commonwealth over them.
H. Henry Marten. }
I. Coke, } Counsellors for the Commonwealth.
K. Dorislaus, }
L. Aske, }

The description of the original plate ends with these words:—"The pageant of this mock tribunal is thus represented to your view by an eye and-ear witness of what he saw and heard there."

Serjeant Bradshaw to be their president, Mr. Steel to be attorney-general, Mr. Coke to be solicitor-general, and Dr. Dorislaus and Mr. Aske to act as counsel with them in drawing up and managing the charges against the prisoner. All preliminaries being arranged, Charles, on the 19th of January, was brought up from Windsor to St. James's, and on the following day he was put upon his trial.

the House of Commons, more particularly the inscriptions." The hypocritical speeches attributed to Cromwell on this occasion rest on very indifferent authority.

The place appointed for the trial was the site of the old Courts of Chancery and King's Bench, at the upper end of Westminster Hall. That vast and antique hall was divided by strong barriers placed across it. The gothic portal was opened to the people, who assembled in immense crowds. Everywhere, within the hall and around it, were soldiers under arms—every avenue of approach was guarded. The king was brought in a sedan-chair to the bar, where a chair, covered with velvet, was prepared for him. He looked sternly upon the court and upon the people in the galleries on

each side of him, and sat down without moving his hat. His judges returned his severe glances, and also kept on their hats. Upon a calling of the names sixty of the commissioners answered. Bradshaw, as president, in a short speech acquainted the prisoner with the cause of his being brought thither:—"Charles Stuart, King of England: The Commons of England being deeply sensible of the calamities that have been brought upon this nation, which are fixed upon you as the principal author of them, have resolved to make inquisition for blood; and, according to that debt and duty they owe to justice, to God, the kingdom, and themselves, they have resolved to bring you to trial and judgment, and for that purpose have constituted this high court of justice before which you are brought." Then Coke, as solicitor for the Commonwealth, stood up to speak; but Charles held up his cane, touched him two or three times on the shoulder with it, and cried "Hold! hold!" In so doing the gold head dropped from his cane.* Nevertheless Bradshaw ordered Coke to go on, who then said, "My Lord, I am come to charge Charles Stuart, King of England, in the name of all the Commons of England, with treason and high misdemeanors: I desire the said charge may be read." Coke then delivered the charge in writing to the clerk, who began to read it. Charles again cried "Hold!" but, at the order of the president, the clerk went on, and the prisoner sat down, "looking sometimes on the high court, sometimes up to the galleries; and having risen again, and turned about to behold the guards and spectators, sat down again, looking very sternly, and with a countenance not at all moved, till these words—namely, "Charles Stuart to be a tyrant, a traitor," &c., were read; "at which he laughed, as he sat, in the face of the court." When the long charge was finished, taxing the king with the whole of the civil war, with the death of thousands of the free people of the nation, with divisions within the land, invasions from foreign parts, the waste of the public treasury, the decay of trade, the spoliation and desolation of great parts of the country, the continued commissions to the prince and other rebels, to the Marquess of Ormond, the Irish papists, &c., Bradshaw, the lord-president, told him that the court expected his answer. Charles replied with great dignity and clearness.† He demanded by what lawful authority he was brought thither. "I was not long ago," said he, "in the Isle of Wight; how I came there is a longer story than is fit at this time for me to speak of; but there I entered into a treaty with both houses of parliament with as much public faith as is possible to be had of any person in the world. I treated there with a number of honourable lords and gentlemen, and treated honestly and uprightly. I cannot say but they did very nobly with me. We were upon a conclusion of the treaty. Now, I would know by what authority, I mean lawful,—for there are many unlawful authorities in the world, thieves and robbers by the highways,—but I would know by what authority I was brought from thence, and carried from place to place. Remember I am your lawful king. Let me know by what lawful authority I am seated here,—resolve me that, and you shall hear more of me." Bradshaw told him that he might have observed he was there by the authority of the people of England, whose elected king he was. "England," cried Charles, "was never an elective kingdom, but an hereditary kingdom for near these thousand years. I stand more for the liberty of my people than any here that come to be my pretended judges." "Sir," said Bradshaw, "how well you have managed your trust is known. If you acknowledge not the authority of the court they must proceed." "Here is a gentleman," said Charles, pointing to Colonel Cobbet, "ask him if he did not bring me from the Isle of Wight by force. I do not come here as submitting to this court. I see no House of Lords here that may constitute a parliament; and the king, too, must be in and part of a parliament." "If it does not satisfy you," exclaimed Bradshaw, "*we* are satisfied with our authority, which we have from God and the people. The court expects you to answer; their purpose is to adjourn to Monday next." He then commanded the guard to take him away, upon which Charles replied, "Well, Sir." And as he went away facing the court, he added, pointing to the sword, "I do not fear that." Some of the people cried "God save the king!" others shouted "Justice! justice!"* He was remanded to Sir Robert Cotton's house, and thence to St. James's; and the high court adjourned, and kept a fast together at Whitehall, where they heard much praying and preaching.

On Monday the 22nd of January, in the afternoon, Charles was led back to Westminster Hall. As soon as he was at the bar, Coke rose and said, I did at the last court exhibit a charge of high treason and other crimes against the prisoner in the name of the people of England. Instead of answering, he did dispute the authority of this high court. I move, on behalf of the kingdom of

* This little accident was deemed very ominous and of great importance. The loyal Sir Philip Warwick, who does not mention the king's tapping Coke on the shoulder, says, "He confessed himself to the Bishop of London, that attended him, one action shocked him very much; for whilst he was leaning in the court upon his staff, which had an head of gold, the head broke off on a sudden; he took it up, but seemed unconcerned; yet told the bishop, it really made a great impression upon him; and to this hour, says he, I know not visibly how it should come. 'Twas an accident, I confess, I myself have often thought on, and cannot imagine how it came about, unless Hugh Peters (who was truly and really his gaoler, for at St. James's no body went to him but by Peters' leave) had artificially tampered with his staff: but such conjectures are of no use."

† The king had a natural impediment in his speech, but it appears that at this exciting, awful moment his stammering left him. Warwick says, "The king's deportment was very majestic and steady; and, though his tongue usually hesitated, yet it was very free at this time, for he was never discomposed in mind."

* On this day, Whitelock says, "There were strict guards, many soldiers, and a great press of people at the trial of the king. The House sate only to adjourn. Some who sate on the scaffold about the court at the trial (particularly the Lady Fairfax, the lord general's wife) did not forbear to exclaim aloud against the proceedings of the high court, and the inveterate usage of the king by his subjects, insomuch that the court was interrupted, and the soldiers and officers of the court had much to do to quiet the ladies and others."

England, that the prisoner may be directed to make a positive answer by way of confession or negation; and that if he refuse so to do, the charge be taken *pro confesso*, and the court proceed to justice." Then Bradshaw told the prisoner that the court had taken into consideration what he had said as to its incompetency; that they were fully satisfied with their own authority, and did now expect that he should plead guilty or not guilty. Charles repeated that he still questioned the legality of this court; that a king could not be tried by any jurisdiction upon earth; but that it was not for himself alone that he resisted, but for the liberty of the people of England, which was dearer to him than to his judges. He was going on in this strain, talking of the lives, liberties, and estates of his people, when Bradshaw interrupted him by telling him that he, as a prisoner, and charged as a high delinquent, could not be suffered any longer to enter into argument and dispute concerning that court's authority. Charles replied, that, though he knew not the forms of law, he knew law and reason; that he knew as much law as any gentleman in England, and was therefore pleading for the liberties of the people more than his judges were doing. He again went on to deny the legality of the court, and Bradshaw again interrupted him; and this was repeated many times. At last the president ordered the serjeant-at-arms to remove the prisoner from the bar. "Well, Sir," exclaimed Charles, "remember that the king is not suffered to give in his reasons for the liberty and freedom of all his subjects." "Sir," replied Bradshaw, "how great a friend you have been to the laws and liberties of the people, let all England and the world judge." Charles, exclaiming, "Well, Sir," was guarded forth to Sir Robert Cotton's house. The court then adjourned to the Painted Chamber, on Tuesday at twelve o'clock. At the appointed time sixty-three commissioners met in close conference in the Painted Chamber, and there resolved that Bradshaw should acquaint the king that if he continued contumacious he must expect no further time; but if he submitted to answer, and demanded a copy of the charge, Bradshaw was to grant it, desiring him to give in his reply by one o'clock in the next afternoon. This done, the court adjourned to Westminster Hall, and the king was brought in with the accustomed guard. Coke again craved judgment. "My Lord President," said he, "this is now the third time that this prisoner hath been brought to the bar. I exhibited against him a charge of the highest treason ever wrought on the theatre of England. My lord, he did dispute the authority of this court. I might press your lordship, that when a prisoner is contumacious, according to the law of the land it shall be taken *pro confesso* against him. The House of Commons, the supreme authority and jurisdiction of the kingdom, have declared that it is notorious the charge is true, as it is in truth as clear as crystal and as the sun that shines at noonday; which, however, if the court are not satisfied in, I have, on the people of England's behalf, witnesses to produce, and therefore I pray (and yet it is not so much I as the innocent blood that hath been shed, the cry whereof is very great for justice and judgment) that speedy judgment be pronounced." Bradshaw followed in the same strain, saying, in conclusion, "Sir, you are to give your positive and final answer in plain English, whether you be guilty or not guilty of these treasons." Charles, after a short pause, said,—"When I was here yesterday, I did desire to speak for the liberties of the people of England: I was interrupted. I desire to know whether I may speak freely or not?" Bradshaw replied, that when he had once pleaded he should be heard at large; and he invited him to make the best defence he could against the charge. "For the charge," cried Charles, "I value it not a rush; it is the liberty of the people of England that I stand for. I cannot acknowledge a new court that I never heard of before. I am your king, bound to uphold justice, to maintain the old laws; therefore, until I know that all this is not against the fundamental laws of the kingdom, I can put in no particular answer. If you will give me time I will show you my reasons why I cannot do it, and"—here the president interrupted him; but Charles, as soon as his voice ceased, continued his reasoning; and after several interruptions of this kind, Bradshaw said, "Clerk, do your duty;" and the clerk read:—"Charles Stuart, king of England, you are accused in behalf of the Commons of England of divers crimes and treasons, which charge hath been read unto you; the court now requires you to give your positive and final answer, by way of confession or denial of the charge." Charles once more urged that he had done nothing against the trust that had been reposed in him; that he could not acknowledge a new court or alter the fundamental laws. Bradshaw replied, "Sir, this is the third time that you have publicly disowned this court and put an affront upon it. How far you have preserved the liberties of the people your actions have shown. Truly, Sir, men's intentions ought to be known by their actions; you have written your meaning in bloody characters throughout this kingdom. But, Sir, you understand the pleasure of the court. Clerk, record the default. And, gentlemen, you that took charge of the prisoner, take him back again." "Sir," rejoined Charles, "I will say yet one word to you. If it were my own particular, I would not say any more to interrupt you." "Sir," replied Bradshaw, "you have heard the pleasure of the court, and you are, notwithstanding you will not understand it, to find that you are before a court of justice." And then the king went forth with his guards to Sir Robert Cotton's house, where he lay.

As early as the 17th of January, the Rump had been advertised, by private letters from Scotland, that the parliament there, *nemine contradicente*,

did dissent from the proceedings of the parliament of England; 1. In the toleration extended to sectaries. 2. In the trial of the king. 3. In alteration of the form of government. And upon this day, Tuesday the 23rd, the Scottish commissioners, the Earl of Lothian, and Sir John Cheseley, who were in London for the purpose of treating with Charles and the parliament, and who had been dissatisfied with the concessions as to matters of religion made by the king at Newport, sent to the speaker of the Rump their solemn protest against all proceedings for bringing the king to trial. They proclaimed, in the name of the parliament and kingdom of Scotland, that they dissented, abominated, and detested the horrid design against his majesty's life; and that, as they were altogether free from the guilt of the same, so they hoped to be free from all the evils, miseries, confusions, and calamities that would follow thereupon.*

On the 24th and 25th of January, the fourth and fifth days of the trial, the court sat in the Painted Chamber hearing witnesses, having determined that, though the king refused to plead, they would proceed to the examination of witnesses *ex abundanti*,—in other words, only for the further satisfaction of themselves. On the sixth day the commissioners were engaged in preparing the sentence, having then determined that the king's condemnation should extend to death. A question was agitated as to his deprivation and deposition previously to his execution, but it was postponed, and the sentence, with a blank for the manner of death, was drawn up by Ireton, Harrison, Harry Marten, Saye, Lisle, and Love, and ordered to be engrossed.

On the morrow, the 27th of January, and the seventh day of this memorable trial, the high court of justice sat for the last time in Westminster Hall; and the Lord President Bradshaw, who had hitherto worn plain black, was robed in scarlet, and most of the commissioners were "in their best habit." After the calling of the court the king came in, as was his wont, with his hat on; and as he passed up the hall a loud cry was heard of "Justice!—justice! Execution!—execution!" "This," says Whitelock, "was made by some soldiers, and others of the rabble." The fact was, the soldiers, as had happened before, had begun to distrust the good faith or determination of their leaders, and to fancy darkly that, as six days had been allowed to pass without judgment, the king would be allowed to escape. One of the soldiers upon guard, moved by a better feeling, said, "God bless you, Sir!" Charles thanked him; but his officer struck the poor man with his cane. "Methinks," said Charles, "the punishment exceeds the offence." Bradshaw's scarlet robe and the solemn aspect of the whole court convinced the king that this would be his last appearance on that stage. The natural love of life seems to have shaken his firmness and constancy, and as soon as he was at the bar he earnestly desired to be heard. Bradshaw told him that he should be heard in his turn, but that he must hear the court first. Charles returned still more eagerly to his prayer for a first hearing, urging repeatedly that hasty judgment was not so soon recalled. Bradshaw repeated that he should be heard before judgment was given, and then remarked how he had refused to make answer to the charge brought against him in the name of the people of England. Here a female voice cried aloud, "No, not half the people." The voice was supposed to proceed from Lady Fairfax, the Presbyterian wife of the lord general, who still kept aloof, doing nothing; but it was soon silenced, and the president continued his speech, which ended in assuring the king that, if he had anything to say in defence of himself concerning the matter charged, the court would hear him. Charles then said, "I must tell you, that this many a day all things have been taken away from me, but that I call more dear to me than my life, which is my conscience and honour; and if I had a respect to my life more than to the peace of the kingdom and the liberty of the subject, certainly I should have made a particular defence; for by that, at leastwise, I might have delayed an ugly sentence, which I perceive will pass upon me. . . . I conceive that an hasty sentence once passed may sooner be repented of than recalled; and truly the desire I have for the peace of the kingdom and the liberty of the subject, more than my own particular ends, makes me now at least desire, before sentence be given, that I may be heard in the Painted Chamber *before the Lords and Commons*. I am sure what I have to say is well worth the hearing." Bradshaw told him that all this was but a further declining of the jurisdiction of the court, which was founded upon the supreme authority of the Commons of England, and sternly refused his prayer for a hearing in the Painted Chamber, which is generally, though perhaps very incorrectly, supposed to have related to a proposal for abdicating in favour of his eldest son. But one of the commissioners on the bench, John Downes, a citizen of London, after saying repeatedly to those who sat near him, "Have we hearts of stone? Are we men?" rose and said in a trembling voice, "My lord, I am not satisfied to give my consent to this sentence. I have reasons to offer against it. I desire the court may adjourn to hear me." And the court adjourned in some disorder. After half an hour's absence they all returned to their places, and that, too, with a unanimous resolution to send the king to the block. Bradshaw cried out, "Serjeant-at-arms, send for your prisoner;" and Charles, who had passed the time in solemn conference with Bishop Juxon, returned to his seat at the bar. "Sir," said Bradshaw, addressing him, "you were pleased to make a motion for the propounding of somewhat to the Lords and Commons for the peace of this kingdom. Sir, you did in effect receive an answer

* Whitelock.—Rushworth.

before the court adjourned; truly, Sir, their withdrawing and adjournment was *pro forma tantum*, for it did not seem to them that there was any difficulty in the thing; they have considered of what you moved, and have considered of their own authority. Sir, the return I have to you from the court is this,—that they have been too much delayed by you already." After some more discourse to the same effect, Bradshaw was silent; and then the king, saying that he did not deny the power they had, that he knew they had quite power enough, again implored to be heard by the Lords and Commons in the Painted Chamber. Bradshaw again refused in the name of the whole court, and proceeded to deliver a long and bitter speech in justification of their sentence. He told the fallen king that the law was his superior, and that he ought to have ruled according to the law; that as the law was *his* superior, so there was something that was superior to the law, and that was the people of England, the parent or author of the law; that this was not law of yesterday, but the law of old; that there were those things called parliaments—that the parliaments were wont to be kept anciently twice in the year,—that afterwards, by several acts in the days of his predecessor Edward III., they were appointed to be held once a year. "What the intermission of parliaments hath been in your time," continued Bradshaw, "is very well known, and the sad consequences of it; and what in the interim instead of these parliaments hath been by you with an high and arbitrary hand introduced upon the people, that likewise hath been too well known and felt. But when God, by his providence, had so far brought it about that you could no longer decline the calling of a parliament, yet it will appear what your ends were against the ancient and your native kingdom of Scotland; and the parliament of England, not serving your ends against them, you were pleased to dissolve it. Another great necessity occasioned the calling of this parliament; and what your designs, and plots, and endeavours all along have been, for the crushing and confounding of this parliament, hath been very notorious to the whole kingdom. And truly, Sir, in *that* you did strike at all; for the great bulwark of the liberties of the people is the parliament of England. Could you but have confounded that, you had at one blow cut off the neck of England: but God hath pleased to confound your design, to break your forces, to bring your person into custody, that you might be responsible to justice." After mentioning cases and countries in which the laws had brought evil kings to their doom, the President went on: "But truly, Sir, to you I need not mention these foreign examples. If you look but over Tweed, we find enough in your native kingdom. . . . . Sir, if I should come to what your stories make mention of, you know very well you are the 109th king of Scotland: to mention so many kings as that kingdom, according to their power and privilege, have made bold to deal withal—some to banish, and some to imprison, and some to put to death—it would be too long. . . . . We will be bold to say, that no kingdom hath yielded more plentiful experience than that your native kingdom of Scotland hath done concerning the deposition and the punishment of their transgressing kings. It is not far to go for an example: near you, your grandmother set aside, and your father, an infant, crowned. And the state did it here in England: here hath not been a want of some examples. They have made bold (the parliament and the people of England) to call their kings to account. There are frequent examples in the Saxons' time; since the Conquest there want not some precedents neither. King Edward II. nor King Richard II. were dealt with so by the parliament, as they were deposed and deprived; and truly, Sir, whoever shall look into their stories, shall not find the articles charged upon them to come near to that height and capitalness of the crimes that are laid to your charge." Bradshaw then asserted the existence of a contract and a bargain made between king and people,—that the bond was reciprocal,—that the sovereign was as much bound by his coronation oath as the subject was bound in his allegiance,—that if this bond were once broken, farewell sovereignty! "Sir," he continued, "that which we are now upon, by the command of the highest court, is to try and judge you for your great offences. The charge hath called you tyrant, traitor, murderer. (Here the king uttered a startling 'Hah!') Sir, it had been well if any of these terms might justly have been spared." Bradshaw concluded his long speech by protesting that in these proceedings all of them had God before their eyes, and by recommending the repentance of King David as an example proper for the king to imitate. Charles then said hurriedly, "I would desire only one word before you give sentence—only one word." Bradshaw told him that his time was now past. Again the king pressed that they would hear him a word—at most a very few words. Bradshaw again told him that he had not owned their jurisdiction as a court; that he *looked upon them as a sort of people met together;* that they all knew *what language they received from his party.* The king said that he knew nothing of that, and once more begged to be heard: and Bradshaw once more told him that they had given him too much liberty already, and that he ought to repent of his wickedness, and submit to his sentence; and then, raising his sonorous voice, he said,—"What sentence the law affirms to a traitor, a tyrant, a murderer, and a public enemy to the country, that sentence you are now to hear. Make silence! Clerk, read the sentence!" Then the clerk read the sentence, which, after reciting the authority of the court, the charge exhibited, and the king's refusal to plead or admit the court's jurisdiction, went on to state that the commissioners, after examining witnesses upon oath, were in conscience satisfied that the said Charles Stuart was guilty of levying war against the par-

liament and people, and was, in the general course of his government, counsels, and practices, guilty of the bloody wars, murders, rapines, burnings, spoils, desolations, damages, and mischiefs, the nation had undergone; and ended thus: "For all which treasons and crimes this court doth adjudge that he, the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy to the good people of this nation, shall be put to death by severing his head from his body." Charles raised his eyes to Heaven, and said, "Will you hear me a word, Sir?" "Sir," replied Bradshaw, "you are not to be heard after sentence." Charles, greatly agitated, said, inquiringly, "No, Sir?" "No, Sir, by your favour," rejoined the inflexible president; "Guards, withdraw your prisoner." Still struggling to be heard, Charles said, confusedly, "I may speak after the sentence by your favour, Sir. I may speak after the sentence, *ever*. By your favour"——"Hold!" cried Bradshaw. "The sentence, Sir," stammered Charles, "I say, Sir, I do"——Again Bradshaw stopped him with his determined "Hold!" And then the king, muttering, "I am not suffered to speak; expect what justice other people will have," gave up his hopeless efforts, and turned away with his guard; and as he went through the hall there was another cry for justice and execution. "Here," says Whitelock, "we may take notice of the abject baseness of some vulgar spirits, who, seeing the king in that condition, endeavoured, in their small capacity, further to promote his misery, that they might a little curry favour with the present powers, and pick thanks of their then superiors. Some of the very same persons were afterwards as clamorous for justice against those that were the king's judges." But it should appear that these vulgar spirits were few in number; that they confined themselves to mere words—the expression of their impatience and their still lingering doubts that the court, after all, would not have the courage to proceed to execution; and it has been almost positively proved that the worst insults reported by the royalist writers, such as spitting in the king's face, throwing pipes at him, and the like, were nothing but inventions. And if Bradshaw was harsh and unrelenting,—if nearly every man that sat on that unprecedented trial had strung his nerves to do what he considered essential to his own safety and the salvation of his country,—it must still be confessed by every impartial examiner into the circumstances that there was no want of decency or dignity in the proceedings of the court. In fact, in spite of the representations of his partisans and the sympathy felt for the fate of Charles, that high court of justice appeared in the eyes of all Europe a solemn and imposing scene; and from that day down to the day of the savage and brutal retaliation which followed the Restoration, the king's judges, and the commonwealth men generally, made it their proudest boast, that they had neither acted with a timid hand nor with a mean spirit—that what they had done was not done in a corner, but openly in the eyes of all England.

On retiring from the court Charles felt that his doom was inevitable. He had represented, and his family and friends still continued to represent, that his cause was the cause of all the crowned heads in Europe; that the triumph of a people over a legitimate sovereign had been the most fatal of examples. But the crowned heads were full of cares, and projects, and hopes, and fears of their own. France, the native country, and then the residence of the queen, who had with her the Prince of Wales and the Duke of York, was convulsed by civil dissensions; and while Charles was undergoing trial for his life in England, the parliament of Paris proclaimed Cardinal Mazarin, the prime-minister, the everything in France, to be a disturber of the public peace and an enemy to the king and kingdom. The great monarchy of Spain was falling to ruin under the rule of the weak though amiable Philip IV., who in the preceding year had well nigh lost Naples and Sicily, and all his rich dominions in Italy, through the insurrections headed by the tanner Giuseppe Alessi, the fisherman Masaniello, and the armourer or blacksmith Gennaro Annese. Philip, too, in the affair of the Spanish matrimony and journey to Madrid had been treated most insultingly and dishonourably by Charles, who, after affiancing, had rejected his sister,* and in other matters that sovereign was certainly under no obligation to the English king. But even if Philip had had every good feeling and intention towards the fallen Charles—and his was not a nature to cherish revenge—he had not the power of changing or retarding his fate; and as much may be said of all the rest of the contemporary crowned heads. It might, however, have been expected that, if merely in decency, these kings and princes would have made some effort, some remonstrance—but not one of them offered so much as an intercession in his favour. This generous office was reserved for a republican people, who had become rich and great by casting off the monarchic yoke of Spain. As soon as the government of the United Provinces saw the turn affairs were taking, they sent over ambassadors to intercede for the king's life, and to preserve friendship between England and the States. These ambassadors failed, as we believe all the ambassadors of Europe would have done; but their coming was memorable and highly honourable.† Henrietta

* The Infanta Donna Maria, the rejected of Charles, was married some years afterwards to the King of Hungary, who became emperor in 1637, by the style of Ferdinand III. In the court of Vienna she continued to be remarkable not only for the beauty of her person, but for the purity of her morals. She lived to see Henrietta Maria, who is generally supposed to have been a main cause of Charles's forsaking her, driven a fugitive out of England;—she lived to hear of the fatal fields of Marston Moor and Naseby, but not of Charles's death on the scaffold—for she died in child-bed in 1646.

† The Commons gave no answer to the Dutch ambassadors until the 5th of February, or six days after the execution. Then "they thanked the States for their grave advice concerning the king, and let them understand that the Commons of England had proceeded according to the laws of the land in what they had done, and as they leave all other nations and kingdoms to move according to their rights and laws, so they hope none will think ill, if they act according to those of England, and that they shall be always ready to show themselves friends to the United Provinces."—*Whitelock*. It may be

Maria had long forgotten her duties as a wife with her lover Jermyn, whom she married soon after the execution of the king;* but, at the awful prospect of the scaffold and the block, she got a tender and a forcible letter delivered to the Speaker by means of the French ambassador, in which she prayed that the House of Commons would grant her a pass to come into England, in order that she might use all the credit and influence she had with him to induce the king to give them full satisfaction in everything they desired; or, failing in that, that she might be permitted to perform the duty she owed him, and to be near him in his uttermost extremity.† The House would not suffer this letter to be read; nor did they or Fairfax, or the army, pay any more respect to a letter from Prince Charles, wherein he sent a sort of *carte blanche*, signed and sealed, offering any conditions, provided only the life of his father were spared.‡

On the evening of the day on which he received his sentence, Charles entreated the commissioners, through the medium, it appears, of Hugh Peters, the republican preacher, to allow him the company of Bishop Juxon; and this was readily granted, as was also the society of the only children he had in England—the Princess Elizabeth, then in her thirteenth, and the Duke of Gloucester, in his ninth year. On that night Juxon preached to the king in his private lodgings at St. James's; and on the morrow, being a Sunday, the commissioners of the High Court of Justice kept a fast in the chapel at Whitehall. On Monday, the 29th of January, the House sat early, and, as one of the secluded members, as they termed those who had been forcibly expelled by Pride and his soldiers, ventured to present himself, they passed a vote that all such members as had voted that the king's concessions were a ground of settling peace should be for ever disabled to sit in that House. They passed an act for altering the style and form of all writs, grants, patents, &c., which henceforward, instead of bearing the style and title and head of the king, were to bear "*Custodes libertatis Angliæ auctoritate parliamenti*, &c." The date was to be the year of our Lord, and no other: the former words, "*juratores pro domino rege*," were to give place to "*juratores pro republica*;"—the words "*contra pacem, dignitatem, vel coronam nostram*," were to be changed simply into "*contra pacem publicam*, &c. The High Court of Justice sat, and appointed the time and place of execution. The king's children came from Sion House to take their last farewell of their father. He took the princess up in his arms and kissed her, and gave her two seals with diamonds, and prayed for the blessing of God upon her, and the rest of his children—and there was a great weeping.* Charles had ever been an indulgent and tender parent. According to Herbert, who was present, this touching scene moved those to pity that had been most hard-hearted before. The last night of all was spent by the king in the palace of St. James's, where he slept soundly for more than four hours.† Awaking about two hours before the dismal daybreak of the 30th of January, he dressed himself with unusual care, and put on an extra shirt because the season was so sharp. He said, "Death is not terrible to me, and, bless my God, I am prepared." He then called in Bishop Juxon, who remained with him an hour in private prayer. About ten o'clock Colonel Hacker, who was commissioned to conduct him to the scaffold, tapped softly at the chamber-door, to say they were ready. Herbert was so unnerved that he could scarcely open the door when commanded so to do by the king. When Hacker entered his voice faltered, and he was paler than the king. They went together from St. James's through the park towards Whitehall, in the front of which the scaffold had been erected. In the park several companies of foot were drawn up with drums beating and colours flying. Charles walked erect and very fast, having on the right hand Bishop Juxon, and on the left Colonel Tomlinson, and being followed by a guard of halberdiers and by some of his own gentlemen and servants, who walked bare-headed. There was no shouting, no gesticulating, no turmoil of any kind: the troops, men and officers, the spectators of all ranks, were silent as the grave, save now and then when a prayer or a blessing escaped from some of them.‡ At the end of the park Charles entered Whitehall, and, passing through the long gallery, went into his own old cabinet chamber. There he was delayed, for the scaffold was not quite ready: he passed the time in prayer with the bishop. He refused to dine, having before taken the sacrament, but about twelve o'clock at noon he drank a glass of claret wine and ate a piece of bread, and then (being summoned by Colonel Hacker, who came

doubted, however, whether the United Provinces would have interfered, if they had not been instigated by the quasi-royal House of Orange.

* Bishop Burnet positively asserts that the queen had had a child by Jermyn some time before her husband's death: and several of the French memoir-writers assert more than this.

† Clarendon.

‡ Burnet says that at the crisis the king's party was without spirit; and that many of themselves had told him they could never believe his death was really intended till it was too late. "They thought all was a pageantry to strike terror, and to force the king to such concessions as they had a mind to extort from him."

* Whitelock.

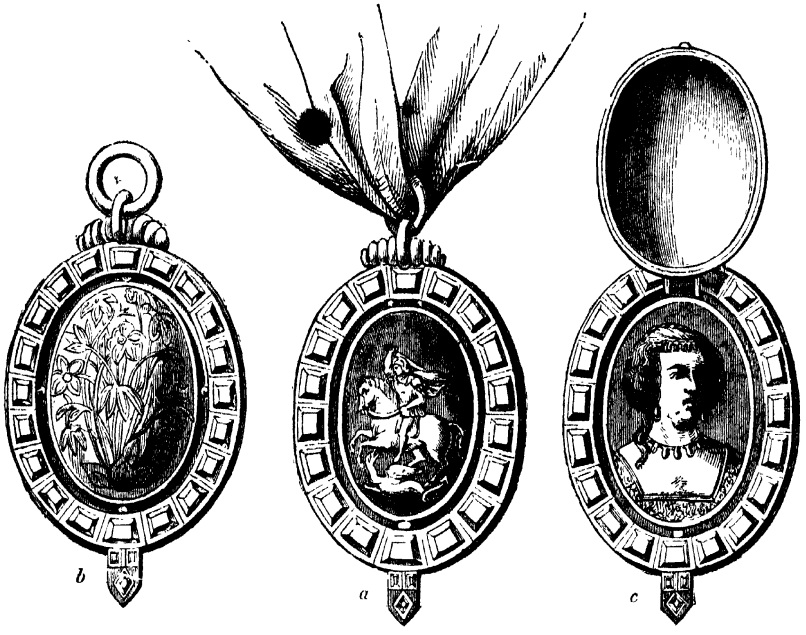
† It was inevitable that some of Charles's last thoughts should be turned upon Laud. According to Herbert, who had been lying by his bed side upon a pallet, "where he took small rest," the king, when he awoke, opened his curtains to call him; "there being a great cake of wax set in a silver basin, that then, as at all other times, burned all night." By this dim light Charles perceived that his attendant was disturbed in his sleep; but he called him and bade him rise, saying that he had a great work to do that day. However, he would know why he was so troubled in his sleep. Herbert replied that he had been dreaming. "I would know your dream," said the king. The dream was thus:—He saw Archbishop Laud enter that sad room; saw the king take him aside and speak to him with a pensive countenance; and then saw the archbishop heave a sigh, retire, and fall prostrate on the ground. "It is very remarkable," said Charles, "but he is dead: yet had we conferred together in life, 'tis very likely (albeit I loved him well) I should have said something to him might have occasioned his sigh."

‡ Sir Philip Warwick—and he alone—says, that as Charles was going through the park, "one of the commanders, thinking to disturb him, asked him whether he were not consenting to his own father's death. 'Friend,' said the king, 'if I had no other sin—I speak it with reverence to God's majesty—I assure thee, I would never ask him pardon.'"

to the chamber-door) he went thence with Juxon, Colonel Tomlinson, Colonel Hacker, and the guards, through the Banqueting House to the scaffold, which was hung round with black, and the floor covered with black, and the axe and block laid in the middle of it.* Companies of foot and horse were on every side of the scaffold, and vast multitudes of people had come to be spectators. He could hear many, both men and women, praying for him, "the soldiers not rebuking any of them; by their silence and dejected faces seeming afflicted rather than insulting." Fixing his eye earnestly upon the block, he asked Colonel Hacker if there were no place higher, and he then addressed a speech to the gentlemen upon the scaffold. Perceiving that the people could not approach near enough to hear him, he said that he felt it to be his duty as an honest man, a good king, and a good Christian, to declare his innocency to those who could hear him; and he called God to witness, that he never did begin a war with the two Houses of Parliament; that they began it upon him by claiming the militia. He said that God would clear him; that, being in charity with all, he would not lay it upon the two Houses; that he hoped they were free of this guilt; that he believed that ill instruments between them and him had been the chief cause of all this bloodshed; that, as he found himself clear of guilt, so he hoped and prayed God that they might, too. Then, alluding to the death of Strafford, he added, "Yet, for all this, God forbid that I should be so ill a Christian as not to say that God's judgments are just upon me. . . . . I only say this, that an unjust sentence, that I suffered to take effect, is punished now, by an unjust sentence upon me." He said, pointing to Dr. Juxon, "There is a good man that will bear me witness that I have forgiven all the world, and even those in particular that have been the chief causes of my death. Who they are God knows; I do not desire to know; I pray God forgive them." He told them that they would never have peace, that they would never do right, that God would never prosper them, until they gave the king, his son and successor, *his* due, and the people *their* due; and, still fixed in his old theory of monarchic government, he assured them that the people ought never to have a share in the government, *that* being a thing "nothing pertaining to them, and that he died the martyr of the people." While he was speaking, one of the gentlemen on the scaffold touched the edge of the axe. "Hurt not the axe," says Charles, "that may hurt me." When he had ended his long speech with a prayer to God that the people might take those courses that were best for the good of the kingdom and their own salvation, Juxon suggested that his majesty might say something about his affections in religion; and thereupon Charles declared that he died a Christian according to the profession of the church of England, as he found it left by his father. Then, turning to Colonel Hacker, he said, "Take care that they do not put me to pain." To a gentleman that approached the block he said, "Take heed of the axe, pray take heed of the axe." Two men in disguises and vizors stood by the block. To one of them Charles said, "I shall say but very short prayers, and then thrust out my hands for the signal." Then he called to Dr. Juxon for his nightcap, and, having put it on, he asked the executioner, "Does my hair trouble you?" and he put up all his hair under his cap with the help of the headsman and the bishop. And then, turning to the bishop, he said, "I have a good cause and a gracious God on my side." "You have now," said Juxon, "but one stage more: the stage is turbulent and troublesome, but it is a short one: it will soon carry you a very great way: it will carry you from earth to heaven." "I go from a corruptible to an incorruptible crown, where no disturbance can be," was the last reported sentence of Charles. "You are exchanged from a temporal to an eternal crown—a good exchange," was the response of the bishop. And now the king took off his cloak, and gave his *George* to Juxon, with the single word "Remember!" stooped, laid his neck across the block, stretched out his hands; the executioner let fall the axe, which severed the neck at one blow; and the other man in the mask took up the head, and shouted, "This is the head of a traitor!" The bloody deed was accompanied by "a dismal universal groan."*

* Whitelock—Warwick says that after Charles had taken the sacrament he said, "Now let the *roques* come; I have heartily forgiven them, and am prepared for all I am to undergo" He adds, "It was a very cold day, and they at Whitehall had prepared two or three dishes of meat for him to dine upon: but he refused to eat anything; and the bishop told me he resolved to touch nothing after the sacrament: but the bishop expostulated with him, and let him know how long he had fasted; how sharp the weather was; and how some fit of fainting might take him upon the scaffold; which he knew he would be troubled at, for the interpretation his murderers would put upon it; which prevailed with him to eat half a manchet of bread, and drink a glass of wine And, thus prepared, when he was called, he marched to the scaffold; and a gentleman of my acquaintance, that had so placed himself in Wallingford House, that he could easily discern all that was done upon the scaffold, protested to me he saw him come out of the Banqueting House on the scaffold with the same unconcernedness and motion that he usually had, when he entered it on a masque night. And another gentleman, whom I'll name—Dr. Farrar, a physician, a man of a pious heart, but fanciful brain (for this was he that would have had the king and parliament have decided their business by lot)—had gained such a place upon the stage, that he assured me that, as he had observed him before very majestic and steady, so, when he had laid down his neck upon the block, he standing at some distance from him in a right line, he perceived his eye as quick and lively as ever he had seen it."—*Memoirs.*

* Whitelock.—Herbert.—Warwick.—Nalson.—For Charles's speech and whole behaviour on the scaffold we have followed Whitelock.



The George,

Worn by Charles I. on the Day of the Execution, and given by him to Bishop Juxon.
a, upper side; *b*, under side; *c*, upper side raised, showing a portrait of Henrietta Maria. From the Original Print by Hollar.

THE COMMONWEALTH.

A.D. 1649.—On the day of the king's execution, the Independents constituting the House of Commons passed an act prohibiting, under pain of high treason, the proclamation of the Prince of Wales, or any other, to be king or chief magistrate of England or Ireland, without consent of parliament; and copies of this act were ordered to be sent down to the sheriffs to be proclaimed in all the counties. On the same mournful day, Duke Hamilton, who knew that his life was aimed at, escaped with the Lord Loughborough out of Windsor Castle, and Sir Lewis Dives broke from his prison in London. The escapes of these persons hastened the doom of three of the royalists, for the House immediately debated the question of bringing some of the chief delinquents to a speedy trial, appointed a committee to constitute a court, and ordered the vacillating and unprincipled Earl of Holland to be removed to London. Hamilton was retaken the day after his flight by some troopers, who found him knocking at an inn gate in Southwark, and who recognised him in spite of his humble disguise. On the 1st of February it was voted that Hamilton and Holland, with Lord Goring, Lord Capel, and Colonel Owen, should be the "next persons to be proceeded against for justice." The Lord Capel, who was eventually one of the victims, escaped by a desperate attempt out of the Tower over the moat, but he was apprehended two days after, by two London watermen, in a house at Lambeth. The preparations for the trial of these royalists, the voting a bill for the strengthening of the fleet, and the receiving of friendly petitions from Surrey and Kent, occupied the first days of the Commonwealth. But on the 5th of February the Commons took up the important question of the peerage, and debated till six o'clock at night whether the House of Lords should be continued a court of judicature or a court consultatory only. During the debate the Lords, as they had done several times before, sent once more to propose a committee of both Houses to act together in settling the kingdom; but, again, their messengers were left in the lobby without an answer and without being called in.* On the 6th of February the debate was renewed, and the question being put whether the House of Commons should take the advice of the House of Lords in the exercise of the legislative power of the

* The Lords sent the first time on the 1st of February. Between the 1st and the 6th it appears that they sent several times, "expressing not the least resentment at the Commons' contempt."—*Whitelock.*—*Parl. Hist.*

GREAT SEAL OF THE COMMONWEALTH.

kingdom, it was carried in the negative by a large majority; and then, without hesitation, they passed to the vote "that the House of Peers in parliament is useless and dangerous, and ought to be abolished, and that an act be brought in to that purpose." This was carried by a majority of 44 to 29.* Harry Marten proposed that the word "dangerous" should be omitted, and the term "useless" alone retained; or that it should be declared that the Lords were useless, but not dangerous. And the peers had so acted and had fallen into such a condition as almost to justify this bitter sarcasm. On the very next day (the 7th of February) it was voted "that it hath been found by experience, and this House doth declare, that the office of a king in this nation, and the power thereof in any single person, is unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people of this nation, and therefore ought to be abolished." This vote was soon followed by another, proposed by Marten, for the taking down of the late king's statues at the Royal Exchange and other places, and for the inscribing on the places where they stood these words:—"*Exit Tyrannus, Regum ultimus, Anno Libertatis Angliæ restitutæ primo, Anno Dom.* 1648,† *Jan.* 30." Two acts in conformity with these votes were soon passed; and an elaborate declaration was published in English, Latin, French, and Dutch, to explain and justify the late proceedings and the changing of England into a republic and free state. Six of the twelve judges—Bacon, Brown, Bedingfield, Creswell, Trevor, and Atkins—refused to act; but the others—Rolles, Jermyn, St. John, Pheasant, Wilde, and Yates—agreed to hold their offices, provided only that it should be declared, by act of the Commons, that the fundamental laws were not to be abolished. The new great seal was confided, during good behaviour, to Whitelock, Keble and Lisle being joined in the commission. St. John, who, almost as much as any single man, had helped to make this memorable revolution, became chief justice; the denomination of "King's Bench" being converted into that of "Commons' Bench."

For some time the executive had resided in the committee of government at Derby House; and this, with some very immaterial changes, was now converted into the "Executive Council of State," consisting of forty members, among whom were the earls of Pembroke, Salisbury, Denbigh, and Mulgrave; the Lord Grey of Werke, Viscount Lisle, the Lord Grey of Groby, Whitelock, St. John, Chief Baron Wilde, Fairfax, Cromwell, Skippon, Sir Arthur Haselrig, Sir Henry Mildmay, Sir Harry Vane, Harry Marten, Bradshaw, and Ludlow.* The president of this council of state was Bradshaw, the king's judge; and its secretary for foreign correspondence was Bradshaw's friend and relative, the immortal Milton, who employed his genius in defending the judgment and execution.

The church was a more difficult matter to settle,

* At the same time a committee was appointed to draw up an act for making the estates of the late members both of the House of Lords and likewise of the House of Commons liable to the law for payment of all debts. And it was referred to a committee to consider of a way to take away all appeals to the Lords, and to discharge all persons committed by them; and *how the peers might be elected burgesses and knights to serve in the House of Commons.*

† Old style.

* The other members of the Council of State were—the Lords Lisle and Rolle; Sir Gilbert Pickering, Sir William Masham, Sir William Armine, and Sir William Constable, baronets; Sir John Danvers and Sir James Harrington, knights; Valentine Walton, William Pourefy, Robert Wallop, John Hutchinson (the conscientious colonel and governor of Nottingham), Antony Stapeley, William Heveningham, Dennis Bond, Alexander Popham, John Jones, Alderman Rowland Wilson, Alderman Isaac Pennington, Thomas Scot, Cornelius Holland, and Luke Robinson.

or to give any appearance of settlement to, than was the state; and on this point the Commonwealthmen showed their wisdom by doing or attempting very little, and their right feeling by enlarging the bounds of toleration. The Catholics, who would have been harrowed out of the [illegible] by the Presbyterians, were allowed more liberty than ever they had known before since the days of Queen Mary, when *they* were the persecutors. It sufficed to escape the old penal code that men did not attack any of the fundamental principles of Christianity. The form and discipline of the Presbyterian church, slightly modified, were retained; but that fanatic clergy was left without any temporal power whatsoever.

The army remained under the command of the men that had created it, and made it the best army then in the world; and Fairfax, though he had abstained from committing himself upon the king's trial, continued to be commander-in-chief. But in the navy an important change was made immediately: the Earl of Warwick was removed from the post of high-admiral; Blake, the double-handed, the sea-hero of the age, was appointed, with Dean and Popham, to command the fleet; and a board of admiralty, or committee for naval affairs, was formed, consisting only of three members, the head of whom was the zealous and capable Vane.

The trial of Duke Hamilton and the other two royalists, whose blood the Independents thirsted after, was probably hastened by the hostile demonstrations in Scotland. As early as the 5th of February it was reported in London "that the Scots were talking big of raising an army, in revenge of the king's blood, and saying that all would join unanimously against the *sectaries of England*, and ground themselves upon the breach of the Covenant." And on the 10th letters from Scotland were read in the House, "of their threatening revenge for the king's blood, and that some there had proclaimed Prince Charles king of Scotland; which was not contradicted by the parliament nor kirk." The High Court of Justice specially named by the Independents, who were in fact the prosecutors and the judges, sat in Westminster Hall to the number of fifty; and Duke Hamilton (in his unlucky English quality and title of Earl of Cambridge), Lord Goring, Lord Capel, and Sir John Owen were put to the bar, and charged with treason and other high crimes. Hamilton pleaded that he was of another nation; that what he had done was as a servant of the kingdom of Scotland; that he was never naturalized Earl of Cambridge, that he knew of; and that he was a prisoner of war, and had articles given him. The court caused the act to be read for the naturalization of his father, and *consequently of him, being his heir.** The Lord Goring pleaded not guilty, and was dismissed for the present, "behaving himself with *great respect* to the court." The Lord Capel pleaded that he was prisoner of war to the Lord-General Fairfax, and had conditions given him, and his life promised him at Colchester; maintaining that if all the magistrates in Christendom were combined together they could not call him in question. Sir John Owen pleaded quarter. The Earl of Holland was not produced at first, his lady having represented that he was so ill that he could not with safety be removed up to London; but a few days after he was brought to the bar and charged, among other crimes, with being "an eminent courtier," and a double turn-coat. He pleaded (what was notoriously false) that he had free quarter given him when he was taken in his insane insurrection at Kingston. On the 6th of March the court pronounced judgment against them all,—"that their heads should be severed from their bodies, yet with relation to the mercy of parliament." The Earl of Warwick, his brother, and the Countess of Holland, his wife, presented a petition for the life of the Earl of Holland; and divers ladies petitioned for Hamilton, Goring, and the other two. The House, after some hours' debate, rejected these petitions, and left the prisoners to the justice of the court that sentenced them. Then the ladies petitioned the High Court itself, which only granted a reprieve for two days. On the 8th the condemned lords themselves petitioned the House; but Sir John Owen neglected or despised taking this course. The petitions of Hamilton and Capel were unanimously rejected: it was carried by one vote that the Lord Goring should be reprieved, and "this one vote was the Speaker's, who carried the House, being equally divided, four-and-twenty of each part; and he said he did it because he had formerly received some civilities from the Lord Goring, and his single vote now saved his life."* The House was also equally divided upon the question of the Earl of Holland's reprieve; but here the Speaker gave his voice for death. Sir John Owen was respited, and ultimately spared. On the very next day (the 9th of March) Hamilton, Holland, and Capel were beheaded upon a scaffold in Palace-yard.

Although the royalists had been greatly excited and increased in number by the incident of the king's death, the heroic way in which he met his fate, and by the publication of the Eikon Basilike (a specious cheat) which was distributed under his scaffold, and which went through many editions in the course of a few months, that party made no effort whatever to disturb the first days of the Commonwealth. The Presbyterians, who were equally inflamed against the Independents, were equally quiescent. If the two had united they might possibly have nipped the Republic in its bud; but the hatred the royalists bore to the Presbyterians, and the Presbyterians to the royalists, was scarcely inferior to that which they entertained in common towards the triumphant party. The first attack that was

* But it was proved on the trial that the unfortunate Hamilton had been called by the late king's writ to sit in the House of Lords as Earl of Cambridge—that he had acted as a peer of England, sitting in the Lords' House and in divers committees,—that, as a peer of England, he had taken the national covenant, and subscribed "*Cambridge*."

* Whitelock.

made upon the new government was made by a part of that army which had raised them to their pre-eminence. "Freeborn John," who thought that the revolution had not gone half far enough, and that the leaders of it were betraying the cause of the people, put forth a vehement pamphlet entitled "England's New Change," and endeavoured to revive the spirit and practices of the agitators in the army. A mutiny broke out at Salisbury and Banbury; but Fairfax and Cromwell presently crushed it, and executed two cornets and two corporals. This, with the three executions already mentioned, was all the blood that was shed in this mighty revolution—less blood than ever was wasted at any similar convulsion. Lilburne was shut up in the Tower; and some few leaders of a set of madmen, who were sighing after something very like the republic of the illustrious Trinculo, were committed to meaner prisons. It was necessary to reconstruct the law which guarded the state; but, in doing this, that residue of the parliament which, for brevity, we must call *the* parliament, or House of Commons, entirely lost sight, in several cases, of the principles of liberty they professed, and took some of the worst pages out of the accursed book of despotism. They made it treason to affirm in speech or writing that the commonwealth was unlawful, usurped, or tyrannical; treason to deny the supremacy of parliament; treason to plot, or conspire, or levy war either against the commonwealth or the council of state; treason for any, not being of the army, to stir up mutiny or insubordination therein. Words spoken were made capital; and simple sedition was converted into high treason. The press was put into its old shackles, and extreme punishments declared against such as printed or put forth anything against the commonwealth, the council of state, &c.

In the mean time, the late king's eldest son had been proclaimed, as Charles the Second, in Scotland by the parliament, in Ireland by the Marquess of Ormond. Both countries, in taking up arms, had invited him over; but he had no affection for the Scots and their covenant, and Ireland offered but rude accommodation for a prince of such delicate nurture; and Charles therefore left the Scots and Irish to fight by themselves. On the 15th of August, Cromwell, with his son-in-law Ireton, landed near Dublin to suppress the formidable insurrection, and, if possible, to restore peace to a country which had never been quiet. His army did not exceed 6000 foot and 3000 horse; but it was an army of Iron-sides, the best disciplined and the best officered, and it carried with it a rare train of artillery. When these men landed hardly anything was left to the Protestants and the parliament except Dublin and Derry: in all the other principal towns floated the royal standard; but, now, town after town was retaken with the utmost rapidity, and the undisciplined Irish were beaten wherever they presented themselves in the open field. Drogheda was stormed on the 11th of September, Cromwell himself fighting in the breach. In the civil war in England he and his men had ever been merciful to the vanquished; but here and everywhere in Ireland little or no mercy was shown to the papists or idolaters. Wexford was taken by storm, and underwent the same barbarous fate as Drogheda: Cork, Kinsale, and numerous other places opened their gates; but the terrible state of the weather, the obstinacy of the resistance, and the strength of the place, obliged the conqueror to turn aside from Waterford. He put garrisons in Passage Fort and other places that were of great importance to the reduction of Munster, then moved to the south, and put his troops in winter-quarters at Kinsale, Cork, Wexford, Youghal, and Bandon-bridge. Whilst the army lay in these quarters Cromwell was not idle: he visited all the garrisons that were in his possession in Munster, and ordered all affairs both military and civil. By the end of January, 1650, before his soldiers "had breathed in their winter-quarters fully two months," he marched out of Youghal with about 3000 men. This force he divided into two parties: one was led by Ireton towards Carrick; Cromwell led the other over the Blackwater, towards Limerick and Tipperary. In general, the Irish quailed before him; where they resisted they were cut to pieces. Ireton was equally successful; and, when they formed a junction under the walls of Kilkenny, they laid siege to that important city, and reduced it in six days. From Kilkenny the conquerors moved to Clonmel, where, according to Cromwell, they found "the stoutest enemy that ever was found by an army in Ireland."* "These achievements being obtained," says an admiring Protestant contemporary, who, like the parliament, like the whole English nation, saw nothing wrong in the bloodshed by which they had been attended, "and care taken to secure what they had gotten, the lord-general addresses himself to his journey for England, having been in Ireland about ten months,—namely, from the middle of August, 1649, to the next May following, 1650; a time inconsiderable, respect had to the work done therein, which was more than ever could be done in ten years before by any king or queen of England. Queen Elizabeth, indeed, after a long and tedious war there, at last drove out the Spaniards that came in to the assistance of the rebellious natives, but could never utterly extinguish the sparks of that rebellion. And not only did the shortness of the time render the work admirable, but the nature of the work itself, *it being against a most obstinately desperate, bloody enemy*,—people that had put themselves out of all hopes of favour or mercy by acting the most bloody tragedy that ever hath been seen or related, in that their universal massacre of the English, yet recent in memory."† There remained only Limerick, Waterford, and some few inconsiderable garrisons to be reduced; and this business was left to the charge of Ireton. Cromwell, after a boisterous passage, arrived at Bristol, where

* Ludlow, Memoirs. † Perfect Politician.

he was received with a thrice-repeated volley of great guns and other demonstrations of joy. From Bristol he proceeded post-haste to London, where his presence was most eagerly looked for. "Drawing near Hounslow Heath, he was met by the Lord-General Fairfax, accompanied by many members of parliament and officers of the army, with multitudes that came out of curiosity to see him of whom fame had made such a loud report. Hence, after mutual salutations, congratulations, and other testimonies of high respect, he proceeds on, and, passing near Hyde Park Corner, he is saluted with great guns and several volleys of small shot by Colonel Barkstead's regiment, which was drawn up in the highway for that purpose. Continuing thus their march (multitudes increasing to behold him), the Lord Cromwell is conducted to the house called the Cock-pit, near St. James's, which had been appointed and prepared for him. Here he was visited by the lord mayor and aldermen of London, and by many other persons of quality, all of them expressing their own and the nation's great obligations to him for his eminent services in Ireland. After some time of respite and refreshment he attended his charge in parliament, where the Speaker, in an elegant speech, gave him the thanks of the House."*

The parliament, "who had faithful scouts abroad in the world," had been, and still were, alarmed by secret combinations against them at home, and open acts of hostility abroad. Scilly, Jersey, and the Isle of Man stood out and infested the seas with their piracy. Virginia and the islands in the Caribbee Sea revolted from them, "being very hot for monarchy and the Liturgy." In Russia the English merchants were insulted and ill-treated by the government; the French had fitted out ships which, under the flag of Charles II., made prize of every English vessel they could master; in Portugal a hostile fleet, which Prince Rupert had got to sea, was protected from the fleet of the Commonwealth; and in Holland, Dorislaus, the resident minister of the Commonwealth, was assassinated by six royalist ruffians in masks. "But," says Ludlow, "the enemy which most threatened the disturbance of the parliament was that of Scotland, where all interests were united in opposition to the present authority in England. They had also many who favoured their designs in our nation, as well Presbyterians as Cavaliers; the former of these were most bold and active, upon presumption of more favour in case of ill success. The parliament being sensible of these things, published a declaration, showing that they had no design to impose upon the nation of Scotland anything contrary to their inclinations; that they would leave them to choose what government they thought most convenient for themselves, provided they would suffer the English nation to live under that establishment which they had chosen; but it evidently appeared that the Scots were actuated by a spirit of domination and rule; and, that nothing might be wanting to compel us to submit to their imposition, they had espoused the interests of that family, which they themselves had declared guilty of much precious blood, and resolved to force the same upon England."

But even after proclaiming Charles, the Scottish Presbyterians were not prepared to admit him, save upon conditions and the express acknowledgment of their kirk. These negotiations, which were carried on at Breda, occupied some time. As Charles's precursor, the Marquess of Montrose, who was shrewdly suspected of having headed or directed the murderers of Dorislaus, crossed over to the Orkneys in this spring (1650) with a few hundred foreign soldiers. From these isles, where he obtained a few recruits, Montrose proceeded to the mainland, and disembarked on the shores of Caithness, with the design of penetrating into the Highlands, and calling his former followers to his standard. But Montrose was a royalist such as the Presbyterian royalists could not tolerate; the Committee of Estates were well prepared, and Strachan, their general, surprised the marquess just as he had advanced beyond the pass of Invercarron, on the confines of Ross. After repulsing with his old gallantry the first charge of the Covenanters, he saw his men lay down their arms on a second charge. His horse was shot under him, but a friend generously remounted him, and he fled from that his last fight, leaving his cloak and star, his sword, and the garter with which he had been lately invested behind him. He swam across a rapid river, disguised himself as a peasant, and got safe to the house of another friend; but that friend proved false, and basely betrayed him to the Covenanters, whose kirk had excommunicated him, and whose hearts were hardened against the sentiments of compassion or generosity. In the mean disguise in which he was betrayed, bound with ropes and subjected to all kinds of insult, he was carried to Edinburgh, and there, in virtue of a former attainder, he was hanged on a gallows thirty feet high. Such was the wretched end of Montrose, in the thirty-eighth year of his age, in the middle of the month of May. The day of his execution the Covenanters kept as a day of thanksgiving, and the ministers prayed exceedingly for the king's speedy coming, as one brought into the kirk, and therefore unto God. And, in effect, that godly prince Charles II. was coming, they having concluded their bargain with him at Breda, and he having promised, on the word of a prince, to recall and disclaim all commissions and declarations to the prejudice of the covenant; to acknowledge their present parliament; to swear, subscribe, and seal the national covenant, and the solemn league and covenant, as soon as he should reach Scotland, and before his admission to the exercise of royal power. He landed in the Frith of Cromarty in June, about a month after Montrose was hanged, being constrained to swallow the covenant as best he could ere he was allowed to set foot on shore. Troops had been already raised, and the

* Perfect Politician.

Border was in a ferment; and now an army was collected for the king of England, Scotland, and Ireland; and the English parliament were denounced as regicides and traitors. The latter, therefore, thought it not prudent to be behindhand with the enemy, nor stay till they should first invade England, but resolved rather to carry the war at once into Scotland. The command of the invading army was offered to Fairfax, who positively declined it; and it was then conferred upon Cromwell, an act being passed on the 26th of June for repealing the ordinance, whereby Fairfax was appointed commander-in-chief of all the forces of the parliament, and another act passed on the same day, *nemine contradicente*, for constituting and appointing Oliver Cromwell, Esq. to be captain-general-in-chief of all the forces raised, and to be raised, by authority of parliament within the commonwealth of England. By the 29th of June Cromwell had left London and was on his march to the Borders.*

The army, having come to a body and quartered upon the very edge of Scotland, Cromwell, upon the 22nd of July, drew them forth to a rendezvous upon a hill within Berwick bounds, whence they had a full view of the adjacent parts of Scotland, "a stage whereon they were to act their parts in the ensuing tragedy." He made a speech to his men, exhorting them to be faithful and courageous; and then not to doubt of a blessing from God, and all encouragement from himself. The soldiers answered with a loud and unanimous shout; and on the morrow, going cheerfully about their work, they advanced into Scotland by the eastern shore of the Frith of Forth. On that night they quartered in the fields near Mordington, and there Cromwell proclaimed throughout the camp that none, on pain of death, should offer violence or injury to the persons or goods of any in Scotland not in arms; and that no soldier should presume, without special licence, to straggle half a mile from the army. Part of this proclamation was altogether unnecessary, for there were no goods of any kind to injure or plunder; the whole country between Berwick and Edinburgh had been swept as if with a broom; nothing was left that could yield any comfort or succour to the invaders. Cromwell, who had expected no better entertainment, advanced to Dunbar, where he received provisions from English ships, sent thither on purpose. He then moved to Haddington, only seventeen miles from Edinburgh, not seeing all this while the face of an enemy in arms. But although the Scots were not seen, they were heard of, giving out that they would meet the English at Gladsmuir. But when Cromwell got there there were no Scots; and so he went on to Edinburgh, "where some bickerings happened about the possession of Arthur's seat, which the English obtained." But, notwithstanding all these provocations, the Scots would not forsake their trenches, "but lay upon the catch."*

"The English army," says Ludlow, "drew up within sight of the town of Edinburgh, but the Scots would not hazard all by the decision of a battle, hoping to tire us out with frequent skirmishes and harassing our men, relying much upon the unsuitableness of the climate to our constitutions, especially if they should detain us in the field till winter. Their counsels succeeded according to their desires, and our army, through hard duty, scarcity of provisions, and the rigour of the season, grew very sickly, and diminished daily, so that they were necessitated to draw off to receive supplies from our shipping, which could not come nearer to them than Dunbar, distant from Edinburgh above twenty miles. The enemy, observing our army to retire, followed them close; and falling upon our rear-guard of horse in the night, having the advantage of a clear moon, beat them up to our rear-guard of foot; which alarm coming suddenly upon our men, put them into some disorder: but a thick cloud interposing in that very moment, and intercepting the light of the moon for about an hour, our army took that opportunity to secure themselves, and arrived without any further disturbance at Dunbar, where, having shipped their heavy baggage and sick men, they designed to return into England." But David Leslie and the army of the kirk had got between Dunbar and Berwick, and had possessed themselves of all the passes, confident of success, and calculating on the entire destruction of the invaders. And, indeed, the position of the English seemed very desperate; contrary winds had prevented the arrival of provisions at Dunbar, and the 12,000 men, to which the force was now reduced, had scarcely a mouthful of victuals, while Leslie, well provided, was girding them in with 27,000 men. It was Sunday, the 31st of August, when Cromwell drew up in the fields near Dunbar: the enemy flanked him in great force on the hills to the right; he could not, without great disadvantage, go up the hills to engage them, nor would they come down to engage him. Both parties stood to their arms, watching each other; the Scots still gathering and increasing upon all the adjacent hills, "like a thick cloud, menacing such a shower to the English as would wash them out of their country, if not out of the world; . . . and they boasted that they had them in a worse pound than the king had the Earl of Essex in Cornwall." But, on the Monday morning, the Scots, urged on, it is said, by their impatient preachers, who proved by Scripture that their victory must be sure, drew

* We have mentioned the assassination of Dorislaus in the preceding year. In this month of June news was received of the vile murder of another of the Commonwealth diplomatists. This was Mr. Ascam, who had just arrived at Madrid and was lodging in an inn. Being at dinner in the inn with his interpreter, and with one footman attending him, six Englishmen—three dressed like merchants and three like soldiers—knocked at the door, and being admitted, *because they were English*, Mr. Ascam rose from the table to salute them. As he saluted them, the foremost laid hold of his hair and stabbed him; the interpreter endeavoured to escape, but he was stabbed also, and they both fell down dead. The murderers fled for refuge to the Venetian ambassador, but he denied them entrance, and then, knowing the customs of the country, they took sanctuary in the nearest church.—*Whitelock.*

* Perfect Politician.—Ludlow, Memoirs.

Ruins of Dunbar Castle. From an Original Drawing.

down part of their army and their train of artillery towards the foot of the hills; and then Cromwell, who had always as much Scripture at command as any Presbyterian preacher, exclaimed joyously, "The Lord hath delivered them into our hands!" But there was a great dike or ditch between the two armies, "of great disadvantage to those who should first attempt to pass it;" and all that day was allowed to elapse. But at night the English marched as close to the ditch as possibly they could, each regiment having several field-pieces with it; and, as morning dawned, Cromwell resolved to attempt to force one of the passes between Dunbar and Berwick, by which he might, with the more ease, attack the enemy's position. Accordingly a brigade of three regiments of horse and two regiments of foot was thrown forward to the pass. The Scots gallantly repulsed the assailants; but Cromwell led up his own regiment, and, after a fierce dispute, which lasted nearly an hour, and in which the English infantry fought desperately with their pikes and the butt-ends of their muskets, the important pass was carried. The Scots now came down and charged with all their horse, being most of them lancers, and they charged strongly. Just at this moment a thick mist was dispersed by the risen sun, which now lighted up that field of blood, and fully revealed the two armies to each other. Cromwell shouted, "Now let God arise, and his enemies shall be scattered." And before the sun was much higher the army of the Kirk was scattered, with the tremendous loss of 4,000 slain and 10,000 prisoners. The conqueror ordered the 107th Psalm to be sung in the field, and then marched again to Edinburgh, which threw open its gates at his approach. Glasgow followed the example; and the whole of the south of Scotland, where the English parliament had many friends, quietly submitted. Strachan, who had destroyed Montrose, took service with Cromwell. The king fled towards the Highlands, with the intention of quitting Scotland, or at least the Covenanters, for ever; but the chiefs of that party made him stay, and prepared to crown him, at Scone, as monarch of the three kingdoms, when he was not master of the least of them.

A.D. 1651.—But while Cromwell was besieging Edinburgh Castle, disputing upon points of theology with the Presbyterian preachers, and suffering from a fit of the ague, Charles collected another army, and took up a strong position near Stirling. In vain Lambert attempted to bring him to action; the Scots remembered the lesson that had been taught them at Dunbar, and would not leave their fortified hills. Cromwell then crossed the Forth, and, after taking every town and castle that he approached, he sat down before Perth, "thereby to stop the Highlanders from sending any supplies to the king at Stirling, either of men or provisions." But Cromwell had scarcely taken possession of Perth when he learned that Charles had adopted the bold resolution of marching, in his absence, into England. And, in effect, the king left Stirling on the 31st of July, and reached Carlisle on the 6th of August. "The noise of this irruption made a terrible echo through all the nation, especially in the ears of the parliament at Westminster; but they had beforehand provided to welcome these new-come guests, and, first of all, Major-General Harrison, attended by 3000 horse and dragoons, joining himself with Colonel Rich and some other great commanders, marched away to

WORCESTER. From an Old Print in the British Museum.

salute them upon their entrance into England." Cromwell, too, instantly left Scotland in pursuit; but so rapid and so well-directed were the movements of the invading army, that Charles got to Worcester without molestation, and established himself there with about 16,000 effective men. As Cromwell spurred through the northern counties he encountered a band of royalists, commanded by the Earl of Derby,* and cut them to pieces; and, having formed a junction with Harrison, Rich, Robert Lilburne, and Fleetwood, he arrived before Worcester on the 28th of August with a force superior to that of the king. The parliament's troops dashed across the Severn; and on the 3rd of September, the anniversary of the battle of Dunbar, Cromwell gained what he called his "crowning mercy" at Worcester. The royalists, after a gallant contest, were thoroughly defeated, and Charles, escaping with difficulty, fled for his life; "knowing full well that, should he be taken, he might expect no better treatment than his father had." It is said by some that he showed courage in the battle—it is certain that he showed great ingenuity and presence of mind in the flight: nevertheless, but for the devoted loyalty, the incorruptible fidelity of his partisans, he must have been taken by his pursuers. After a variety of romantic adventures and wanderings from place to place, Charles, in the disguise of a servant, got to Shoreham, on the Sussex coast, and from thence, about the middle of October, he crossed over to France in a collier. He did not see England again until he was brought back triumphantly by General Monk.

On leaving "the Golgotha of Worcester," Cromwell hastened to lay his victorious palms at the feet of parliament. He was again met, at his approach to London, by the Speaker, by the whole parliament, by the lord mayor and aldermen, and by an immense concourse of people. The royal palace of Hampton Court was prepared for his reception; and shortly after an estate in land, worth 4000*l.* a-year, was voted to him. From this moment, as is generally admitted by those who have most carefully studied his character and history, Cromwell began to entertain vague notions of grasping at the supreme authority.* 'As he had left Ireton to complete the conquest of Ireland,

* This firm adherent to the royal cause was taken prisoner a few days after this by a party of the parliamentary troops as he was flying from the battle of Worcester, and was beheaded in his own town of Bolton, by sentence of what was called a High Court of Justice, composed of some military officers, on the 15th of October following. By this time the parliament, considering itself as the established government of the country, assumed the right of treating all armed opposition to its authority by any English subject as treason. The royalists, however, of course regarded such proceedings as nothing less than "murdering in cold blood,"—the expression used on this occasion by Clarendon.

* The determined republican Ludlow, who became the bitter enemy of Cromwell, says:—"His pernicious intentions did not discover themselves openly till after the battle of Worcester, which, in one of his letters to the parliament, he called '*the crowning victory.*' At the same time, when he dismissed the militia, who had most readily offered themselves to serve the Commonwealth against the Scots, he did it with anger and contempt, which was all the acknowledgment they could obtain from him for their service and affection to the public cause. In a word, so much was he elevated with that success, that Mr. Hugh Peters, as he since told me, took so much notice of it, as to say in confidence to a friend upon the road, in his return from Windsor, that Cromwell would make himself king. He now began to despise divers members of the House whom he had formerly courted, and grew most familiar with those he used to show most aversion to; endeavouring to oblige the royal party, by procuring for them more favourable conditions than consisted with the justice of the parliament to grant, under colour of quieting the spirits of many people, and keeping them from engaging in new disturbances to rescue themselves out of those fears which many who had acted for the king yet lay under; though at the same time he designed nothing, as by the success was almost manifest, but to advance himself by all manner of means, and to betray the great trust which the parliament and good people of England had reposed in him."

so he had left Monk, who at this time enjoyed an unusual degree of his favour, to reduce the king's party in Scotland; and both these generals were successful. Scilly, Jersey, Guernsey, and the Isle of Man (the last made famous by the celebrated Countess of Derby) were easily reduced; and wherever the flag of the commonwealth showed itself, whether by land or sea, it was victorious. Vane, St. John, and six others were appointed commissioners to settle the kingdom of Scotland by a union with England, or, as it was termed, to "incorporate" Scotland with the commonwealth. Though Scottish commissioners were found to act with them, the Presbyterian clergy and the mass of the nation detested alike the words "union" and "incorporation;" but among the cogent arguments of the English were a victorious army, a chain of forts, an entire command of the coasts and the trade of Scotland; and, in the end, eighteen out of thirty-one counties, and twenty-four out of fifty-six cities and boroughs, consented to the union, and sent up twenty-eight members to sit in the English parliament. Ireland also was incorporated with the commonwealth, and all signs of royalty were effaced in both those countries.

Ever since the unavenged massacre at Amboyna, the English sailors and people had borne great ill-will to the Dutch; and many recent circumstances had contributed to exasperate this feeling. The government of the United Provinces had treated the envoys of the commonwealth with marked disrespect; nor did they send any ambassadors to London till nearly three years after the execution of Charles, when, warned by the victory of Worcester, they sent over in a hurry to solicit, with great humility, the renewal of friendly negotiations. But these envoys came too late: the parliament had issued letters of marque to indemnify the country for losses sustained at the hands of Dutch vessels, and they had passed the memorable Navigation Act, which established as national law that no goods from any quarter beyond Europe should be imported into England, except by vessels belonging to England or to English colonies; and that no production of Europe should be imported except by English ships, or ships belonging to the country which furnished the production. This deadly blow was aimed at the carrying-trade of the Dutch, one of the most fruitful sources of their commercial prosperity. Nor was this all: the English parliament demanded arrears due by the Dutch for their right of fishing on the shores of England and Scotland, and also the opening of the Scheldt, with a free-trade to the flag of the commonwealth. It was, moreover, clamorously demanded by the English mariners and people, that the survivors of the Dutch that had assisted in the massacre of the English at Amboyna should be given up to justice. All these things were quite enough to produce hostilities between two proud and warlike nations; but no doubt the two facts which most contributed to the war were these:—1st. The House of Orange, closely allied by marriage to that of Stuart, had strenuously exerted itself to avenge the late king's death, and restore his son. 2ndly. The English parliament had formed the grand scheme of a republican union, proposing to incorporate the United Provinces with the English commonwealth, and with that view had opened a correspondence with the republican party in Holland, who were irritated by the despotic encroachments of the princes of Orange (who were rendering themselves as absolute, under the name of stadtholders, as were any of the kings of Europe). All the money which had enabled Charles II. to land in Scotland and invade England had been furnished by the House of Orange; and, on the other side, all the disaffection in the Low Countries, which threatened the ruin of that House, had of late looked for hope and encouragement to the English parliament; though, in effect, the republicans of the United Provinces were too wise and too national to contemplate seriously the incorporation proposed. A collision was inevitable. Van Tromp, the best of the Dutch admirals, and a devoted partisan of the House of Orange, sailed up the Channel with forty sail. Blake, who had swept the fleet of Prince Rupert from the seas, was in the Downs with only twenty sail; but the English admiral insisted that the Dutch should strike their topmasts to his flag, in acknowledgment of the old sovereignty of the nation over the narrow seas. Van Tromp of course refused, and kept his course till he came nearly alongside of the English admiral. Then Blake ordered a gun to be fired at Van Tromp's flag, which was done thrice; but, instead of striking his flag, Van Tromp poured a broadside into Blake. Then the action, as far as the wind and weather would permit, became general, and lasted from three o'clock in the afternoon till nightfall, when the Dutch sheered off, with the loss of two ships, one of which was taken, the other sunk. This fight, in which the commonwealth sailors displayed wonderful ardour, was fought on the 19th of May, 1652. The States-General accused Blake of being the aggressor, and intimated a desire to treat amicably for the adjustment of all difficulties: but, at the same time, they continued to increase their fleet; and the Dutch seamen—then esteemed the best in the world—were eager for their revenge; and on the 19th of July the English parliament put forth an open and spirited declaration of war, affirming that they found too much cause to believe that the states of the United Provinces had an intention, by force, to usurp the known rights of England in the seas, to destroy her fleets, that were, under God, her walls and bulwarks, and thereby to expose the commonwealth to invasion. In the mean time Blake had made many prizes, both merchantmen and Dutch men-of-war; and Sir George Ayscough, the vice-admiral, had been recalled with his squadron from the West Indies. When Van Tromp again put to sea his force more than doubled the concentrated fleet of the parliament, and he talked loudly of

be made to the parliament, yet the good or bad success in it is from your excellency; and particular solicitations of foreign ministers are made to you only; so that I apprehend, indeed, less envy, and danger, and pomp, but not less power and real opportunities of doing good in your being general, than would be if you had assumed the title of king." [And, indeed, if all this were true, Cromwell was almost as much a sovereign before destroying the Rump as he was after that great *coup d'état*.] But Cromwell, still clinging to the notion of kingship, told Whitelock that he had heard some lawyers observe that he who was actually king, whether by descent or merely by election, yet, being once king, all acts done by him as king were, by an act of parliament in Henry VII.'s time, as lawful and justifiable as if they had been done by any king that had the crown by inheritance from his forefathers; so that it was safer for those who acted under a king, be his title what it might, than for those who acted under any other power. "And, surely," continued Cromwell, "the power of a king is so great and high, and so universally understood and reverenced by the people of this nation, that the name of it might not only indemnify in a great measure those that act under it, but likewise be of great use and advantage in such times as these, to curb the insolencies of those whom the present powers cannot control." Whitelock rejoined, that, if their enemies should come to get the upper hand of them, that act of parliament of Henry VII. would be little regarded. "But what do you apprehend would be the danger of taking this title?" asked Cromwell. Whitelock replied, that the danger was simply this—that the main controversy between them and their adversaries was, whether the government should be established in monarchy or in a free state or commonwealth, most of their friends having engaged with them, and undergone all their hazards and difficulties, upon the hopes of having the government settled in a free state, they being persuaded that under the government of a commonwealth they should enjoy more civil and religious liberty than they should under a monarchy, the evils and abuses of which were so fresh in their memories and sufferings: but the question would then be whether Cromwell or Stuart should be king and monarch. Cromwell confessed that there was reason in these objections; but he asked Whitelock what other thing he could propound to obviate the present danger; and Whitelock, after a long discourse, in which he spoke of the busy and turbulent spirits of many men in the army, that wanted not counsel and encouragement, it might be, from some members of the very parliament, begged "a little to consider the condition of the King of Scots,"—as he correctly designated Charles the Second. "That prince," continued the man of the long robe, "is reduced to so very low a condition, that both he and all about him cannot but be very inclinable to hearken to any terms whereby their lost hopes may be revived of his being restored to the crown, and they to their fortunes and native country. By a private treaty with him you may secure yourself, and your friends, and their fortunes; you may make yourself and your posterity as great and permanent, to all human probability, as ever any subject was, *and provide for your friends*. You may put such limits to monarchical power as will secure our spiritual and civil liberties; and you may secure the cause in which we are all engaged by having the power of the militia continued in yourself, and whom you shall agree upon after you. I propound, therefore, for your excellency to send to the King of Scots, and to have a private treaty with him for this purpose." But the man of the sword could not but remember the private negotiations he had with Charles I.—could not but entertain the doubt that duplicity and insincerity were family vices of the Stuarts—could never expect that the son should forgive the death of the father. He broke off the conference, "seeming, by his countenance and carriage, to be displeased with what had been said; yet he never objected it against Whitelock in any public meeting afterwards: only his carriage towards him from that time was altered, and his advising with him not so frequent and intimate as before."* Other conferences took place between Cromwell, St. John, Lenthall the Speaker, Desborough, Harrison, Fleetwood, and Whalley; and to all these men the potent lord-general openly declared that a "settlement with somewhat of monarchical power in it would be very effectual." Other conferences were held between the chief officers of the army and certain members of the parliament, with respect to the dissolution of the present House, and the provisions to be made in order that a "new representative" might be convened, consisting solely of members friendly to liberty. An unshackled election was out of the question;—the Presbyterians so returned would alone have more than doubled the number of the Independents or Republicans, who would have been voted to the Tower and the scaffold, or again obliged to call in Cromwell's pikes and muskets. Yet, notwithstanding this certainty, a committee of the House adopted the resolution of bringing into the new parliament a number of Presbyterians under the name of "Neutrals," and this, too, in spite of Cromwell and his officers, who had told them that none of the Presbyterians who had deserted their cause and interest should have any power in parliament,—that they would as soon deliver up their cause to the royalists,—"that it was one thing to love another in matters of religion, and another thing to set him in the saddle so as to command all his brethren." And here Cromwell decidedly spoke the sense of the whole body of the Independents (excepting such as were blind to facts in their eagerness to retain power), who well knew that the Presbyterians were as remote as ever from any notion of a large religious toleration.

* Memorials.

On the 19th of April there was a great meeting, at Cromwell's lodgings in Whitehall, of parliament-men and officers of the army, who had been summoned on purpose by their general; and it was there debated at length what expedient might be found for carrying on the government and putting a period to the present parliament,—for, as things then stood, the dissolution of the House of Commons was nothing less than the dissolution of the government. Most of the parliament-men represented that it would be a most dangerous thing to dissolve the present parliament; but St. John and several others with him, and all the officers, "who stuck close to their general," were for an instant dissolution, declaring that it was necessary the thing should be done one way or other, and the members of parliament not permitted to prolong their own power. This conference lasted till late at night, when Widdrington and Whitelock—and, may suppose, most of the members—"went home, weary and troubled." On the morrow morning (the 20th), there was another meeting, according to appointment, in Cromwell's lodgings, but few parliament-men attended, and not many officers. "A point was again stirred, which had been debated the last night, whether forty persons, or about that number, of parliament-men and officers of the army, should be nominated by the parliament, and empowered for the managing the affairs of the commonwealth till a new parliament should meet, and so the present parliament to be forthwith dissolved." But, while they were debating this question, news was brought from the House, by Colonel Ingoldsby, that the Commons were hurrying through their own obnoxious bill, with all its clauses about Neuters, &c.; and, in fact, the majority of the House hoped, by indecent speed, to pass this important bill in the form upon which they had privately agreed, before the meeting at Whitehall should be aware of their proceedings. But, now, on Ingoldsby's warning, the members present at that meeting ran down to the House, and Cromwell, greatly excited, commanded some of the officers to fetch a party of soldiers to accompany him. He then marched away to the House, attended by Lambert, a few other officers, and a file of musketeers, whom he left at the doors and in the lobby of the House. Going, then, straight to his seat, he sat for some time in silence, listening to the discussion; but, when the Speaker was about to put the motion, he beckoned Harrison to him, and said, "Now is the time—I must do it." Harrison, a religious enthusiast, a Fifth Monarchy man, who had been wearied with difficulty from his republicanism, advised him to consider what he was doing. He sat down, paused for a minute, then rose, and, removing his hat from his head, began a speech to the question before the House. Soon growing warm, he told them, in violent language, that they were denyers of justice; oppressors; openly profane men, who intended their own aggrandisement; who were planning, at that very moment, to bring in the Presbyterians; who would lose no time in utterly destroying the cause which they had deserted. Sir Harry Vane or Sir Peter Wentworth, or both, rose to remonstrate, and told him that this was not parliamentary language. "I know it," cried Cromwell; who then rushed from his seat to the stage or floor in the midst of the House, where he walked up and down, with his hat on his head, reproaching the members personally, not naming them, but showing by his gestures who it was he meant. Pointing at Vane, he said, "One person might have prevented all this, but he is a juggler, and hath not so much as common honesty. The Lord hath done with him, however, and chosen honester and worthier instruments for carrying on his work." Vane, Wentworth, and Harry Marten raised their voices. "I'll put an end to your prating," shouted Cromwell; "you are no parliament; I'll put an end to your sitting. Get ye gone! Give way to honester men." And stamping with his foot heavily upon the floor, the door opened, and his musketeers rushed in and surrounded him. Then pointing to the Speaker in his chair, he said to Harrison, "Fetch him down." Harrison went to the Speaker, and bade him come down; but the Speaker sat still, and said nothing. "Take him down," cried Cromwell; and then Harrison pulled at his robe, and the Speaker came down. Algernon Sydney, that staunch republican, and then a young member, happened that day to be seated next to the Speaker. "Put *him* out," cried Cromwell to Harrison, who was as active in ending the parliament as Pride had been in purging it. Harrison instantly ordered Sydney to go out. But Sydney said he would not go out; and sat still till the general said, again, "Put him out;" and Harrison and Worsley, who commanded Cromwell's own regiment of foot, laid their hands upon his shoulders, as if they would force him. Then Sydney rose, and went towards the door; and Cromwell went up to the table where the mace lay, and, pointing to it, cried, "Take away that bauble." As the members withdrew, Alderman Allen said that, if he would send out the soldiers, all might yet be repaired; but Cromwell replied by accusing the alderman of embezzlement and dishonesty in his office as treasurer to the army. And, pointing to them as he spoke, he called Challonor a drunkard, Sir Peter Wentworth an adulterer, and his old friend Harry Marten a whoremaster. As Vane passed he said aloud to Cromwell, "This is not honest; yea, it is against morality and common honesty." "Sir Harry Vane! Sir Harry Vane! the Lord deliver me from Sir Harry Vane!" was the general's retort to the wisest and greatest of all the commonwealth-men. And thus the House was soon cleared: "for," says Whitelock, who was present, and who is said to have come in for a share of the abuse, "among all the parliament, of whom many wore swords, and would sometimes brag high, not one man offered to draw his sword against Cromwell, or to make the least resistance against him, but

CROMWELL DISSOLVING THE LONG PARLIAMENT. From a Painting by Benjamin West.

all of them tamely departed the House." When they were all gone the doors were locked, and Cromwell, with the keys in his pocket, walked back to his lodging at Whitehall, and told the council of officers, still assembled there, what he had done. "When I went to the House," said he, "I did not think to have done this; but, perceiving the spirit of God strong upon me, I would no longer consult flesh and blood." But he had still work to do which required a masterly command over flesh and blood; for there still remained the council of state, which had been chosen by, and in great part out of, the destroyed parliament. And on the afternoon of the same memorable day he proceeded to Derby House, accompanied by Harrison and Lambert, and told the members of the council, at his entrance, "Gentlemen, if you are met here as private persons you shall not be disturbed; but if as a council of state, this is no place for you; and since you cannot but know what was done at the House in the morning, so take notice that the parliament is dissolved." Bradshaw, who was in the chair, replied, "Sir, we have heard what you did at the House in the morning, and before many hours all England will hear it. But, Sir, you are mistaken to think that the parliament is dissolved, for no power under heaven can dissolve them but themselves; therefore, take you notice of that." Sir Arthur Haselrig, Mr. Love, and Mr. Scot said something more to the same purpose; but they all rose and departed, nevertheless, "perceiving themselves to be under the same violence."*

On the morrow, the 21st of April, Cromwell and his party were busied in consultations about a new government and governors; on the 22nd they ordered that all courts of justice should sit as formerly, and they put forth a declaration of the grounds and reasons for their dissolving the late parliament, "which declaration, being sent abroad into all the dominions of the commonwealth, was readily assented to by all the chief officers both by land and sea." In this paper Cromwell spoke of the dilatoriness, the wavering, the selfishness, the corruption, and the jealousies of the late members, who could never answer those ends which God, his people, and the whole nation expected from them. "All this," the declaration continued, "being sadly and seriously considered by the honest people of the nation, as well as by the army, it seemed a duty incumbent upon us, who had seen so much of the power and presence of God, to consider of some effectual means whereby to establish right-

* Ludlow.

eousness and peace in these nations. And, after much debate, it was judged necessary that the supreme government should be by the parliament devolved upon known persons, fearing God, and of approved integrity, for a time, as the most hopeful way to countenance all God's people, reform the law, and administer justice impartially: hoping thereby the people might forget monarchy, and understand their true interest in the election of successive parliaments; that so the government might be set upon a right basis, without hazard to this glorious cause, or necessitating to keep up arms for the defence of the same." After mentioning his unsuccessful conferences "with about twenty members of parliament," which convinced him that they intended "to perpetuate themselves," Cromwell continued: "For preventing the consummating whereof, and all the sad and evil consequences, which upon the grounds aforesaid must have ensued, and whereby at one blow the interest of all honest men, and of this glorious cause had been endangered to be laid in the dust, and these nations embroiled in new troubles, at a time when our enemies abroad are watching all advantages against, and some of them actually engaged in war with us, we have been necessitated (though with much reluctance) to put an end to this parliament." Two other proclamations followed this, but it was not till nearly three months had elapsed that the people saw what sort of "known persons, fearing God and of approved integrity," Cromwell chose to hold under him the legislative power of the nation. One hundred and thirty-nine persons for the counties and towns of England, six for Wales, five for Scotland, and six for Ireland, were summoned by writ, running simply in his own name, to meet in the council-chamber at Whitehall, and take upon them the trust of providing for the future government. And on the 4th of July about one hundred and twenty of these individuals of his own selecting met at the place appointed. It was, on the whole, an assemblage of men of good family or of military distinction, "many of them being persons of fortune and knowledge;"* but, mixed with these, were some persons of inferior rank, who were recommended by their religious enthusiasm, their dislike of the Presbyterians, and their influence over the common people and sectarians. Of these the most noted was one Barbone, a dealer in leather, whose name, converted into Barebone, was afterwards applied to the whole parliament, though the more common appellation for that assemblage was "The Little Parliament."† These members being seated round the council-table, Cromwell and the officers of the army standing about the middle of the table, the lord-general made a very long and very devout speech, showing the cause of their summons, and that they had "a clear call to take upon them the supreme authority of the commonwealth," and quoting scripture most copiously to admonish and encourage them to do their duties. He related the wonders of God's mercy shown to himself in the battles he had fought from the beginning of the civil war, "down to the marvellous salvation wrought at Worcester;" he insisted (and, as we are convinced, *believed*) that he and his friends had been eminently and visibly protected by the special providences of the Almighty, saying, that even their enemies had many times confessed that God himself was engaged against them. He then spoke of the reasons which had forced him and his officers to dissolve the Long Parliament, "which was as necessary to be done as the preservation of this cause;" and he then told his little parliament that truly God had called them to the work by as wonderful providences as ever passed upon the sons of men; that he meant to be a servant to them who were called to the exercise of the supreme authority, and he reminded them of what had been much upon his spirits, that "Judah ruleth with God, and is faithful among the saints." "This speech," says a friendly biographer, "was pronounced in so excellent a manner, as sufficiently manifested (as the lord-general himself was thoroughly persuaded) that the spirit of God acted in and by him."* When he had ended he produced an instrument in writing, whereby he did, with the advice of his officers, devolve and intrust the supreme authority and government of the commonwealth into the hands of the persons then met, but stipulating that they should not sit longer than the 3rd of November, 1654, and that three months before the dissolution they were to make choice of other persons to succeed them, who were not to sit longer than a year, and then to dissolve themselves after providing in like manner for a succession and government. And, delivering this instrument into their hands, his excellency commended them to the grace of God, and retired with his officers. The Little Parliament adjourned until the morning, when it was appointed that they should meet at Westminster, where the late parliament had sat, there to keep that day in fasting and prayer. About eight o'clock the next morning they met in the old Parliament House, and prayed and preached—"not finding any necessity to call for the help of a minister"—till about six o'clock in the evening, when they proceeded to business, by appointing Francis Rouse, Esq. to be their speaker, and by nominating a committee to go to the lord-general and desire him to afford his presence and assistance as a member of the House. On the 6th of July, the second day of their sitting, the question was put, "that the House go on in seeking the Lord this day," but it was negatived, and Monday, the 11th, was fixed for that holy exercise. They then

* Whitelock.

† Nearly all the ridiculous names given to the Independents at this time, as "Redeemed Compton," "Fight-the-good-fight-of-Faith White," "If Christ had-not-died-thou-hadst-been damned Barebones," are pure inventions made fifty years after by a clergyman of the established church. Sir Antony Ashley Cooper, afterwards so celebrated as Earl of Shaftesbury, was a member of this parliament.

* Carlington, Life of Cromwell.

THE PROTECTOR OLIVER CROMWELL. From a Painting by Vandyke. Picture in the British Museum.

debated about the style and titles they should assume, and resolved to call themselves "The Parliament of the Commonwealth of England." On the 9th they re-appointed the late council of state, adding to it some new members, among whom was Sir Antony Ashley Cooper, and of which Cromwell was of course the head. If the Long Parliament had been too slow, this Little Parliament was soon found to be too quick. They voted the abolition of the High Court of Chancery; "a measure provoked by its insufferable delay, its ingrossing of almost all suits, and the uncertainty of its decisions;"* they nominated a set of commissioners to preside in courts of justice; among whom they with difficulty admitted two of the legal profession; they enacted, for the relief of Dissenters, that marriages should be solemnised before justices of the peace; and they aimed a death-blow at tithes, without taking much care to provide an equivalent. They entertained also other projects which alarmed their nominator, who could never command a steady majority either in this or in any other of his parliaments; and on the 12th of December, little more than five months after their first meeting, they were prevailed upon by the manœuvres of Cromwell, to dissolve themselves, and surrender their trust into his hands.

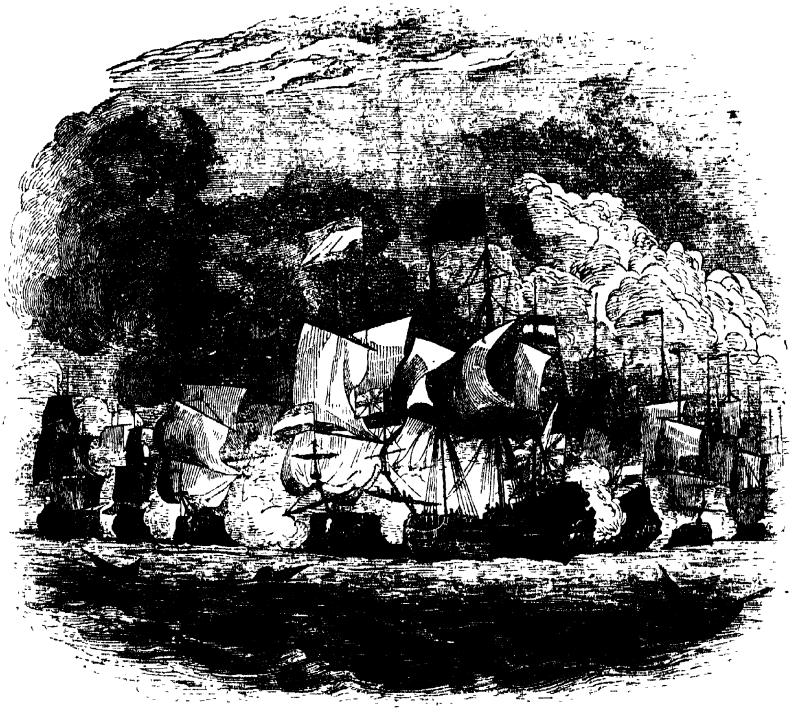
Then the lord-general held a council of officers, and, certain other persons being joined with them to advise, it was resolved to have a commonwealth in a *single person*—"which person should be the Lord-General Cromwell, under the title and dignity of Lord Protector of England, Scotland, and Ireland, and the dominions and territories thereunto belonging, to be advised and assisted by a council of godly, able, and discreet persons, to be not more than twenty-one." And, accordingly, as Lord Protector, Oliver Cromwell, on the 16th of December, proceeded from Whitehall to the Chancery Court, attended by the lords commissioners of the great seal of England, the barons of the Exchequer, and the judges all in their robes, the council of state, and the lord mayor, aldermen, and recorder of the city of London in their scarlet gowns, and many of the chief officers of the army. A chair of state was set in the midst of the Court of Chancery, and there Cromwell, in a plain suit of black velvet, stood on the left-hand of the chair uncovered, till a large writing in parchment was read, containing the power with which he was to be invested and the rules for his governing the three nations. This parchment declared that the supreme legislative authority should be and reside in the lord protector and the people assembled in parliament; that all writs, processes, commissions, patents, &c., which then ran in the name and style of the keepers of the liberty of England, should run in the name and style of the lord protector, from whom, for the future, should be derived all magistracy and ho-

* Hallam, Constitutional History.

nours, and all pardon, except in cases of murder and treason; that he should govern in all things by the advice of the council, and according to the present instrument and laws; that the militia and all forces both by sea and land should, during the sitting of parliament, be in his and their hands, but, in the intervals of parliament, in his and the council's only; that he and the council should have the power of making war and peace with foreign princes; that the laws should not be altered, suspended, abrogated, or repealed, nor any new law made, nor any tax, charge, or imposition laid upon the people, except by common consent in parliament; that a parliament should be called within six months, and afterwards every third year, and if need oftener, which the protector should not dissolve without its own consent till after five months; that the parliament should consist of four hundred English members, thirty Scotch members, and thirty Irish, to be chosen by equal distribution in counties and boroughs; that none that had borne arms against the parliament, no Irish rebels, or papists, should be capable of being elected; that none should be elected under the age of twenty-one years, or that were not persons of known integrity, fearing God, and of good conversation; that all persons seised or possessed of any estate, real or personal, to the value of 200*l.*, should have votes in county elections; that sixty members should be deemed a quorum; that bills offered to the protector, if not assented to by him within twenty days, should pass into, and become law, notwithstanding; that Philip Lord Viscount Lisle, Charles Fleetwood, Esq., John Lambert, Esq, Sir Gilbert Pickering, baronet, Sir Charles Wolsey, baronet, Sir Antony Ashley Cooper, baronet, Edward Montague, John Desborough, Walter Strickland, Henry Lawrence, William Sydenham, Philip Jones, Richard Major, Francis Rous, Philip Skipton, esquires, or any seven of them, should be a council of government, with power in the lord protector and the majority of the council to add to their number; that a regular yearly revenue should be settled for the maintenance of ten thousand horse and fifteen thousand foot, and that the navy should not be altered or lessened but by advice of the council; that the office of lord protector should be elective, and not hereditary—care being taken that none of the children of the late king, nor any of his line or family, should ever be elected; that Oliver Cromwell, captain-general of the forces of England, Scotland, and Ireland, should be declared to be lord protector of the commonwealth for life; that all the great officers, as chancellor, keeper or commissioner of the great seal, treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the Benches, should be chosen by the approbation of parliament, and in the intervals of parliament by the majority of the council, whose choice was to be afterwards approved by the parliament; that the Christian religion, as contained in the scriptures, should be held forth and recommended as the public profession of these nations; that as soon as might be a provision, less subject than tithes to scruple and contention and uncertainty, should be made for the encouragement and maintenance of able and painful teachers, and that until such provision were made the present maintenance should not be taken away or impeached; that none should be compelled to consent to the public profession of faith by fines or penalties or otherwise, but that endeavours should be used to win them by persuasion and example, and that such as professed faith in God by Jesus Christ, though differing in judgment from the doctrine, worship, or discipline publicly held forth, should not be restrained from, but protected in, the exercise of their religion, so that they did not quarrel with and disturb others in the exercise of theirs; provided that (for Cromwell was either unwilling or unable to extend this wide toleration to the church of Rome and the Anglican episcopal church) this liberty were not extended to popery or prelacy, or to such as under the profession of Christ held forth and practised licentiousness. Such were the principal clauses of the instrument of government which the lord protector swore to, and to which he put his signature, promising, in the presence of God, not to violate or infringe the matters and things contained therein. And hereupon he sat down, covered, in the chair of state, and the lords commissioners delivered to him the great seal of England, and the lord mayor his sword and cap of maintenance, all which the lord protector returned immediately to them again. The court then rose, and Cromwell went back in state to the Banqueting House at Whitehall, the lord mayor carrying the sword before him all the way, the soldiers shouting, and the great guns firing. On the following day (the 17th of December) the lord protector was proclaimed by sound of trumpet in the Palace Yard at Westminster, at the Royal Exchange and other places in the city; and soon after the lord mayor and corporation invited him to a great feast at Grocers' Hall.*

Thus was the government of England converted into a republic with a chief magistrate at its head. In the interval which had elapsed since the forcible expulsion of the Long Parliament, the maritime war had been conducted with vigour and success—the English fleet having, according to a pun of those days, out-trumped Van Tromp. This Neptune of the Dutch had again presented himself in the Downs on the 25th of May, and that, too, with a fleet of 108 ships. On the 2nd of June Monk and Dean engaged him; on the 3rd the gallant Blake came up and decided the action, in which the Dutch lost seventeen of their ships, which were sunk or taken, and, besides the slain, more than 1300 men that were made prisoners. The English lost none of their ships, but General Dean unfortunately fell by a great shot on the first day of the action. After the battle the English went

* Whitelock.—Perfect Politician.—Carrington.



DEFEAT OF THE DUTCH FLEET BY BLAKE, DEAN, AND MONK. From a Painting by Cleverly.

and lay off the ports of Holland, taking prizes at their pleasure. But by the 29th of July Van Tromp again got to sea with 120 sail, and put all in a fighting posture to engage the English the next day. As the night was foul, and flats and shoals close under his lee, Monk, who now commanded in chief, hoisted sail and stood out to sea. "This sight made the Dutch suppose a flight, insomuch that one of their captains desired Van Tromp to pursue: for, said he, these Schellums dare not stand one broadside from your excellency: you may see them plainly running home, and therefore, my lord, miss not the opportunity. This was not the first time that Tromp had seen the English at sea, and he therefore returned the captain this short answer: Sir, look to your charge; for, were the enemy but twenty sail, they would never refuse to fight us. So it fell out: for, the weather proving fair and calm, the English contracted their fleet together, and, in a body, tacked about to meet the enemy."* On Sunday morning, the 31st of July—a cloudy, gloomy morning—the two fleets engaged with an excess of fury, the Dutch having the weather-gage, and beginning the fight at long shots. But it was not long before they fought board and board, and so they continued fighting, the Dutch using fire-ships, which stuck like plasters to the sides of some of the English, from five in the morning till ten, "about which time Van Tromp, fighting in the midst of the English fleet, had a passport sent him for another world, being shot with a musket bullet into the left breast near the heart. . . . And no sooner was his life spent, but the hearts of his men were broken, a general consternation suddenly possessing the whole fleet, so that the seamen had more mind to carry home the news of their renowned admiral's death, than to take vengeance on the English for killing him."* This tremendous battle, in which the Dutch lost thirty ships, and the English only two, put an end to the war, and allowed the protector time to attend to business at home.

A.D. 1654.—Whenever Cromwell, who would frequently bemoan the animosities amongst the people caused by diversity in religion, was pressed by preachers and zealots to put an end to them by enforcing a settlement and conformity to one creed, he represented that his power in the nation was merely that of a constable, who was to keep peace and quietness amongst all parties, and misuse none; but he thought himself obliged to imprison for a month some expounders of the gospel who represented him as a tyrant, and a worse protector

* Perfect Politician.

* Perfect Politician.

than Richard III. In the courts of law he made some new appointments, among which was that of the great Sir Matthew Hale, who was put on the Bench of the Common Pleas. Thurloe, the friend of Milton, was made secretary of state; and a higher tone was noticeable in the state-papers of the country than had ever been known before, not excepting even the productions of Elizabeth's time. The French government made haste to congratulate the lord protector, and engaged to dismiss the family of the late King Charles from France; Spain made a tender of friendship and alliance; and Portugal, which had, in effect, been at war with the commonwealth ever since the affair of Prince Rupert, sent over an ambassador extraordinary to negotiate for a peace with Cromwell. Don Pantaleon Sa, brother to the Portuguese envoy, was insulted one day in London by an Englishman of the name of Gerrard, commonly called "Generous Gerrard," an enthusiastic royalist; and on the next day, towards evening, the vindictive Portuguese sallied out with "a fanatic crew," armed with swords, pistols, and daggers, in search of Gerrard, whom they found at the New Exchange. An affray ensued; an Englishman named Greenway was shot, and Colonel Mayo received seven dangerous wounds; but Gerrard, "with his good rapier and with a magnanimous spirit, drove the Portugals all before him." Don Pantaleon fled for refuge to the house of his brother, who pleaded the ambassadorial right of considering his house as a sacred asylum in all cases; but, soon seeing that nothing less would satisfy, he delivered up his brother, his friend, a knight of Malta, and some others. The ambassador then addressed himself to Cromwell, chiefly for his brother, but Cromwell told him that the business concerned the public, and that his excellency must apply to the parliament and council of state. In fact, Cromwell had resolved that Don Pantaleon should suffer the extremity of the law, and, without heeding prayers, promises, or threats, he brought him publicly to trial before a jury, (for more fairness, and as was usual in such cases, it consisted of half Englishmen and half foreigners,) who returned a verdict of guilty, which was followed by the sentence that he should be hanged. On the 10th of July, his sentence being commuted to beheading, he was conveyed from Newgate to Tower Hill in a coach and six, with divers of his brother the ambassador's retinue with him, all in mourning, and there his head was chopped off at two blows.* Yet, in spite of this catastrophe, the ambassador was fain to sign the treaty of peace with the lord protector. It appears, indeed, that he signed on the very day of the execution—and then made haste to get away from a country where the laws and the ruler would make no distinction of persons, nor tolerate assassination in any. But, also on the same day, the "generous" Gerrard, who was himself capable of a worse species of assassination than that perpetrated by the Portuguese, was beheaded on the same spot: for he had engaged with Charles II.* to surprise and murder Cromwell, and then proclaim Charles. He had fully concerted this plan with a set of men as desperate and lawless as himself, and his plot was only discovered by the protector a few hours before the time fixed for its execution. Only one of his accomplices suffered death: this was a Mr. Vowel, who was hanged at the Mews' gate.

* Whitelock.—Thurloe.—Perfect Politician.

At the same time the authority, if not the life, of Cromwell was threatened by some of the discontented republican officers of the army; and he justified himself by the necessity of the case in imprisoning a few of the most distinguished of those men, who had prayed with him and fought with him from the beginning, but never with any intention of making him a sovereign. Ireland remained tolerably tranquil under his lieutenants, and subsequently under the rule of his second son, Henry Cromwell, who, according to the report of one who is no partial narrator, "ruled with so much discretion, that in a small time he brought that disordered nation into the most hopeful condition of a flourishing state."† But in Scotland the highlanders for the most part defied the authority of the commonwealth, maintaining a loose predatory warfare; and the Lords Glencairn, Athol, Lorn, and Balcarras, with other royalists, kept the standard of Charles II. flying, and, upon being joined by General Middleton, who came over from the continent, they assumed a very menacing attitude. But jealousies and fierce dissensions broke out among them; some of the officers turned their arms against one another, and when General Monk, re-appointed by Cromwell to the chief command in Scotland, returned to that country after his victories over the Dutch, he quelled the insurrection with infinite ease, and made Middleton run back to his exiled master. It appears that, as early as this at least, Charles was tampering with Monk; but that third-rate, selfish man could have seen no chance of mastering Cromwell, and his interest, and his conviction that any attempt at a royalist revolution must fail, kept him for the present faithful to the protector and commonwealth.

On the 3rd of September—"the Lord's day, yet the day of the parliament's meeting"‡—the newly-elected members met first in the afternoon at sermon in Westminster Abbey; and after the sermon they attended the protector in the Painted Chamber. There Cromwell addressed them as to the cause of their being summoned; and then they

* Gerrard had recently returned from Paris with a proclamation running in the name of Charles II., offering a reward to any "who should, by pistol, sword, poison, or other means, do an act acceptable to God and good men, in destroying the life of a certain base mechanic fellow, by name Oliver Cromwell, who had usurped the supreme power." Clarendon, who is suspected to have penned this atrocious paper, denies that there was any plot of the kind: but there are few things more clearly proved than Gerrard's guilt; or more obvious than the fact that not one, but many, of the royalists thought it would be no sin to shoot, stab, poison, or otherwise dispose of the usurper.

† Perfect Politician.

‡ Whitelock. The 3rd of September, though a Sunday, had been chosen, because it was the anniversary of the great victories of Dunbar and Worcester, and because Cromwell considered it his lucky day.

went to their House and adjourned till the next morning. On that morning the protector rode in state* from Whitehall to the Abbey, where another sermon was preached, and whence the members followed him back to the Painted Chamber. He took his seat in a chair of state set upon steps—as like a throne as it well might be;—the members, all uncovered, sat upon benches round about him; and all being silent, "his highness" took off his hat, and made what Whitelock calls "a large and subtle speech." He spoke to them of—what he assuredly might have felt as a citizen, as an English gentleman—the great danger resulting from the anarchic principles of the Levellers, and the fantastic opinions of the Fifth-monarchy men, who, if left to themselves, would destroy liberty, property, law, and rational religion, in order to introduce their wild systems and theories of government under the mask of the most sacred of all liberties—the liberty of conscience.† "They can tell the magistrate," continued the protector, "that he hath nothing to do with men in these matters—for these are matters of conscience and opinion; they are matters of religion—what hath the magistrate to do with them? He is to look to the outward man, but not to meddle with the inward. And truly it so happens, that though these things do break out visibly to all, yet the principle wherewith they are carried on so forbids the magistrate to meddle with them, as it hath hitherto kept the offenders from punishment. . . . . The afore-mentioned abominations did thus swell to this height amongst us. The axe was laid to the root of the ministry. It was antichristian,—it was Babylonish: it suffered under such a judgment, that, the truth of it is, as the extremity was great on that, I wish it prove not so on this, hand. The extremity was, that no man having a good testimony, having received gifts from Christ, might preach, if not ordained. So, now, many on the other hand affirm that he who is ordained hath a nullity, or antichristianism, stamped upon his calling; so that he ought not to preach, or not be heard. I wish it may not too justly be said that there was severity and sharpness; yea, too much of an imposing spirit in matters of conscience; a spirit unchristian enough in any times, most unfit for these; denying liberty to those who have earned it with their blood; who have gained civil liberty, and religious also, for those who would thus impose upon them."* He went on to tell them that there had been too much subverting and undoing; that "overturn, overturn, overturn," was a scripture phrase very much abused, and applied by men of discontented spirits to justify all kinds of unpeaceable practices; that the common enemy in the mean time was not sleeping; that swarms of Jesuits were coming over to meddle in the affairs of England, to hinder the good work in Ireland, to obstruct it in Scotland. After speaking of the successful termination of the war with the Portuguese, and the war with the Dutch, he asserted that it was *his* government that had applied the remedy, and that he and that government were calculated for the interest of the people, for their interest alone and for their good, without respect had to any other interest. "I may," continued the Protector, "with all humbleness towards God, and modestly before you, say something in the behalf of this government. It hath endeavoured to reform the laws, and for that end hath joined persons of integrity and ability to consider how the laws may be made plain, short, and easy. . . . . It hath taken care to put into the seats of justice men of the most known integrity and ability. The Chancery hath been reformed, and, I hope, to the just satisfaction of all good men. It hath put a stop to that heady way for every man that will to make himself a preacher, having endeavoured to settle a way for approbation of men of piety and fitness for the work, and the business committed to persons both of the Presbyterian and Independent judgment. . . . . One thing more this government hath done. It hath been instrumental to call a free parliament: blessed be God, we see here this day a free parliament! And that it may continue so, I hope is in the heart and spirit of every good man in England. For mine own part, as I desired it above my life, so to keep it free I shall value it above my life."† When Cromwell had done speaking, the members went to their House; elected the old Speaker, Lenthall; reappointed several of the officers of the Long Parliament; and appointed the 13th of September as a day of humiliation, to be kept by the parliament, city, and parts adjacent. But, on the morrow (the 5th), their very first proceeding was to call in question the recent "instrument of government," or charter, by appointing a committee of privileges, and by moving that the House should resolve itself into a committee to deliberate whether the legislative power should be in a single person and a parliament, or, in other words, whether they should or should not acknowledge the late instrument which had made Cromwell protector and *them* a parliament.

If Cromwell had taken any great pains in influencing the election of these men, his pains had been thrown away in good part,—for not only had many republicans been returned, but also many Presbyterians; and the united opposition of these two

* "About nine in the morning his highness (not much affecting pomp and bravery) rode in his coach to church: with him there sat his son Henry and the Lord Lambert: his gentlemen, very richly clad, marched first, bare-headed; next before the coach went the pages, and on one side of the coach walked on foot Mr. Strickland, one of the council, and captain of the guard, together with the master of the ceremonies; on the other side, in like manner, was Captain Howard, captain of the Lifeguard. After these, followed, in coaches, the lords commissioners of the Great Seal, of the Treasury, and the Council; at last, the ordinary guard of the protector put an end to the train. In this manner he went to the Abbey. As he entered the church, there was borne before him four maces, the purse and a sword, which the Lord Lambert carried bare headed."—*Perfect Politician.*

† The Fifth-monarchy men confidently expected that the Millennium was at hand,—that Christ was coming, and that they, as the blessed saints, were to have under him the exclusive dominion of the whole world. All this and a great deal more they conceived they saw clearly foretold in the Apocalypse.

* Parl. Hist. † Parl. Hist.—Whitelock.

parties was too strong for the protectorians, or the *court* party, as Cromwell's adherents were already called. Bradshaw was one of the republican members; and he and Scott headed that section, and spoke with great boldness in support of their own theory of government, possibly not reflecting sufficiently upon the undeniable fact, that there were not materials in England to constitute or sustain a republic. Ludlow, who was as enthusiastic as Bradshaw, says, that these speeches "were very instrumental in opening the eyes of many young members, who had never before heard the public interest so clearly stated and asserted; so that the commonwealth party increased every day, and that of the sword lost ground proportionally." These speeches, or the reports of them, are among the many things of this period that have perished; but we learn, from a contemporary, that a noble gentleman, whom he names not, made one "excellent speech, wherein he showed the snares that then were laid to entrap the people's privileges: for his own part, he declared that God had made him instrumental in cutting down tyranny in one person, and now he could not endure to see the nation's liberties ready to be shackled by another, whose right to the government could be measured out no other ways than by the length of his sword, —'twas this emboldened him to command his commanders. To the same effect many more speeches were made, in direct opposition to a single person."* When they had jarred for eight days together upon this string, Cromwell summoned all the members before him in the Painted Chamber, and there gave them to understand that the government by a single person and a parliament was a fundamental principle, fully established, and not subject to their discussion; that the "instrument of government" expressly provided that no parliamentary bills should contain anything in them contrary to the clauses of the said instrument; that the same instrument of government that made them a parliament made him a protector; and as they were intrusted with some things, so was he with others; and that these fundamentals could not be altered or called in question. They were—1. That the government should be in one person and a parliament. 2. That parliament should not be made perpetual. 3. That the militia was not to be trusted to any one hand or power, but to be so disposed that the parliament should have a check upon the protector, and the protector upon the parliament. 4. That, in matters of religion, there should be a due liberty of conscience, with bounds and liberties set, so as to prevent persecution. As for all other points, he assured them that they were examinable and alterable as the occasion and the state of affairs might require. "I told you," continued Cromwell, still leaning upon the clear clauses in the instrument of government, "I told you you were a free parliament; and so you are, whilst you own the government and authority that called you hither: for, certainly, that word implied a reciprocation, or implied nothing at all. . . . . I called not myself to this place. I say, again, I called not myself to this place; of that God is witness. . . . If my calling be from God, and my testimony from the people, God and the people shall take it from me, else I will not part with it." In the end, he told them that he was necessitated to appoint a test or recognition of his government, which must be signed by them all before they went any more into the House. The test or recognition was simply in these words:—"I do hereby promise and engage to be true and faithful to the lord-protector and the commonwealth of England, Scotland, and Ireland; and shall not (according to the tenor of the indenture whereby I am returned to serve in parliament) propose or give my consent to alter the government as it is settled in one person and a parliament." This parchment was placed on a table near the door of the House, and about one hundred and thirty members subscribed it immediately, and went back to their seats, when they adjourned for one day, to give time for the rest to sign it. In the course of the day Major-General Harrison, who had returned to his republicanism, regarded the rule of one man as contrary to the law of Christ, and who had played so conspicuous a part in driving out the Long Parliament, but who had himself been driven out of the Little Parliament, was secured by a party of horse at the Lord Protector's order. On the 14th of September many more of the members subscribed the recognition; the House, however, voting and declaring that this recognition did not comprehend, nor should be construed to comprehend, the whole instrument of government, consisting of forty-two articles, but only the clauses which concerned the government of the commonwealth by a single person and successive parliaments. On the 18th they voted that all persons returned, or that should be returned hereafter to serve in this present parliament, should, before they were admitted to sit in the House, subscribe the test or recognition; and that the subscription should be taken in the presence of any two members who had themselves subscribed it. On the 19th they began to sit in grand committee to debate, *de die in diem*, the instrument of government, till they should go through all the forty-two articles, and confirm or reject them. And upon the same day they voted that the supreme legislative authority should reside in a lord-protector and the people assembled in parliament, and that the present lord-protector should continue during life. By the 6th of October three hundred of the four hundred members had signed the recognition. On the 16th of October they took up the critical question whether the office of the single person or protector should be elective or hereditary, and, after a high debate, which lasted several days, it was carried by a very large majority that the office should be elective. The veto allowed to the lord-protector by the instrument of

* Perfect Politician.

government was less than the shadow of that royal prerogative as allowed to modern constitutional kings; but, thin and airy as it was, the medley majority of republicans and Presbyterians made their attack upon it.* On the 11th of December they voted that, in bills touching liberty of conscience, the protector should have a negative, *but not in bills for suppressing heresies;* and that a bill should be drawn up wherein should be enumerated all the damnable heresies existing. Here the hoof of Presbyterian intolerance is again visible, and the sight of it forces us to reflect on what a blessed kind of government, and what a tenderness to religious liberty, the nation would have found if a parliament with such a majority had prevailed over Cromwell.†

A.D. 1656.—Nearly five months—the time prescribed by the instrument of government—had now elapsed since this parliament began its sitting, "in all which time they did much in doing nothing." They had not presented a single bill to the protector; they had not honoured him with the slightest communication; they had not voted him a sixpence for meeting the expenses of the government. On the 22nd of January, the earliest day that the letter of the instrument would allow, —and here Cromwell thought fit to make parliamentary months lunar months of twenty-eight days each,—he summoned them before him to tell them that it was not for the profit of these nations that they should continue any longer; and that, therefore, he did dissolve this parliament. In his long speech he regretted that they should have lost so good an opportunity of establishing a rational government, equally removed from the extremes of monarchy on the one hand, and of democracy on the other; that they must remember how carefully he had declined to intrench upon their privileges, offering them no manner of interruption or hindrance, no injury, no indignity, no vexing with messages or questionings. "As I may not take notice," he continued, "of what you have been doing, so I think I have a very great liberty to tell you that I do not know what you have been doing; that I do not know whether you have been alive or dead! I have not once heard from you in all this time. I have not! And that you all know." He then alluded to his own melancholy thoughts, and proceeded to tell them what he had been doing, and what the enemies of the country had been doing; that, while they had been disputing about abstract principles of government, the enemies of the peace of these nations abroad and at home, the discontented humours throughout the nation, had been nourishing themselves under their shadow; that the cavalier party had been designing and preparing to put the nation into blood again; and "that another sort than those before-mentioned" had been, and yet were, endeavouring to put all into blood and into confusion—a confusion more desperate and dangerous than England ever yet saw: in fine, that the royalist and levelling factions alike had been threatening to subvert all liberty whatsoever, and all right religion.

And, in fact, as many members of the now dissolved parliament must have known, these dangers were not yet past. A few days after the dissolution Cromwell discovered the particulars of a most extensive plot, wherein many of the king's party and some of the levelling party were engaged and acting in strange concert, each hoping, in the end, to dupe the other. "The conspiracy," says Whitelock, "was generally laid to bring in the king; and the design so far took effect that, in several counties, small armed parties began to gather into a body. In Shropshire, Sir Thomas Harris, with a party, endeavoured to surprise Shrewsbury Castle, but was prevented, and taken prisoner. Others were prevented at Chirke Castle, endeavouring to surprise it; and the like was in other places. This design, the protector had a jealousy, was countenanced by the late parliament, and he gave out that to be a cause of the dissolving of them." At this moment, indeed, Major Wildman was seized by a party of horse, and carried from Exton, near Marlborough, to Chepstow Castle. At the time of his arrest he was found in his chamber, leaning upon his elbow, and dictating to his man—"The Declaration of the Free and Well-affected People of England now in Arms against the Tyrant Oliver Cromwell, Esquire." "Many," says Whitelock, "who viewed this declaration knew that there was too much of truth in it; and, had not the design been nipped in the bud, and timely discovered and prevented, it might have caused some disturbance to the protector and to the peace of the new government; but, by the commitment of the chief conspirators, this plot was crushed, and the peace not interrupted. Divers wondered most that Wildman, and others of his party who had served the parliament, should now join in this design with those of the king's party; but they alleged the strengthening of themselves, and their power afterwards, to suppress the Cavaliers, or any other who should oppose their ends." On Sunday, the 11th of March, two hundred new conspirators burst into Salisbury at midnight, seized many horses, and took away the commissions of the judges who were then on their circuit in that place. From Salisbury the insurgents marched westward, but they were soon overtaken by one of Cromwell's regiments at South Molton, in Devonshire, and there, after a sharp conflict, routed and cut to pieces. For this affair Captains Penruddock, Grove, and Lucas were executed; and the prisons in those parts were filled with royalists. The Earl of Rochester came over from Charles II., made a feeble attempt in Yorkshire, and then fled

* While these debates were in progress Cromwell's mother died, and was buried in Westminster Abbey, where, some time before, he had interred his son-in-law, Ireton, who died in Ireland,—according to some, to the no great grief of Cromwell, who had been deterred and hampered in his schemes by Ireton's determined republicanism.

† On the very next day the parliament voted two books, printed under the name of John Biddle, to contain many impious and blasphemous opinions against the Deity of the Holy Ghost, and that the books should be burnt by the hand of the hangman; and a committee named to examine and find out the authors, printers, and publishers. —*Whitelock.*

for his life. Overton was equally unsuccessful in Scotland, Colonel Birch in Herefordshire; and others, whether royalists or republicans, failed in other places. But these insurrections and plots, which at one time extended from the Scottish Highlands to the hills of Cornwall, made the protector adopt a system of military government. He divided England and Wales into eleven districts, over each of which he placed a major-general, who was authorised to exact payments of fines and forfeitures imposed on the royalists and other insurgents, to suppress tumults, and to secure obedience to the existing government. The first major-generals appointed were Fleetwood, Desborough, Skippon, Whalley, Lambert, Kelsey, Goff, Berry, Butler, Wortley, and Barkstead; and these officers, acting for the most part with the militia of the counties, and not with the soldiers of the old army, effectually put down insurrection, and established everywhere the indisputable authority of the protector.

And Cromwell's success abroad, and the high estimation in which he was held by foreign powers, still continued on the increase. Spain and France, at war with each other, both courted his friendship, and neither of them spared any baseness or prostration to secure his alliance. In the plenitude of his power he demanded from Spain that no Englishman should ever be subject to the Inquisition, and that the West Indies and the South American continent should be thrown open to his flag, with a free trade to all English subjects. The Spanish ambassador told him that this was like asking for the King of Spain's two eyes.* The protector, by the advice of one Gage, a minister who had been long in the West Indies, sent forth a gallant fleet under the command of Vice-Admiral Penn, with a land army under General Venables; and this expedition, which had alarmed nearly all the courts of Europe, its object being kept a profound secret, took and secured the very important island of Jamaica, after making a blundering and unsuccessful, and not very honourable, attempt on Hispaniola. At the same time, a second fleet, under Blake, put down or checked for the time the Barbary pirates in the Mediterranean, and exacted indemnities from the Grand Duke of Tuscany, who, some years before, had permitted Prince Rupert to sell English prizes at Leghorn. Cromwell, who was accustomed to say that a ship of the line was the best ambassador—that he could make the thunder of his cannon in the Mediterranean heard by the pope in Rome,—next interfered in favour of the persecuted Waldenses, a Protestant people dwelling in the upper valleys of Piedmont, "amidst the wildest and most secluded of those Alpine fastnesses which lie between the Clusone and the Pelice, two mountain torrents that fall into the river Po."† In this negotiation, as in many others, Cromwell was assisted by the mighty pen of Milton. He could scarcely make his sea-cannon even heard by the Duke of Savoy, the sovereign of Piedmont and the persecutor of the Waldenses; but he was now engaged in a treaty with the French, and he refused to sign it until Cardinal Mazarin, who was said to fear Cromwell more than he did the devil, had read a lesson of toleration to the court of Savoy, and had obtained from it a solemn engagement to allow the Protestant mountaineers liberty of conscience and the restoration of all their ancient rights. Then Cromwell finished his treaty with his *brother* the King of France; and a declaration of war, in confederacy with the French monarch, was issued against the King of Spain, who, after the unannounced attack on his territories in the West Indies, had laid an embargo upon English ships. In this naval war with Spain Blake was again the hero; and he and his captains presently began to fill the ports of England with rich prizes.

Encouraged by these successes, Cromwell ventured to call a third parliament, which he opened on the 17th of September, 1656, after rejecting nearly a hundred of the members elected, or one-fourth of the whole. In his speech he again asserted the undeniable fact, that Charles Stuart was soliciting aid in every direction, and that his partisans in England—the cavaliers and papists—were joined with levellers and fifth-monarchy men. In this "purified" assembly money was voted liberally, and other bills were passed according to the lord-protector's desire. A conspiracy against his life, in which one Syndercombe, a republican officer, who had been quartermaster to Monk, undertook to assassinate the protector,* and the discovery of a correspondence between some of the English republicans and the court at Madrid, wherein the Spaniards were invited to land an army in England, hurried on the debates and events which we have now briefly to relate.

A.D. 1657.—It had long been felt that any parliament of one chamber or house was a mere nullity, and that, as affairs now stood, there was nothing but the single life of Cromwell between comparative tranquillity and prosperity, and civil war and anarchy; and many men, not the protector's dupes or tools, and who were neither selfish nor short-sighted, had seriously deliberated upon the restoration of the House of Lords and of hereditary monarchy. One member, bolder than the rest, ventured to recommend something which would tend very much to the preservation of his highness and the nation, and to the quieting of all the designs of their enemies; and this was, that his highness would be pleased to take upon him the government according to the ancient constitution. And, after a short but passionate dispute, it was concluded that this suggestion should be seriously debated.† On the 23rd of February

* Thurloe, State Papers. † Gilly's Waldenses.

* Syndercombe's plan was to murder Cromwell on one of his frequent journeys from Whitehall to Hampton Court, which last place the protector most loved. The frequency of these plots had rendered Cromwell wary in the extreme, and had led to his employing secret spies in all directions. Syndercombe was seized in his bed, and brought to trial; but he escaped the horrible execution, to which he was sentenced, as a traitor, by committing suicide.

† Burton's Diary.

Sir Christopher Pack, who had recently been lord mayor of London, suggested, without periphrasis, that, as the best way of settling the nation, the lord-protector should be desired to assume the title of King! He had scarcely said the words when the republican and military members forced him from his seat, near the Speaker, down to the bar of the House, with a paper which he held in his hand. But Pack's friends rose to assist him, and, in spite of much violence and tumult, his paper was read in the House. It was entitled "A humble Address and Remonstrance of the Knights, Burgesses, and Citizens assembled in Parliament;" and its purport was to denounce the military government under the eleven major-generals and their delegates, and to urge the protector to assume a higher title, and to put himself at the head of a government which should be managed with the advice of *two* houses of parliament: a motion that it should be discussed *seriatim* was carried by a majority of 100 to 44; and it was debated, day after day, from the 23rd of February to the 26th of March. If the major-generals, whose almost pro-consular authority was menaced by it, were among the sturdiest of its opponents, there were others who opposed it without any apparent selfish motive; but, after all opposition, the substance of the paper was adopted by the House, who changed its title into that of "The humble Petition and Advice of the Parliament of England, Scotland, and Ireland." On the last day of the debate the blank left for the title to be borne by Cromwell was filled up with the word "KING" by a majority of 123 to 62. On the 4th of April the paper was presented to his highness at Whitehall by the Speaker and the House, who desired "that his highness would be pleased to magnify himself with the title of king;" six or seven members being appointed to persuade his highness thereto. The principal arguments used were these,—that the title of king had obtained from the very infancy of this nation; that sometimes the person of the king had been unpleasant to the people, but not his title or office; that the title was interwoven in the laws, accommodated to the genius of the people, approved by the suffrages of parliaments; that it was for the honour of the nation to call their supreme governor king; that by the statutes of the 9th of Edward IV. and 3rd of Henry VII. it was enacted that none taking up arms for the king, although unjustly, should be punished therefore; that it was more upon account of these laws, than of any affection, that many took part with the king in the late wars; that as to Providence, that would be no less conspicuous in turning the government again into monarchy for avoiding confusion, and bridling the tumults of the people, than in changing the name of monarchy into protectorship; and that good and pious men would acquiesce in the decree of parliament, although perhaps they might seem privately to differ. Cromwell urged his reasons against these arguments, declaring that he did not find it his duty to God and the country to accept the proposed new title. He desired time to reflect upon this part of "the great machine of England's government, called the Petition and Advice;" but, as to that other great clause of the paper, which recalled into existence the House of Peers, he did not hesitate for a moment.

Meanwhile certain of the fifth-monarchy men had resolved that there should be no king but Jesus Christ, and no parliament but a sanhedrim, to consist entirely of saints—that is, of themselves. Through the vigilance of Thurloe this precious plot was discovered, and a number of the conspirators were arrested with arms in their hands. Their leader appeared to be one Venner, a wine-cooper (called, by Thurloe, "a desperate and bloody spirit"); but Major-General Harrison, Vice-Admiral Lawson, Colonel Rich, and other officers of that stamp, were implicated, and were all seized and sent to the Tower.* By the laws passed in the Long Parliament the offence of these men was capital, but not one of them suffered death. The discovery of the plot interrupted the proceedings about the petition and advice, and the kingly title, for several days; but on the 12th of April a committee of the House, headed by Whitelock, waited upon the lord-protector; and on the 14th Whitelock reported the "passages yesterday betwixt his highness and the committee about the title of king." On the 16th Whitelock moved that the committee should meet again with his highness, which was ordered, and the committee attended; but the protector, being busy in examining the plot, put them off to another day. On the 20th, upon Whitelock's motion, the committee were again ordered to wait upon "his highness." Whitelock himself says, here, "The protector was satisfied in his private judgment that it was fit for him to take upon him the title of king, and matters were prepared in order thereunto; but afterwards, by solicitation of the commonwealth-men, and fearing a mutiny and defection of a great part of the army in case he should assume that title and office, his mind changed; and many of the officers of the army gave out high threatenings against him in case he should do it; he therefore thought best to attend some better season and opportunity in this business, and refused it at this time, with great seeming earnestness." And, indeed, Crom-

* Whitelock.—Thurloe, State Papers—"This insurrection," says Thurloe, "was to have been upon Thursday night: the place of their first meeting was to have been at Mile-End Green. The party engaged to begin this insurrection (for this was to have been but as a forlorn) were those who falsely and profanely style themselves the fifth monarchy, and pretend to have no king but Jesus; for they do most impiously and wickedly father all their counsels and Satan's delusions upon him, calling that which is earthly, sensual, and devilish, to be the working of the Holy Spirit, and the power of Christ's love in them. ..... They encouraged one another with this, that, though they were but worms, yet they should be made instrumental to thresh mountains. ..... That which they relied upon was, that many thousands would soon flock to them out of the city, and that others in the country would be also up. And though they speak great words of the reign of the saints, and the beautiful kingdom of holies which they would erect, yet the baits they lay to catch men with are, taking away taxes, excise, customs, and tithes. ..... Upon their first meeting there was a book read amongst them called 'A Healing Question.' They had their correspondents at Bedford, Manchester, Abingdon, Oxford, Portsmouth, Hull, Bristol, Lincoln, and many other places."

well's assumption of hereditary royalty was most strenuously opposed not merely by Lambert, the best soldier in England next to the protector, and who entertained the hope of succeeding Cromwell in the protectorship, but also by Cromwell's brother-in-law Desborough, his son-in-law Fleetwood, his old instrument Colonel Pride, and above a hundred officers of name and influence, who, after waiting upon the protector in a body, sent up a petition to the House, setting forth—"That they (the petitioners) had hazarded their lives against monarchy, and were still ready to do so in defence of the liberties of the nation: that, having observed in some men great endeavours to bring the nation again under their old servitude, by pressing their general to take upon him the title and government of a king, in order to destroy him and weaken the hands of those who were faithful to the public; they, therefore, humbly desired that they would discountenance all such persons and endeavours, and continue steadfast to the old cause, for the preservation of which they, for their parts, were most ready to lay down their lives.'"* Therefore, *if* Cromwell (and, after all that has been said by his enemies of all colours, the subject is still open to doubt) had set his heart upon the mere title of king (the power he had), he was disappointed, and obliged to recede. On the 19th of May, after he had submitted several papers to the House, it was voted that his title should continue to be that of lord-protector; on the 22nd the House fixed "the bounds and limits of the title of lord-protector;" and on the 25th a committee waited upon "his highness" with the "Petition and Advice," which had been slightly modified in a few other particulars. By this instrument the knights, citizens, and burgesses, in parliament assembled, acknowledged their thankfulness to the wonderful mercy of Almighty God in delivering them from that tyranny and bondage, both in their spiritual and civil concernments, which the late king and his party designed to bring them under; their obligations to his highness, whose person the same gracious God had preserved in so many battles, and who had been an instrument for restoring peace and tranquillity, although environed by enemies abroad and unquiet spirits at home; and their conviction that the destruction of his person would throw all back into blood and confusion. They begged that he would be pleased to hold and exercise the office of chief magistrate, by and under the name and style of Lord-Protector of the Commonwealth of England, Scotland, and Ireland, &c.; to appoint and declare, during his lifetime, the person who should be his successor; and to create the "Other House," the members to be such as should be nominated by his highness and approved by the commons.* By the same instrument it was provided that those who had advised, assisted, or abetted the rebellion of Ireland, and those who did or should profess the Popish religion, should be disabled and made incapable for ever to be elected or to give any vote in elections, and that the same disability should be extended to all who had aided, abetted, advised,

* Ludlow, Memoirs.—"The protector," says Whitelock, "often advised about this and other great businesses with the Lord Broghill, Pierpoint, Whitelock, Sir Charles Wolsey, and Thurloe, and would be shut up three or four hours together in private discourse, and none were admitted to come in to him: he would sometimes be very cheerful with them, and, laying aside his greatness, he would be exceeding familiar with them, and, by way of diversion, would make verses with them, and every one must try his fancy. He commonly called for tobacco, pipes, and a candle, and would now and then take tobacco himself: then he would fall again to his serious and great business, and advise with them in these affairs."

* The commonwealth-men, it appears, would tolerate neither the designation "House of Lords," nor that of "Upper House." The thing was, therefore, termed "the Other House," that branch of the legislature losing not less in real power than it lost in name or dignity: they were not to exceed seventy in number, nor to be less than forty, whereof one-and twenty were to form a quorum; they were not to give any vote by proxy, on death or removal no new members were to be admitted to sit and vote but by consent of the House of Commons, &c.

Cromwell's Great Seal for Scotland.

The reverse exhibits the Cross of Scotland surmounted by Cromwell's Paternal Arms. From Simon's Medals

or assisted in any war against the parliament since the 1st of January, 1641, unless they had since borne arms for the parliament, or for his highness, or had otherwise given signal testimony of their good affection to the commonwealth; that the House should have an exclusive jurisdiction over its privileges and constituent members, &c. &c. When the clerk of the parliament had read this long instrument, Cromwell, after a solemn speech, said, "The lord-protector doth consent." On the 25th of June the parliament ordered the master of the ceremonies to give notice to foreign ambassadors of the inauguration of the protector; and on the next day that ceremony was performed with pomp and circumstance little inferior to those which attend a coronation. "It was appointed by the parliament to be performed in Westminster Hall, where, in the upper end, there was an ascent raised, where a chair and canopy of state was set, and a table with another chair for the Speaker, with seats built scaffold-wise, for the parliament, on both sides; and places below for the aldermen of London and the like: all which being in a readiness, the protector came out of a room adjoining to the Lords' House (having come thither from Whitehall by water), and in this order proceeded into the Hall. First went his gentlemen, then a herald; next the aldermen, another herald, the attorney-general; then the judges, then Norroy, the lords commissioners of the Treasury, and the seal carried by Commissioner Fiennes; then Garter, and after him the Earl of Warwick with the sword borne before the protector, bare-headed, the lord mayor Tichborn carrying the city sword by his left hand. Being seated in his chair, on the left hand thereof stood the lord mayor and the Dutch ambassador; the French ambassador and the Earl of Warwick on the right; next behind him stood his sons, Richard, Fleetwood, Claypole, and the privy council; upon a lower descent stood the Lord Viscount Lisle, Lord Montague, and Mr. Whitelock, with drawn swords."* When the protector had taken his place, standing up under a cloth of estate, the Speaker, in the name of the parliament, presented to him a robe of purple velvet lined with ermine (which the Speaker, assisted by Whitelock and others, put upon his highness); then he delivered to him the Bible richly gilt and bossed; and the Speaker girt the sword about his highness and put into his hand the sceptre of massy gold, and then made a speech to him upon those several things, wished him all prosperity in his government, and administered the new oath. This done, Mr. Manton, one of the chaplains, made a long prayer, recommending his highness, the parliament, the council, the forces by land and sea, and the people of the three nations, to the blessing and protection of God. And after this prayer, "the heralds, by sound of trumpet, proclaimed his highness Protector of England, Scotland, and Ireland, and the

* Perfect Politician.

OLIVER CROMWELL'S WIFE.

From an Anonymous Print of the Period, in which she is styled, "Protectress and a Drudge."

dominions thereunto belonging; requiring all persons to yield him due obedience. Hereupon the trumpets sounded again, and the people (after the usual manner) gave several acclamations, with loud shouts, crying 'God save the lord-protector!' At the end of all, the protector, with his train, returned to Whitehall, and the members to the parliament-house, where they prorogued their sitting to the next January."*

The court and the manner of life of Cromwell continued quiet and modest, as they ever had been; not wanting, however, a certain sober dignity, which was more imposing than the tinsel and parade of most royalties. Everything at Hampton Court, his favourite residence, had an air of sobriety and decency: there was no riot, no debauchery, seen or heard of; yet it was not a dull place, the protector's humour being naturally of a cheerful turn. "He now provided him a guard of halberdiers in gray coats, welted with a black velvet, over whom Walter Strickland was captain. He frequently diverted himself at Hampton Court, whither he went and returned, commonly in post, with his guards behind and before. His own diet was spare and not curious, except in public treatments, which were constantly given the Monday in every week, to all the officers in the army not below a captain, where he used to dine with them. A table was likewise spread every day of the week for such officers as should casually come to court. He was a great lover of music, and entertained the most skilful in that science in his pay and family. He respected all persons that were eximious in any art, and would procure them to be sent or brought to him. Sometimes he would, for a frolic, before he had half dined, give order for the drum to beat and call in his foot-guards, who were permitted to make booty of all they found on the table. Sometimes he would be jocund with some of the nobility, and would tell them what company they had lately kept; when and where they had drunk the king's health and the royal family's; bidding them, when they did it again, to do it more privately; and this without any passion, and as festivous, droll discourse."† He delighted especially to surround himself with the master-minds of his age and country—with men who have left immortal names behind them. Milton, the Latin secretary, was his familiar; honest Andrew Marvel was his frequent guest; Waller was his friend and kinsman; nor was the more youthful genius of Dryden excluded. Hartlib, a native of Poland, the bosom friend of Milton, and the advocate of education, was honoured and pensioned; and so was Usher, the learned and amiable archbishop, notwithstanding his prelacy; and John Biddle, called the father of English Unitarians, received an allowance of a hundred crowns a-year. Even the fantastic, plotting Catholic, Sir Kenelm Digby, was among the protector's guests, and received support or assistance, on account, chiefly, of his literary merits. The general course of the protector's government was mild and just. One who was his physician, but not his panegyrist, says,—"Justice (that we may not scourge him beyond his desert) was renewed almost to her former grace and splendour, as well distributive as commutative; the judges executing their office with equity and justice, far from covetousness; and the laws suffered, without delay or let, to have their full force upon all (a few excepted, where he himself was immediately concerned). The lives of men, outwardly at least, became reformed, either by withdrawing the incentives to luxury, or by means of the ancient laws now of new put into execution. There was also a strict discipline kept in his court; one could find none here that was either drunkard or whoremaster, none that was guilty of extortion or oppression, but he was severely rebuked. Now trade began to flourish; and (to say all in a word) all England over there were halcyon days."*

About six weeks after Cromwell's inauguration he was afflicted by receiving the news of the death of the brave Blake, who, with wonderful success, had asserted in all seas the supremacy of the British flag,—who had done the most eminent service to parliament, to commonwealth, to the protector,—who had been the "first man that declined the old track, and made it manifest that the science might be attained in less time than was imagined, and despised those rules which had long been in practice to keep his ship and men out of danger, which had been held, in former times, a point of great ability and circumspection, as if the principal art requisite in the captain of a ship had been to be sure to come safe home again,—the first man who brought the ships to contemn castles on shore, which had been thought ever very formidable,—the first that infused that proportion of courage into the seamen, by making them see what mighty things they could do if they were resolved, and taught them to fight in fire as well as upon water."† "The last part he ever acted in a sea of blood," says a quaint but spirited and correct narrator, "was against the Spaniards at Santa Cruz: here, with twenty-five sail, he fought (as it were in a ring) with seven forts, a castle, and sixteen ships, many of them being of greater force than most of those ships Blake carried in against them: yet, in spite of opposition, he soon calcined the enemy and brought his fleet back again to the coast of Spain full fraught with honour."‡ But his constitution was now worn out by long services

* Perfect Politician.—Whitelock. † Perfect Politician.

* Dr. Bate, Elenchus Motuum, Part ii. † Clarendon.

‡ Perfect Politician.—The writer of this rich little volume adds, "He was a man wholly devoted to his country's service, resolute in his undertakings, and most faithful in the performance; with him, valour seldom missed its reward, nor cowardice its punishment. When news was brought him of a metamorphosis in the state at home he would then encourage the seamen to be most vigilant abroad. For (said he) 'tis not our duty to mind state affairs, but to keep foreigners from fooling us. In all his expeditions the wind seldom deceived him, but most an end stood his friend; especially in his last undertaking at the Canary Islands. To his last he lived a single life, never being espoused to any but his country's quarrels. As he lived bravely, he died gloriously, and was buried in Henry VII.'s Chapel; yet enjoying at this time no other monument but what is reared by his valour, which time itself can hardly deface." Whitelock tells us that Blake's funeral was performed with great solemnity, and that, at the time of it, new plots were discovered against the protector.

and by the sea-scurvy; and he "who would never strike to any other enemy, struck his topmast to Death," as he was entering Plymouth Sound.

The protector, drawing more closely to France, according to a private agreement, had prepared troops to join the French army under Turenne; and six thousand foot, some of them veterans, but most new recruits, were sent over to Boulogne under the command of Sir John Reynolds and Colonel Morgan. These red-coats marched with Turenne into Spanish Flanders, and took Mardick, a very strong fort about two miles from Dunkirk. In the course of the following winter, while the English were in quarters, the Duke of York, the late king's second son, took the field suddenly with a strong body of Spaniards, and endeavoured to drive the English out of Mardick; but he was repulsed with great loss. Abandoned and cast out by the French, and hoping little from the Spaniards, Charles II., who was quite capable of meaner things, offered to espouse one of Cromwell's daughters; but the Lord Protector told Orrery, who recommended the match, that Charles was so damnably debauched, he would undo them all.*

A.D. 1658.—On the 20th of January the parliament met according to their adjournment, and received into the House their fellow members who had been prevented from taking their seats in the preceding session; this being done upon the fourth article of "The Petition and Advice," by which it was provided that no member legally chosen should be excluded from performance of his duty, but by consent of parliament. In the interval of the parliament's sitting, the protector had provided his peers who were to make up the other House, and these quasi-lords had been summoned by the same form of writs which had formerly been used for calling the peers to parliament. They were in all sixty, and among them were several noblemen, knights, and gentlemen of ancient family and good estates, the rest being for the most part colonels and officers of the army. Foremost on the list appear the names of the Lord Richard Cromwell, the protector's eldest son, the Lord Henry Cromwell, his other son, lord deputy of Ireland, Nathaniel Fiennes, Lisle, Fleetwood, the Earl of Warwick, the Earl of Mulgrave, the Earl of Manchester, Lord Eure, Viscount Saye, Viscount Lisle, Lord John Claypole, Charles Viscount Howard, Lord Wharton, Lord Falconbridge, General Monk, commander-in-chief of his highness's forces in Scotland, and Lord Edward Montague; and Whitelock, Haselrig, Whalley, Barkstead, Pride, Goff, Sir Christopher Pack, the ex-lord mayor of London, St. John, and other old friends of the protector, were among the remainder.† If Cromwell had been ever so much disposed to call upon the old peers, and if that aristocracy had been ever so well inclined to obey the summons, such a measure was rendered impracticable by the last constitutional instrument, "The Petition and Advice," expressly stipulating that the members of "the Other House" should be subject to the same excluding clauses as the members of the House of Commons; and with this additional bar, that all the members of that other House, though nominated by his highness, must be approved by the Commons, who, in truth, having with difficulty consented to the formation of a second chamber or house, were determined that it should be second and inferior in all senses. But nearly every possible circumstance set strongly against the revival of the ancient Upper House; the vast majority of the peers had been devoted to the late king, and even the feeble minority of their number that remained at London with the parliament had refused taking any part in the king's trial; with the exception of a few united to him by old ties of friendship, or by their marrying into his family, there was not a single old peer that would trust Cromwell, or that he could trust; the whole of that body feared to commit their hereditary right by sitting in an assembly where the tenure was only during life (the commonwealth men utterly abhorred the notion of an hereditary peerage), and in the pride and insolence of an aristocracy not yet accustomed to this kind of recent creations, they disdained to sit in a House with men who had made their fortune with their sword or by their genius in war or law. Even the Earl of Warwick, who had gone along with the commonwealth men in most things, and whose grandson and presumed heir had married one of the protector's daughters, declared that he could not sit in the same assembly with Colonel Hewson, who had been a shoemaker, and Colonel Pride, who had been a drayman. And Manchester, Saye, and the other members of the old House of Lords, who had been named, contemptuously kept aloof, not one of them, it should appear, taking his seat except Lord Eure. The rest of the members of the other House took their seats as the old lords used to do formerly, and the protector went thither to open the session according to the ancient and royal form. And the Speaker, with the House of Commons, being sent for by the black rod, came to the Lords' House, where the protector made a solemn speech to them, "but was short by reason of his indisposition of health."* Indeed, at the opening of this stormy session, wherein he was to be assaulted on all sides by his old Presbyterian enemies and by his old friends the Independents, who had become his worst enemies, his iron constitution was giving way under the effect of labour, anxiety, and grief: his daughter, the Lady Claypole, the darling of his heart, was visibly declining, and in no human heart were the domestic affections ever stronger than in that of this wonderful man. In his short speech, however, he told the republicans or the levellers some unpalatable truths, and betrayed no fear, no misgiving as to his own powers of preserving peace in the land. When he had done,

* Burnet.—Orrery's Letters.
† Thurloe, State Papers.—Whitelock.

* Whitelock.

the Lord Commissioner Fiennes harangued "my lords and gentlemen of both the most honourable Houses of Parliament," quoting scripture most copiously, yet not more copiously than was sanctioned by the then general custom. He told them to reflect upon the posture that the three nations were then in—a posture of peace, a quiet posture, a posture looking towards a settlement, a perfect settlement, with the blessed fruits thereof, justice and piety, plenty and prosperity: he alluded to the republicans, the party most feared, as to others "who would build upon contrary foundations, or upon no foundation at all." "I need not," continued Fiennes, "say much of them either; for those who conceit Utopias of I know not what kind of imaginary commonwealths, or day-dreams of the return of I know not what golden age, *their* notions are rather bottomed in conceit than in reason, and must rather be worn out by experience, than argued down by reason; for, when they come to be put in practice, they presently discover their weakness and inconsistency, and that they are altogether unpracticable and infeasible, or of very short durance and continuance; as hath appeared so often as they have been assayed or attempted." From hearing this long discourse, the Commons returned to their own House with irritated and hostile feelings; and there it was soon seen that the protector, by removing so many of his friends to "the Other House," had left himself in a deplorable minority in this; and also that those members who had taken their seats by virtue of, and in acknowledgment of, "The Petition and Advice," were determined to destroy that last instrument of government, and to aim their first blows at the new House, which was an integral and essential part of that constitution. The attack was led by Haselrig, who, though nominated to "the Other House," persisted in retaining his place in the Commons, by Scot, a most resolute republican, and by others who detested any approach to the old aristocratic House of Lords. On the fourth day of the session a message "from the Lords," delivered by two of the judges, who all attended as formerly in the Upper House, desired the concurrence of the Commons in an address to the protector for a day of humiliation and fast. The Commons vehemently protested against the title assumed in the message, and would admit of no other than that of "the Other House;" and in the course of a fiery debate many spoke both angrily and contemptuously of the dignity and authority of that lamely-restored branch of the legislature; insomuch "that now they would not own the work of their creation, but looked upon it as a bye-blow, a thing by chance, or a pageant parliament set up on purpose to mock them." On the morrow, the 25th of January, upon a letter from the protector to the speaker of the House of Commons, they met his highness in the Banqueting House, and there he exhorted them to unity, and to the observance of their own laws and rules in "The Petition and Advice." Whitelock adds that he gave them a state of the public accounts and much good advice. But all this was of no avail; the majority in the Commons persevered in their attack, and presently broached the doctrine that the new House was, and must be, a mere dependency of the Commons—a thing invested with certain functions of legislature, and with nothing more—that it could never be a co-ordinate power with the Commons. Scot, who was right in his reasoning as applied to that mongrel "the Other House," but who was madly wrong in fancying that a constitution could march with one unchecked and irresponsible chamber, raked up the whole history of the peers (a lamentable one!) since the commencement of the civil war; and then coming to the grand crisis, he said, "The lords would not join in the trial of the king. We must lay things bare and naked. We were either to lay all that blood of ten years' war upon ourselves, or upon some other object. We called the king of England to our bar, and arraigned him. He was for his obstinacy and guilt condemned and executed; and so let all the enemies of God perish! The House of Commons had a good conscience in it. Upon this, the Lords' House adjourned, and never met, and hereby came a farewell of all those peers, and it was hoped the people of England should never again have a negative upon them."* Nor did Scot and his associates limit their attack to the other House or to mere declamation and oratory; they assaulted the protectorate itself, and a petition was circulated in the city by them and by some officers of the army for the purpose of abolishing Cromwell's all but kingly office. "All these passages," says Whitelock, "tended to their own destruction, which it was not difficult to foresee. The protector looked upon himself as aimed at by them, though with a side wind, and with testimonies of their envy towards him; and he was the more incensed, because at this time the Fifth-monarchy men began again their enterprises to overthrow him and his government by force; whereof there were clear discoveries: he therefore took a resolution suddenly to dissolve this parliament." Accordingly, on the 4th of February, the protector, without any intimation of his purpose, went down to the House of Lords early in the morning, summoned the Commons before him, told them of the hostile temper and the contempt of "The Petition and Advice" which they had betrayed, of the intrigues in which many of them were engaged, and then saying, that urgent and weighty reasons made it necessary in order to the public peace and safety to proceed to an immediate dissolution, he concluded with these words:—"I do dissolve this parliament, and let God judge between me and you." And thus ended Cromwell's last parliament, which had sat only fourteen days. The protector was never in so much danger as at this moment: the republicans and their friends "were ready both with arms and men to fall in with swords in their

* Burton.

House, though repeatedly summoned to attend,—were alarmed by numerous plots and riots raised by the royalists. Sir John Gore was arrested; the Duke of Buckingham was obliged to give bail to be faithful to the government established; the Lady Mary Howard, daughter to the Earl of Berkshire, and other persons of rank, were committed on a charge of high treason. These things grew worse and worse: a riot was suppressed in Enfield Chase; but on the 31st of July, when the House was busied on a bill brought in by Whitelock, and approved by General Monk, for the complete union of England and Scotland, the council of state, which sat nearly all night, discovered a new and extensive conspiracy; and on the 3rd of August news was received of insurrections having broken out in several parts of the country, the most important being one in Cheshire and Lancashire, headed by Sir George Booth, who was favoured by the Presbyterian ministers, and one in Worcestershire. Lambert was detached against Booth, who was expecting to be joined both by Charles II. and his brother the Duke of York, and by royalists from half of the counties of England; for these simultaneous risings had been concerted. But Lambert gave a total rout to Sir George Booth's forces; and in all other quarters the royalists fled before the parliamentarians, and threw down their arms.

Charles, who had got everything ready for his embarkation, deferred his voyage; Booth and the young Earl of Derby, with many others, were arrested and thrown into the Tower; and by the end of August this formidable insurrection was completely subdued. But the Rump, or that portion of it which now sat in the House, and the army which had placed them there, lost no time in beginning to quarrel with each other. The House, asserting their supreme authority, insisted that the officers of the army should take out new commissions from them, and that the whole army should be placed in a proper dependency on the civil power. The officers, on the other hand, elevated by their recent successes and by their consciousness that the Rump only existed by favour of their swords, demanded that Fleetwood should be delared commander-in-chief, without limitations to his authority; that Lambert should be major-general, as a proper reward for his recent services; and that the government of the country should not be in a single House, but in a House of Representatives and another House, as to the precise nature of which it should appear they had not made up their minds. Haselrig and his party "being jealous that the soldiers might break them," struggled as if for life; and they brought a majority to reject this paper of the army—to dismiss Lambert, Desborough, and seven or eight other principal officers who had subscribed the letter—and to pass an act for putting out Fleetwood from being lieutenant-general of the army, and appointing Ludlow, Monk, Haselrig, Walton, Morley, and Overton, to be commissioners with him (Fleetwood) to govern all the forces.* Haselrig, who was the chief mover in these bold transactions, and who added harshness and insolence to his boldness, was encouraged by letters from Monk, assuring him that he and the army in Scotland would stand by the parliament, and by the like promises from Ludlow, who had now succeeded Henry Cromwell in the command of the forces in Ireland. But Monk and Ludlow were far away, and the English army was close at hand. "The proceedings of the parliament," says Whitelock, "nettled the officers, especially those who had performed late and good service, and caused them to consider what to do for their own interest; and of these, Lambert, Desborough, Berry, and the rest who had been ousted of their commands, were the chief." On the 13th of October, the very day after the passing of Haselrig's obnoxious votes, some soldiers, who had pledged themselves to him to declare for the parliament and protect it, were drawn up in Westminster Hall, Palace Yard, and the avenues leading to the House; and Evelyn, who commanded the Lifeguards of the parliament, marched forth with his troops to do his service, but he was met by Lambert at Scotland Yard gate, who commanded him to dismount; and though Lambert was on foot, and had none with him, yet Evelyn, at the head of his troop, thought it safest to obey, and dismounted at his command, and his troop also obeyed Lambert, who then drew together some other forces, and stationed them along King-street and round about the Abbey church and yard; and when the Speaker came by in his coach, they stopped him and made him turn back, and they treated most part of the members in the same way, so that the House did not sit. The council of state sat, and there the hostile parties, the Lamberts and the Haselrigs, the army men and the Rump men, came into fierce collision. The civilians accused the army of being destroyers of liberty; the officers retorted, saying that the Rump would not have left them any liberty to destroy; and Colonel Sydenham asserted that the army had been obliged to apply this last remedy in compliance with a special commission from divine Providence.† But the council of state so managed the business, that at the last they came to an accommodation to save the effusion of blood, and it was agreed that the parliament should not sit; that the council of officers should provide for the preservation of the peace, "and have a form of government drawn up for a new parliament to be shortly summoned, and so settle all things." On the next day the officers of the army debated about a settlement, and declared Fleetwood to be their commander-in-chief. On the other side, Haselrig and his friends consulted how they might restore themselves and curb the officers; "and they had some hopes of Monk to be their champion." On the

* Whitelock.—Parl. Hist.—Ludlow.

† Desborough said with more bluntness, "Because the parliament intended to dismiss us, we had a right to dismiss the parliament."

17th of October the council of officers sent one of their body to Monk in Scotland, and another to Ludlow in Ireland, to desire their concurrence; they nominated a committee of safety; they appointed Lambert to be major-general of the forces in England and Scotland (which discontented Monk); and then they kept a day of humiliation in Whitehall Chapel. Vane was admitted into the committee of safety, but was almost immediately accused by Desborough and some other great officers "*of a design to overthrow magistracy, ministry, and the law.*"

It was at this critical moment that Monk, who was courted and feared by both parties, began to play his own game;—he had been a royalist before he became a parliamentarian; and he was ready to become king's man, or devil's man, or anything that best promised to promote his own interests. On the 29th of October, sixteen days after the suppression of the Rump, the officers of the army received a letter from him expressive of his dissatisfaction at their late proceedings, and the committee of safety received intelligence through other channels that Monk had secured Berwick for himself, and was looking towards London. Lambert was instantly appointed to command the forces in the north of England; and Whalley and Goffe, and Caryl and Barker, ministers of the gospel, were sent to Monk "to persuade him to a right understanding of things, and prevent effusion of blood." Monk, in the mean while, sent to assure the leaders of the Rump that his sole object was to relieve parliament from military oppression; and he called God to witness that he was, above all things, a friend to liberty and the commonwealth. Writing to Haselrig, whom he duped, he said, "As to a commonwealth, believe me, Sir—for I speak it in the presence of God—it is the desire of my soul."* But if Monk duped the humiliated and desperate members of the Rump, he certainly never deceived the English officers. On the 8th of November Desborough, Fleetwood, and the principal men of that body went to the common council in London, and told them plainly "that the bottom of Monk's design was to bring in the king upon a new civil war." And four days before this—on the 4th of November—some of the officers of the navy addressed a remarkable letter to Monk, begging him to desist. "It is obvious to us," said these plain-speaking sailors, "wherever we come, that few or none take pleasure in your proceedings but the cavaliers, who make their boast of you, and place their confidence in you."† Monk, after again calling God to witness that the asserting of a commonwealth was the only intent of his heart, crossed the Tweed in great force, being openly backed by the chief Presbyterians in Scotland. He was faced, on the Tyne, by Lambert, whose promotion to the command of the troops in Scotland is generally supposed to have contributed greatly to make him resume his loyalty to the party in power; but the soldiers of Cromwell, now badly provided, had lost their old enthusiasm and discipline, and Lambert, besides, had orders from the committee of government to avoid a hostile collision; and he therefore lay at Newcastle doing nothing. It was agreed that three commissioners on the part of Monk should be allowed to come up to London to treat with three commissioners on the part of Fleetwood, the nominal commander-in-chief of all the forces. By this delay Monk was enabled to mature his plans and to receive further assistance in men and money from Scotland. Monk's three commissioners pretended to be very confident that he would approve what was agreed upon by Fleetwood's commissioners, namely, that a parliament should be restored and the nation settled again in the ways of peace. The committee of safety proceeded in preparing a form of government, but there was no reconciling their conflicting theories and views and interests. "Vane," says Whitelock, "was hard to be satisfied, and did much stick to his own apprehensions." Fresh letters came from Monk to Fleetwood full of compliments and expressions of his earnest desire for a speedy settlement; but stating that what had been agreed upon by his commissioners was not quite enough—that some things remained untreated of and unagreed upon—that he wished for a fresh treaty to put a final end to the business. Some of the committee declared that this was only a delay in Monk to gain time to be the better prepared for his design to bring in the king, and to reduce the English army and party into greater straits for want of money, while he was getting pay for his forces. "And, therefore," continues Whitelock, who had himself a principal share in these deliberations, "they advised to fall upon Monk presently, and bring the matter to an issue before his soldiers were more confirmed, and Fleetwood's party more discouraged: but this advice was not taken, but a new treaty assented to, by commissioners on each part, to be at Newcastle."

This was on the last day of November: on the 4th of December some of the forces about London began to clamour for want of pay, and to favour the proceedings of Monk for restoring the parliament—an enchanting word;—"and still," adds Whitelock, "the forces in the north were not well settled." On the next day disturbances took place in London, and when some forces were marched into the city to keep the peace, the soldiers were insulted by the multitude, and killed two of the rabble; and on the same day intelligence was received that the governor and garrison of Portsmouth had declared for the parliament. Still the general council of officers sat devising forms for a new parliament and schemes of government, republican and impracticable. On the 9th of December they received a petition from the city, "desiring to have such a parliament as was in 1642," which would have been a parliament with an enormous Presbyterian majority. The officers laid aside this petition as a design to bring in the

* Clarendon, State Papers. † Whitelock.

common enemy; and on the next day they voted that a parliament should be called before February next, to sit and act according to such qualifications as should be agreed upon. On the 13th they agreed upon seven articles—1. That there should be no kingship. 2. That there should be no single person as chief magistrate. 3. That the army should be continued. 4. That there should be no imposition upon conscience. 5. No House of Peers. 6. That the legislative and executive powers should be in distinct hands. 7. That parliament should be elected by the people. On the 15th their proclamation for a parliament was solemnly published, and the committee of safety was required to issue out writs for the elections; an attempt was made to surprise the Tower, but failed; and a rising was put down in Sussex. On the 17th Admiral Lawson, who had brought his ships into the Thames, required that the Long Parliament should sit again; whereupon Vane and others were sent to him "to inform him better." Two royalist attempts at insurrection, one at Bristol, the other at Colchester, were prevented. But distraction and confusion grew on all sides; and by degrees the unpaid troops began to join the royalists, whom they were sent to suppress. "No quiet," says Whitelock, "was enjoyed by any party: all were at work, and the king's party very active. And every man was guided by his own fancy or interest. . . . Many wished themselves out of these daily hazards, but knew not how to get free of them."*

On the 22nd of December, most of the soldiery about London declared that they would have the parliament sit again in honour, freedom, and safety; and those who had recently most favoured the Lord General Fleetwood were now most violent against him. At this critical moment Whitelock, who for some time had been convinced that Monk's design was to bring in the king, and that, too, without terms for the parliament party; that the inclinations of the Presbyterians generally, of the citizens of London, of most of the parliament's old friends, and a great part of the soldiery, tended the same way; and that Monk would easily delude Haselrig and the rest of the parliament men; suggested to Fleetwood, since the coming in of the king was unavoidable, that it would be more prudent for Fleetwood and his friends to be the instruments for bringing him in than to leave it to Monk; and then he proposed that Fleetwood should immediately send some person of trust to the king at Breda, and invite him to return upon conditions. The arguments used by the lawyer were weighty:—by this means Fleetwood might make terms with the king for the preservation of himself, his friends, and, in a good measure, of the cause in which they had all been engaged; but if it were left to Monk, they, and all that had been done for civil and religious liberty, would be left to the danger of destruction. Fleetwood was convinced, "and seemed fully satisfied to send Whitelock to the king; and desired Whitelock to go and prepare himself forthwith for the journey." But before Whitelock got across the threshold, Vane, Desborough, and Berry came into the room, and, after a private conversation with them, which lasted a quarter of an hour, Fleetwood called Whitelock back, "and in much passion said to him, 'I cannot do it, I cannot do it.'" Whitelock asked his reasons. "These gentlemen," said the weak but honourable Fleetwood, "have remembered me; and it is true that I am engaged not to do any such thing without my Lord Lambert's consent." Whitelock replied, that Lambert was at too great a distance to have his consent to this business, which must be acted instantly, or not at all. Fleetwood again said, "I cannot do it without him." "Then," said Whitelock, "you will ruin yourself and your friends." To which Fleetwood replied, that he could not help it, that his word was pledged; and so they parted.

On the very next day (the 23rd), Colonel Ingoldsby and some others advised Whitelock to run away to Breda, with the great seal, as Littleton had run away with it to York; but the very cautious lawyer declined this expedition.

On the same day, some of the members of the old council of state, and the old speaker Lenthall, seeing that the soldiers were all revolting from Fleetwood, gave orders for a rendezvous in Lincoln's Inn Fields, under Colonel Okey and Colonel Alured, whose affection to the Rump was well known. There was also received intelligence, that Haselrig and the revolted forces of Portsmouth intended speedily to come up to London.

On the morrow, the troops under Okey and Alured halted in Lincoln's Inn, opposite to the house of the speaker, gave him three cheers, saluted him with a volley, and took the word of command from him. Lenthall was now, in effect, commander-in-chief in London; and he lost no time in securing the Tower, and in convincing the common council, the citizens, and the soldiery, that the best thing that could be done was to restore the Rump. And two days after this (on the 26th), the speaker, and the members that were in town, met at Whitehall, and walked altogether to the parliament house, the soldiers, who not long before had forcibly kept them from sitting, now saluting them and shouting joyfully as they passed.

On the 29th, Haselrig, who had marched up from Portsmouth, took his seat in the House in his riding habit, and "was very jocund and high." In fact he and his colleagues were wonderfully elated; and, instead of providing against Monk, they fell upon their opponents of the army: by one vote they dismissed Lambert, Desborough, Ashfield, Berry, and other officers, from their commands, and ordered them to retire to their several houses "farther off from London;" and they also voted that Sir Harry Vane, who had adhered to the council of officers and the army, because he was wise enough to see that there was nothing

* On the 20th of December the royalists attempted a rising in the city, and some of the forces which Fleetwood had sent to reduce Portsmouth joined Haselrig, and the Isle of Wight declared for the parliament party.

else to prevent the triumph of Monk and the return of Charles without conditions, should be sequestered from his seat, and confined to his house at Raby, in the county of Durham, during the pleasure of parliament.

A. D. 1660.—On the 2nd of January the House voted that a bill should be prepared for renouncing anew the title of Charles Stuart, and of all of the line of the late King James; yet on the 6th they received a letter from Monk promising all obedience and faithfulness to this parliament; and, in their infatuation, they voted Monk a letter of thanks, and desired him to come up to London as soon as he could. At York, Fairfax, the late lord general, waited upon Monk, and expressed his great willingness to contribute to the restoration of the Stuarts, against whose tyranny he had fought in many a bloody field. By the 26th of January Monk was at Northampton, where he protested that he was but a servant to the parliament in a military capacity. On the 28th he was at St. Alban's, where he again expressed all duty and obedience to the parliament. But, after keeping a day of fasting and prayer, he wrote from St. Alban's to require that all the soldiers of the English army that were in or about London should be removed, to make room for the godly and right-minded soldiers he was bringing with him from Scotland. The Rump ordered the troops out of town accordingly, and made Monk keeper of St. James's Park, having a few days before sought to please him by recommending Mr. Gamble, his chaplain, to be a fellow of Eton College. But some of the foot soldiers would not march out to make room for Monk, and falling into a mutiny they kept Somerset House as a garrison; but being assured of a month's pay, and cajoled by their colonel, these men were quieted, and marched off; and on the same day Monk marched into London in all state, with his horse and foot—and then the king's party talked very high, saying they were sure the king would be in England very shortly. Although Monk carefully concealed his intention of immediately recalling Charles, he soon opened the eyes of Haselrig and that party to the monstrous blunder they had committed. "It pleased him," says Whitelock, "that the secluded members of the Long Parliament should sit again; and neither Haselrig nor Scot, nor any of that party, could prevail with him to the contrary, nor durst any to oppose him; and the spirit of the people generally, especially of the Presbyterians, ran that way, and the cavaliers agreed to it, as the way to bring in the king." Indeed the London apprentices had been up in arms for this object; and Presbyterian petitions had been poured in for the reconstruction of the parliament as it was before Pride's Purge and the king's trial, when they and their brethren were the majority.

On the 21st of February the secluded members took their seats in the House; and from that moment the members of the Rump began to think of providing for their personal safety. Many of them absented themselves, and gave up the field to the Presbyterians without a struggle.* This majority voted in rapid succession, that Monk, their patron, should be commander-in-chief of all the forces in England, Scotland, and Ireland; that all the proceedings of parliament since their seclusion should be null and void; that Presbyterianism should be the one and sole religion; and that the league and covenant, without any amendment or toleration, should be posted up in all churches.

On the 16th of March they passed an act for dissolving this parliament, with a proviso not to infringe the rights of the House of Peers. Writs were then issued for a new parliament, which was to meet on the 20th of April; and then Monk finished his bargain with Charles the Second—giving advice but imposing no conditions—throwing the fate of the country at the feet of a dissolute and unprincipled man.

On the 24th of April, the day before the meeting of the new parliament, Lambert, who had proved most satisfactorily that he was not a Cromwell, was shut up in the Tower, after an insane attempt at insurrection. When the parliament met, ten peers took their seats in their own House, confirmed the appointments of Monk, and voted a day of fasting to seek God for his blessing upon the approaching settlement of the nation. This was agreed to by the commons, who no longer challenged their title and rights.

Circular letters were then sent for the other peers, who came up to Westminster by degrees, till the House, which had been so long empty, was nearly full. The distinction between those who had borne arms for the parliament, and those who had borne arms for the king, now seemed obliterated, and Presbyterian peers sat side by side with those who had always adhered to the liturgy and the established church. In the Lower House the Presbyterians formed an overwhelming majority, for the elections had no longer been controlled by the army, which absorbed in itself nearly all the republicanism of the country. Sir Harbottle Grimston was elected speaker, was conducted to the chair by Monk and Hollis, and the House showed the utmost readiness in agreeing with the restored peers. On the 26th of April, the two Houses gave orders for a day of thanksgiving to God "for raising up Monk and other in-

* Ludlow, Haselrig, and some others of the republicans, took the alarm when they saw Monk restore the secluded Presbyterians, and Ludlow resolved to make him a visit, in order, he says, "to make a more perfect discovery of his intentions." When this very short sighted republican urged the duty of fidelity and zeal for the common good, Monk replied with great unction, "Yea, we must live and die together for a commonwealth." But Monk had taken care to place a stout footman at the door, fearing that Ludlow might deal with him as his conscience told him he deserved. Soon after, Monk, in an interview with Haselrig, grasping Sir Arthur by the hand, exclaimed, "I do here protest to you, in the presence of these gentlemen, that I will oppose to the utmost the setting up of Charles Stuart, a single person, or a House of Peers." And, after this, expostulating on their suspicious, he said, "What is it that I have done in bringing these members into the House? Are they not the same that brought the king to the block?—though others cut off his head, and that justly."—*Ludlow's Memoirs.* Ludlow, shifting the blame from himself, charges Haselrig with being Monk's dupe, and with indulging in unmanly despondence.

struments of rescuing this nation from thraldom and misery;" and voted thanks to Monk "for his eminent and unparalleled services." On the 1st of May, Sir John Granville, who had been employed for some time in the negociations or bargainings between Charles the Second and the general, arrived again from Breda, and presented himself with royal dispatches at Monk's house. Monk, who continued to wear the mask when it was no longer necessary, would not open the dispatches there, but ordered Granville to present them to him in the midst of the council of state. This was done; and, to carry on the farce, Granville was put under arrest—but, lo! it was proved that the letters were *really* from the king himself, and that they contained very upright and very satisfactory intentions; and Granville was released from custody, and the letters were sent down to parliament, and there read in the name of the king. One of these epistles was addressed to the House of Lords, another to the Commons, one to Monk, and another to the lord mayor, aldermen, and common council of London. The letter to the Commons contained the famous "Declaration of Breda," offering indemnity for the past and liberty of conscience for the future. This document, which will be noticed more at length in the next period of our history, was the only pledge that this parliament thought it necessary to require from a prince who had already proved, in many cases, that his royal word was not worth more than that of his father had been before him. Some time before this the zealous Presbyterians had been reminded that Charles's religion was at best but a devotion to prelacy; that he had been too long under the wing of his mother, too long in France and Flanders, "the most Jesuited place in the world," to have preserved even his Arminianism in a pure state; and that those of the Presbyterian judgment and covenant could expect nothing but certain ruin to their ways and their persons by a clenching and closing with such inconsistent principles; that the Independents, who had grown up under them, had hitherto allowed the men of their party as much freedom as they enjoyed themselves, and had admitted them to an equal participation in that grand privilege, liberty of conscience, which they could never hope to enjoy under the restored Charles; that the royalists would never leave "buzzing in his ear, to quicken his memory," that the interest of the Presbyterian party was in its infancy founded in Scotland upon the ruin of his great-grandmother, continued and improved in England by the perpetual vexation of his grandfather, and at length prosecuted to the decapitating of his father; and that the inevitable consequence of the Restoration would be the loss of all kinds of liberty and the utter ruin of the Presbyterians.* But heated and blinded by their loyalty, the Presbyterians, who were all-powerful in the Commons, and far from weak in the Lords, disregarded all these warnings, and they named a committee at once to prepare an answer to the king's letter, expressing their joy, the joyful sense of all the House, of his gracious offers, and their humble thanks for them, with professions of their loyalty and duty to his majesty. As for the Lords, they voted thanks to Sir John Granville for bringing these gracious letters; and declared that, according to the ancient and fundamental laws of the kingdom, the government is and ought to be by King, Lords, and Commons, and that some way should instantly be devised how to make up all breaches, and obtain the king's happy return to his people. The Commons forthwith agreed with the Lords in all this; appointed a committee to erase from their journals whatever acts or orders had been made inconsistent therewith; voted the king, who was penniless, the present supply of 50,000*l.*; sent a committee into the city to get that money advanced upon security and interest; agreed to an assessment of 70,000*l.* per month for three months, and sent another committee to join the Lords in drawing up an answer to his majesty's most gracious letters and declaration. And at the end of this busy day there was a wonderful lighting of bonfires, ringing of bells, firing of great guns, and drinking of the king's health. Prynne, who had got back into the house, and who could never forget the former tyranny of prelacy from which he had suffered so severely, made a hopeless effort to sober this intoxication; and that upright judge, Sir Matthew Hale, ventured to recommend that some more definite settlement should be made before the king were brought back; but Monk silenced them by telling them, that, as the king would come back without either money or troops, there was nothing to fear from him; and no other voice was raised against accepting the "Declaration of Breda" as a full and sufficient security, nor was a word more said about conditions and limitations. On the 2nd of May the speaker, Sir Harbottle Grimston, in returning thanks in the name of the House, and giving 500*l.* to Sir John Granville, said—"I need not tell you with what grateful and thankful hearts the Commons, now assembled in parliament, have received his majesty's gracious letter; *res ipsa loquitur.* You yourself have been *ocularis et auricularis testis de rei veritate.* Our bells and our bonfires have already begun the proclamation of his majesty's goodness and of our joys. We have told the people that our king, the glory of England, is coming home again; and they have resounded it back again in our ears that they are ready, and their hearts are open to receive him. Both parliament and people have cried aloud to the King of Kings in their prayers, 'Long live king Charles the Second.'"

The Commons continued running a race with the Lords in this new loyalty: first, they gave leave to Doctor Clarges, a member of their House, to go to the king from Monk, and then they resolved to send twelve of their members to wait upon his

* "Interest will not Lie." This pamphlet, in 4to., was written by Marchmont Nedham, and published in 1649.

majesty. Nor were the lord mayor and common council of London less loyal than the House of Commons: they gave Granville 300*l.*, and named some of their council to wait upon his majesty, making all haste to set up the royal statue in Guildhall, and remove the obnoxious arms of the Commonwealth. And divers maids of the city petitioned the lord mayor for leave to meet the king in white clothes. Some doubts were entertained of the seamen in the navy, but General Montague, firing himself the first gun, and crying, "God save the King!" got a royal salute from all the ships, the men all shouting lustily, "God bless the King!"—And then the general gave two pipes of canary to his men.

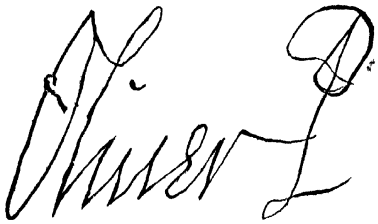
On the 8th of May Charles was solemnly proclaimed at Westminster Hall gate, the lords and commons standing bare-headed by the heralds, whilst the proclamation was made.

James I.

From a letter to his son Charles, while on his Spanish love making expedition, beginning "My deare Babie." Harleian MSS. No. 6987.

Charles I.

Harl. MS. No. 6988.



Oliver—Protector.

From a Patent dated 5th July, 1655. Harl. MSS. No. 7502.

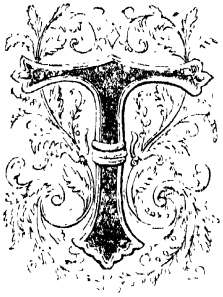
Richard—Protector.

From a Patent in Lansdowne MSS. No. 1236.

CHAPTER II.

THE HISTORY OF RELIGION.

ARCHBISHOP ABBOT. From an Original Picture in Lambeth Palace.
BISHOP TAYLOR. From an Original Picture in All Saints' College, Oxford.
FOX. From an anonymous Print.
ARCHBISHOP LAUD. From a Picture by Vandyke.
ARCHBISHOP USHER. From a Picture by Sir Peter Lely.



THE principal matter that remains for this chapter is the history of those rival forms of Protestantism which, in the course of the present period, first overthrew the ancient English church, and then, after their common victory, falling to contention and a trial of strength among themselves, were in their turn successively displaced, or attempted to be displaced, the one by the other. These sects may all be regarded as so many varieties of Puritanism, or as the motley brood of the spirit that in the reigns of Elizabeth and James was usually called by that name, and the origin and early progress of which have been already sketched in the preceding Book. The Puritanism that made its appearance in England after the establishment of the Reformation was, it may be remembered, chiefly derived from Geneva, where the severe theology of Calvin had struck deep root in the congenial soil, and flourished amain in the keen air, of republican institutions. Directly from this fountain-head came also the Puritanism of Scotland; for Knox, the great leader of the Reformation in that country, was a disciple of Calvin, and had been for some years the pastor

of the English Calvinists at Geneva. The principle of the Calvinistic or Presbyterian system of ecclesiastical polity was kept wholly out of the scheme of the English reformed church, on its restoration under Elizabeth, by the exclusive selection of its heads and rulers from those of the returned exiles who had belonged to the Lutheran congregation at Frankfort. The friends of the Geneva worship and discipline were thus in England either driven out of the national church altogether, or, if they remained in communion with it (which they generally did), were forced to refrain, to a great extent, for the sake of peace, from propagating or acting upon their peculiar opinions. It is true that, even thus circumstanced, they preserved a strong spirit of Puritanism within the country, and fostered, both among the clergy and among the people, that aversion to the ritual and government of the established church which eventually broke out into open dissent and separation. But in Scotland the ascendancy of Knox and his friends made the Reformation thoroughly Puritanical from the beginning, at least in so far as both the clergy and the mass of the people were concerned; and all that the government could do in resistance to the vehement course of the national feeling was to ward off for a time the actual establishment of a purely Presbyterian church, and to endeavour to maintain somewhat of the outward form of an opposite polity in association with the spirit and even many of the usages of the Geneva discipline. The restraint, however, which was thus put upon Presbyterianism in Scotland was so far from being sufficient to subdue its strength or temper, that it was only thereby irritated to a preternatural inflammation and ferocity, which made it the more restless under its bonds, and also the more able to break them asunder, the longer they enthralled it. It became, like a strong river dammed up, ready, whenever it should burst the fast-failing barrier that confined it, to precipitate itself in a raging and all-devouring inundation. But for the prodigious impetuosity with which the tide of Puritanism thus came rushing on from Scotland, it may be very much doubted if the less accumulated force of English dissent would have ever prevailed over the established church, or perhaps even risen with any very formidable violence against it, although, when the two streams joined their waters, the more diffused and sluggish naturally caught the fury of the other, and their united volume rolled along with a doubly tremendous power. Presbyterianism, also, in imitation of what had been previously done by the people of Scotland, was the first shape in which triumphant Puritanism exhibited itself in England after its overthrow of the old establishment; and, notwithstanding both the influence subsequently acquired by Independency in the government, and the spread of that and other sects among the people, the national church, and also the national sentiment, continued to be, in the main, Presbyterian until the restoration of Episcopacy. This particular form of Puritanism, therefore, is the first subject we have now to take up; and a retrospect of the history of the Scottish kirk during the reign of James in his native country will most fitly introduce us to the scene of the subsequent contentions between Presbytery and Episcopacy in both kingdoms. Such an inquiry is calculated to throw light upon the whole course of events in the track of time we have been surveying; for, long before the civil war was begun by the Scots in the latter part of the reign of King Charles, the leaders of the opposition to the measures of the court in the English parliament were, it is well ascertained, in intimate confederacy with the ecclesiastical agitators in Scotland, and the movements of each party were generally taken in concert with the other. Yet no part of our history has been so much neglected, and consequently misrepresented, by the generality of our historians.

The Scottish Solomon proved himself to be a person of lax principle, or no principle at all, in too many ways to leave us any excuse for charging him with acts of dissimulation or other obliquity which he never committed. "When the Long Parliament addressed King Charles to set up Presbytery in the room of Episcopacy," says a writer, whose misrepresentations do not commonly assume so bold or passionate a tone, "his majesty objected his coronation oath, in which he had sworn to maintain the clergy in their rights and privileges; but King James had no such scruples of conscience, for, without so much as asking the consent of parliament, general assembly, or people, he entered upon the most effectual measures to subvert the kirk-discipline which he had sworn to maintain, with hands lifted up to heaven, at his coronation, and had afterwards solemnly subscribed, with his queen and family, in the year 1581 and 1590."* James's coronation took place when he was an infant of thirteen months old; so that his hands, if they had been lifted to heaven at all upon that occasion, must have been held up by his nurse. But in truth it was not the baby king, but the Lords Morton and Home for him, that took the new coronation oath, to maintain and defend the religion then professed.† And what was the religion at this time legally established in Scotland? It was not Presbytery. Popery and the mass, indeed, had been abolished by parliament seven years before, and a Protestant confession of faith and doctrine had been solemnly adopted. But Episcopacy had not been put down. Even if Knox's First Book of Discipline, with its twelve Superintendents, is to be regarded as having delineated a scheme of Presbyterian church-government, that scheme never had received the sanction of the state. It is true that the General Assembly had, from the first, evinced a jealousy or dislike of the Episcopal office; but that feeling had never been shared by the parliament, and bishops continued to be ap-

* Neal, Hist. Pur i. 390.
† Calderwood, 43; Spotswood, 211.

pointed, upon vacancies, to all the sees as usual. The account in the printed Calderwood omits all notice of the circumstance; but at this very coronation of James, while the sermon was preached by John Knox, the acts of crowning and of anointing were performed by the *Bishop* of Orkney, assisted by two of the superintendents. The anointing was strongly objected to by Knox and the clergy, as a Jewish ceremony; but it was persisted in notwithstanding.* It appears, therefore, that the form of Ecclesiastical polity to which James at his coronation did not swear himself, but was sworn by his proxies, was Episcopacy and not Presbytery.

And such for many years continued to be the established religion of the kingdom. The importunities of the Assembly were urgent and incessant enough; but they were not listened to either by any one of the four successive regents, Murray, Lennox, Mar, and Morton, that governed the country during the king's minority,—more or less zealously Protestant as they all were, or professed to be,—or by James himself after he took the management of affairs into his own hands. The bulk of the revenues of most of the sees, indeed, was diverted into lay hands through flagitious arrangements made with the holders by powerful barons or creatures of the court whom the weakness or profligacy of the government permitted so to make traffic of the appointments; but the order of bishops was perseveringly kept up in the face of all the outcry the general assembly could raise upon the subject. The opposition of that body, indeed, sustained, as it indubitably was, by the general feeling of the country, waxed fiercer and fiercer every year. In the beginning it had been hardly more than a reluctance to acknowledge the episcopal office as subsisting in the national church. The assembly which met at Edinburgh on the 29th of June, 1562, being the third of these councils of the reformed national church, admitted Alexander Gordon, Bishop of Galloway, as superintendent of that district, but only upon the petition of the kirks therein situated: from which, as Calderwood remarks, it may be perceived that his old episcopal office was not held to give him the right of exercising any clerical jurisdiction. "Further," adds the historian, "he is not styled simply *bishop*, but, as it were by a note of diminution, *who is called bishop*, to wit, by custom and vulgar speech of the people, calling any man a bishop that possesseth the bishop's benefice."† In 1564 the assembly, in the same spirit, petitioned the queen "that no bishopric, abbacy, priory, deanery, provostry, or other benefice having more churches than one annexed thereto, should be disposed in time coming to any one man; but that, the churches thereof being dissolved, the same should be provided to several persons, so as every man having charge may serve at his own church, according to his vocation."‡ In 1566 they addressed a supplication to the nobility and lords of secret council "professing Christ with them, and who had renounced the Roman antichrist," against a commission lately granted, by which, as they declare, "that conjured enemy of Jesus Christ, and cruel murderer of our dear brethren, who is falsely styled Archbishop of St. Andrew's, is reponed and restored, by signature passed, to his former tyranny: for, not only are his ancient jurisdictions, as they are termed, of the whole bishopric of St. Andrew's granted to him, but also the execution of judgment, confirmation of testaments, and donation of benefices, as more amply in his signature is expressed."* But this archbishop—the unfortunate Hamilton, who a few years afterwards finished his course on the gibbet—was a papist as well as a bishop. The same assembly did not hesitate to send an affectionate letter, drawn up by Knox, "to their *brethren*, the *bishops* and pastors of England," requesting them, indeed, to deal gently with those of their number who objected to the use of the canonical habits, but not absolutely denying the lawfulness of the said apparel, and admitting that the question as to whether it was to be accounted among things indifferent appeared to be agitated with greater vehemence by both parties in the English church than they could themselves approve of.† A few years after they would not have gone so far in the way of concession either to prelacy, or to the "popish rags" of the surplice, corner-cap, and tippet.

This letter, as we have said, was penned by Knox. Its spirit is decidedly Calvinistic and anti-episcopal; the great Scottish reformer, who had refused a bishopric from Edward VI., lays no restraint upon the expression of his cordial preference for a church divested of all "worldly pomp," and of his scorn for the "vain trifles" which appeared to be held among the essentials of religion by the heads of the English establishment. He even makes bold to characterise the habits that were objected to as "the dregs of that Roman beast"—"the print and mark of that odious beast,"—which every Christian man ought "to fear either to take in his hand or forehead;" and he exhorts his English brethren "to deal more wisely than to trouble the godly with such vanities;" "for all things," he adds, "which seem lawful edify not; . . . . all civil authority hath not ever the light of God shining before their eyes in their statutes and commandments, but their affections savour too much, sometimes, of the earth and of worldly wisdom. Therefore, we think that ye ought boldly oppose yourselves, not only to all power that dare extol itself against God, but also against all such as dare burden the consciences of the faithful farther than God hath burdened them in his own word." But still we have not here the unqualified and uncompromising condemnation, the vehement intolerance of episcopacy, as almost a kind of antichrist or accursed thing, which came afterwards to be the

* Calderwood's MS. History, as quoted in Chalmers's Life of Mary, i. 389.
† Hist. p. 32.
‡ Spotswood, p. 190.

* Calderwood, p. 41.
† Spotswood, pp. 198, 199.—Calderwood, p. 41.

profession of the Scotch national church. On the contrary, Knox and the other members, lay and clerical, of this general assembly, as we have seen, style the bishops of England their brethren, and distinctly recognise their hierarchical establishment as a branch of the same church of Christ to which they themselves belong. And such, it may be asserted, continued to be the state of feeling even among the most zealous of the Scottish clergy so long as Knox lived. Soon after the violent death of Archbishop Hamilton in 1570, Mr. John Douglas, rector of the University of St. Andrew's, was presented to the see, through the procurement of the Earl of Morton, to whom its temporalities had been granted by the crown. The earl retained the bulk of the revenues, and Douglas was obliged to be satisfied with a small pension in addition to the dignity. Morton, however, was determined that his substitute, though a very poor, should not be a mere nominal archbishop. A parliament having met at Stirling in the end of August, 1571, the superintendent of Fife, Calderwood tells us, inhibited Douglas from voting in name of the kirk under the pain of excommunication; but Morton commanded him to vote, under the pain of treason. Probably it was part of the bargain that the earl should have the archbishop's vote in parliament, as well as the pecuniary profits of the see. This affair eventually led to an important change in the constitution of the national church. Douglas, finding himself opposed in his attempts to levy certain duties belonging to his archbishopric by the collector of the stipends of the clergy, for whose support the parliament had ordered a third of the ancient revenues of the church to be reserved, applied to his patron Morton, who was, indeed, much more interested in the matter than himself, and through his influence got an order from the Regent Mar, prohibiting in the mean time the collection of any dues for the parochial clergy within the diocese of St. Andrew's. A letter, which was written upon this occasion to the regent by John Erskine, the famous laird of Dun, will show the point to which the most attached and resolute champions of the Scottish church as yet carried their hostility to episcopacy. After maintaining that no prince could, by his own authority, set up men in spiritual offices, whether as bishops or pastors, that right being one that belonged to the church alone, Erskine reminded the regent that the continual petition of the kirk had been, that whenever any of the great benefices, having many kirks joined to them, should become vacant, "all the kirks should be divided, and severally disposed to several men, to serve every man at his own kirk;" "in which mind," he adds, "all that bear office in the kirk continue;" but if such dismembering of great benefices cannot be granted at this time, he doubts not, he says, but the kirk will consent that the benefices and offices joined thereto, being conferred with its own concurrence, may have such profits assigned to them, "as may be spared above the reasonable sustentation of the ministers of the kirks of such benefices, till further order be taken in these matters."* Here is not, it will be perceived, no more than in the letter of the assembly of 1566 to the clergy of England, any absolute protestation against episcopacy in all circumstances; the writer's opinion as to its inexpediency and unprofitableness is clearly enough indicated; but the only thing that he absolutely protests against is the induction of bishops without the concurrence of the church. "I cannot," he says in conclusion, "but lament from my very heart a great misorder used in Stirling at the last parliament, in creating bishops, placing them, and giving them vote in parliament as bishops, in despite of the kirk, and high contempt of God, the kirk opposing herself against that misorder." The next general assembly had been appointed to meet at St. Andrew's on the 6th of March, 1572; but, by desire of the regent, the usual number of the ministers, superintendents, and commissioners from towns and kirks convened at Leith, on the 12th of January, for settling the policy of the kirk, and determined in their second sitting that their convention should have the force and strength of a general assembly, and that all things might be treated and concluded therein that used to be treated and concluded in any general assembly. On the 16th of January the regent granted power and commission to the Earl of Morton, chancellor, Lord Ruthven, treasurer, Adam, Bishop of Orkney, and other five persons, or any four of the whole number, to treat and come to an arrangement with this convention of the church, or any commissioners whom it should authorise, "anent all matters tending to the ordering and establishing of the policy of the kirk, the sustentation of the ministers, and support of the king's majesty and common affairs of the realm, to continue in such order as shall be agreed upon till his highness' (the king's) perfect age, or till the same be altered and abolished by the three estates in parliament, promitting to hold firm and stable all and whatsomever the said commissioners do and conclude in the premises." Let us see, then, what was the ecclesiastical constitution now agreed upon and established by the concurrence of the church and the state. In the first place, it was resolved that no innovation should be made in the titles of archbishops and bishops, nor in the bounds of dioceses, but that in these respects all things "should stand and continue in time coming as they did before the reformation of religion; at the least till the king's majority, or consent of parliament." Deans and chapters were annexed to all metropolitan and cathedral seats. The only restraint put upon the archbishops and bishops was, that, in the mean time, till further order were taken, they should exercise no other spiritual jurisdiction than the superintendents were accustomed to exercise; and that, generally, they should be subject to the kirk, and the general assembly thereof, *in spiritualibus*, as they were to

* See the abstract of the letter in Calderwood, p. 48.

the king *in temporalibus*. Even abbacies, priories, and nunneries were preserved; it was only ordained that, *if it were possible*, such a portion of the revenues should be assigned to the support of the parochial clergy as should be found reasonable, and should be appointed by the bishop or superintendent within whose province the religious house lay, and such of the king's majesty's council as should be directed to accord with him thereon; —a cold and cautious provision, from which very little was to be looked for. "As for the remanent profit and title of the benefice," it was further laid down by the commissioners, "because the possessor must supply the place of one of the ecclesiastical estate in parliament, they think it needful that he who shall have the style, title, and place of abbot, prior, and commendator, be well learned and qualified; and for trial of his qualification, that the king's letters commendatory under the signet shall be directed to the archbishop or bishop of the province wherein the abbacy or priory lieth, to try and examine his learning and ability; and upon testimonial of his ability from the ordinar, he shall compear before the king or his regent, and give his oath in form as the bishop doth; and then shall the king's letters and provisions under the great seal be expede, directed to the ordinar bishop of the province, or others bruiking [enjoying] the dignities or inferior office in the seat, to give him collation." Persons so admitted as commendators were allowed to be appointed senators of the college of justice, or to be employed by the king in the necessary affairs of the commonwealth. Another clause directed the manner of creating a bishop, which was to be by the dean and chapter formally electing the person nominated in a letter or precept from the king or his regent; the only liberty of objection or hesitation allowed to them being, that, in case the royal nominee should not be found qualified, they might humbly crave and require his majesty, with all convenient expedition, to nominate another. But, to render this liberty of no avail, it does not appear that any provision was made for the nominee being examined by the chapter. So much regard was even had to the rights of all the existing holders of deaneries, canonries, and prebendaries, that although only those of them that had entered the ministry of the reformed church were to continue to exercise their functions, yet the others who still continued papists were not to be displaced, nor successors appointed to them till they should depart this life. "Here ye see," says the old presbyterian historian, in concluding his account of the new settlement, "this book for the most part concerneth the provision of the old titles of archbishops, bishops, deans, archdeacons, chancellors, and such like, to ministers; and of abbacies and priories to other qualified persons, to vote in parliament as persons of ecclesiastical estate. Here is a fair show of restoring benefices of cure, great and small, to the kirk; but, in effect, it was to restore only titles, which noblemen perceived could not be given conveniently to themselves; but they gripped to the commodity, in obtaining from the titulars either temporal lands, feued to themselves, or tithes or pensions to their servants or dependers. And, therefore, the bishops admitted according to this new order were called in jest *tulchan* bishops. A *tulchan* is a calf's skin filled full of straw to cause the cow give milk."*

This scheme of church government was allowed and approved of by the regent, in the name of the king, on the 1st of February. On the 6th, for which day the chapter had been summoned, Douglas was formally elected Archbishop of St. Andrew's, whither his patron Morton had taken care to proceed a few days before, that his personal direction and influence might not be wanting in the management of the business. Calderwood says that there was a great debate in the chapter, and that many of the ministers opposed the election of the rector. But the boldest act appears to have been that of Mr. Patrick Adamson, who, upon Friday, the 8th, "discontented," says Calderwood, "because he was not preferred to a bishopric, as he expected, in his sermon divided bishops in three sorts,—*My Lord Bishop*, *My Lord's Bishop*, and *The Lord's Bishop*. *My Lord Bishop*, said he, was in time of papistry; *My Lord's Bishop* is now, when my lord getteth the fat of the benefice, and the bishop serveth for a portion out of the benefice, to make my lord's right sure; *The Lord's Bishop* is the true minister of the Gospel." This was a somewhat precipitate jest of Adamson's, who, three or four years after, stepped into Douglas's place, and became a *My Lord's Bishop* himself.

Knox, now fast approaching the end of his career, was at this time resident in St. Andrew's, and there can be no doubt that he was far from approving of the new constitution that had been thus imposed on the church of which he was the great founder. Calderwood says that he preached upon Sunday, the 10th, the day of Douglas's induction; and "the Earl of Morton being present, refused to inaugurate the bishop,—yea, in open audience of many then present, he denounced anathema to the giver and anathema to the receiver;" "as I find," adds the historian, "in a certain manuscript." But Knox assuredly did not carry his disapproval so far as either to resist or anathematise the general system of the new polity; on the contrary, there is extant a letter written by him to the next general assembly, which met at Perth in the beginning of August, in which we find him distinctly expressing his acquiescence in, or submission to, the arrangements recently made at Leith, and that even before they had received the sanction of the assembly. He requests the assembly, which he was in too weak a state of health to attend in person, to make suit to the regent, among other things, that "no gift of any bishopric or other benefice be given to any person contrary to the tenor of the acts made in the time

* Calderwood, p. 55.

of the first regent of good memory (Murray), and they that are given contrar the said acts, or to any unqualified person, may be revoked and made null be an act of secret council; and that all bishoprics so vakand may be presented, and qualified persons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commissioners of the nobility and of the kirk in the month of January last.*" These are his own deliberately recorded words, which are not to be explained away either by any loose, unauthenticated hearsays, or by any mere general reasoning.† Even from what Calderwood himself afterwards relates, it should appear that Knox's main objection to the appointment of Douglas to the primacy was to the individual, and probably also to the circumstances of his understood bargain with Morton, rather than to the office. When he learned, we are told, that the assembly had determined to allow Douglas to continue for another year to hold the place of rector of the university along with his archbishopric, "he lamented that so many offices were laid upon the back of an old man, which twenty men of the best gifts were not able to bear, and said he would be disgraced and wracked."‡ The venerable reformer breathed his last at Edinburgh on the 24th of November following. Meanwhile the general assembly had consented to receive the new ecclesiastical constitution as an interim arrangement till further and more perfect order might be obtained at the hands of the regent and nobility; only qualifying their acceptance with the expression of some scruples touching the *names* of archbishop, dean, archdeacon, &c., which, it is said, "were thought slanderous and offensive to the ears of many of the brethren, appearing to sound to papistry." They proposed that the *Chapter* should be called the *Bishop's Assembly*, the *Dean* the *Moderator* of the said assembly, &c.; and, also, that the names of abbots and priors should be interchanged into others more agreeable to God's word and the policy of the best reformed kirks.

Such remained the legally established constitution of the Scottish church when King James, in 1578, assumed the government into his own hands. The general assembly, indeed, as has been already observed, had been all the while growing more and more indisposed towards episcopacy, and had both passed many strong resolutions against bishops in general, and led most of the individuals of the order a terrible life by incessant inquisitions into their conduct. In the assembly of 1574 Archbishop Douglas was delated for various offences, —among others, for neither visiting his diocese of Fife, nor preaching in the city of St. Andrew's, where he resided. In excuse, he alleged his infirmity of body; and this seems to have got him off, though, as Calderwood notes, with much relish, "sundry smiled when he said, that, since he took on the bishopric, he was never well disposed." In the same assembly, Paton, Bishop of Dunkeld, having confessed his oversight in not executing the sentence of excommunication against the Earl of Athole and his lady, both papists, was enjoined, by way of penance, to repeat his confession publicly upon a Sabbath-day, in time of divine service, in his own cathedral church. In the next assembly, Gordon, Bishop of Galloway, was in like manner ordered to make confession of some misconduct "in presence of the congregation convened in the Abbey Kirk, upon the Lord's-day next to come, *without sackcloth*." In the assembly which met at Edinburgh in August, 1575, the first approaches were made to a direct attack upon the episcopal office by John Durie, one of the ministers of Edinburgh, who moved for and obtained a committee to consider "whether the bishops, as they are now in Scotland, have their function from the word of God or not; or if the chapters, ordained for the creating of them, ought to be tolerated in this reformed kirk." Spotswood says that Durie was stirred up to propound this question by "Mr. Andrew Melvil, who was lately come from Geneva; a man learned chiefly in the tongues, but hot and eager upon anything he went about, labouring with a burning desire to bring into this church the Presbyterial discipline of Geneva." There were six bishops present in the assembly; but it does not appear, to quote Spotswood's expressions, "that they did so much as open their mouths in defence of their office and calling." The committee, whose report was sustained by the assembly, deemed it inexpedient at the moment to give a direct answer to the question; but they pretty significantly intimated the complexion of their opinion by declaring the name of a Bishop to be "common to every one that hath a particular flock over which he hath a particular charge as well to preach the word as to minister the sacrament;" in other words, they distinctly proclaimed the Presbyterian doctrine, that every clergyman is a bishop, and that that is the only scriptural meaning of the term. In the next assembly, which met in April, 1576, the Archbishop of Glasgow was cited to make answer to one of the most popular charges against his order, that of rarely preaching. With an edifying humility, the archbishop answered, "that preaching is the great gift of God, which is not equally bestowed upon all; and excused himself that he was not so able, nor so liberally doted with understanding, as others;"* and he seems to have appeased the court, for the present, by expressing his willingness to do his best for the future. It was now, however, ordered that all those of the bishops, who had not yet received the charge of particular congregations, should immediately declare "what particular flocks they would accept to take the care of;" and my lords of Glasgow, Ross, and Dunblane deemed it prudent each to make choice

* See the paper published from Calderwood's MS. History, in the Appendix, No. 38, to Robertson's Hist. of Scot.

† A very unsuccessful attempt of the latter kind has been made by Dr. M'Crie, in his Life of the great reformer.

‡ Calderwood, p. 57.

* Calderwood, p. 70

of a parish church within his diocese, in conformity with this enactment. Still, however, the government steadily refused its sanction to these proceedings. While the clergy were occupying themselves in devising a new scheme of ecclesiastical polity, which they hoped to force upon the civil authorities, the regent (Morton) "was often required," says Calderwood, "to give his presence to the assemblies for furtherance of the work; but he refused, yea threatened, some of the most zealous of the ministry. He misliked general assemblies, and would have had the name changed, that he might enervate the force and privilege of them. He could not endure the free and open rebuke of sin in the pulpit. He ever resisted the work of policy which was in hand, because it was not agreeable to his fantasy; he maintained his bishops, and pressed his own injunctions and conformity with England; and had, without question, stayed the work of God, if God had not stirred up a faction of the nobility against him." "Yet," adds this strong party writer, (and the testimony in favour of Morton is very weighty and remarkable, coming from such a quarter,) "he was a man of deep judgment, stout, courageous, and ever for the cause of religion; but that he was set for the estate of bishops, and against free application of doctrine. His administration of justice was such, that the time of his regiment was esteemed to be as peaceable as ever Scotland saw before."

The weakness of the government, arising out of the contention of parties for some years after the revolution that first effected Morton's temporary overthrow, and then, after he had regained his ascendancy, took from him both his power and his life, afforded the clergy a favourable opportunity of urging with increased boldness their favourite innovations in the polity of the church, of which they did not fail to avail themselves. The assembly which met in April, 1579, hoping before their next meeting to be able to extort from the government the entire abolition of episcopacy, ordained that all bishops and others bearing ecclesiastical functions should for the future be called by their own names; and prohibited, in the meantime, all ministers and chapters from proceeding in any ways to the election of bishops, under pain of perpetual deprivation. And at the next assembly it was unanimously resolved that "the said act shall be extended to all times to come, aye and till the corruption of the state of bishops be utterly removed;" and that all bishops already elected should submit themselves immediately to the assembly "concerning the reformation of that estate of bishops in their person," under pain of excommunication. The next assembly, which met at Edinburgh in October, 1578, drew up an enumeration of the special reforms which they demanded in the estate of bishops, to the following effect:—"That they be content to be parsons and ministers of one flock; that they usurp no criminal jurisdiction; that they vote not in parliament in name of the kirk without advice from the assembly; that they lift not up, for the maintenance of their ambition and riotousness, the emoluments of the kirk, which may sustain many pastors, the schools, and the poor, but be content with reasonable livings according to their office; that they claim not to themselves the title of temporal lords, nor usurp temporal jurisdiction, whereby they may be abstracted from their office; that they empire not above particular eldership, but be subject to the same; that they usurp not the power of presbyteries; that they take no further bounds of visitation than the kirk had committed to them."*

But to these demands of the church the government still persisted in turning the same deaf ear as before, and that whichsoever faction might be for the time at the head of affairs. In July, 1579, while he was again in the hands of Morton, the young king wrote what Calderwood calls "a harsh letter" to the assembly, earnestly exhorting them to refrain from disturbing the public peace by agitating innovations in the policy of the kirk in a time "subject to so many difficulties and imperfections;" but to remit all such matters to be reasoned and decided upon by the estates of the kingdom in parliament. In 1580, however, after Morton's second and final expulsion from the government, "the whole assembly, in one voice," as the act recites, "after liberty given to all men to reason the matter, none opposing themselves in defence of the said pretended office," declared the office of bishop, "as it is now used and commonly taken within this realm," to be "unlawful in itself, as having neither foundament, ground, nor warrant in the word of God;" and ordered "that all such persons as brook [enjoy] or hereafter shall brook the said office be charged *simpliciter* to demit, quit, and leave off the samine, as an office whereunto they are not called by God;" and even to desist from preaching, or performing any part of the office of pastors, till admitted thereunto anew by the assembly, under pain of excommunication.

In January, 1581, a transaction occurred which has been generally misrepresented by Presbyterian and puritanical writers—James's subscription to the formula called the Second Confession of Faith, or, sometimes, the King's Confession. Because this instrument expressed an abjuration of "the hierarchy of the Roman antichrist," it has been contended that James, in subscribing it, abjured episcopacy, or a hierarchical church government in every form. The history of the Confession, as well as its language, sufficiently confutes this interpretation. It was drawn up at James's own command by his domestic chaplain, Mr. John Craig, for the purpose of allaying the clerical and popular outcry occasioned by the suspicions entertained as to the religion of the new foreign favourite, d'Aubigné, or, as he was by this time styled, the Earl of Lennox. The king,—as

* Calderwood, p 85. Spotswood tells us that now "the small respect carried to bishops in these assemblies of the church made them dishaunt and come no more unto the same."—*Hist.* p. 303.

yet, it is to be remembered, only a boy of thirteen,—had, on d'Aubigné's first arrival, taken great pains to quiet the murmurs which the appearance at court of an avowed Papist immediately awakened. He "called the ministers to Edinburgh," Spotswood tells us, "and showed them what travail he had taken to convert his cousin, and how he had obtained his consent for taking a minister in his house, which would be to good purpose, and serve both to debar Jesuits from access to the nobleman, and win him by conference to a greater liking of the truth, desiring therefore that one of their number might be appointed for some short space to attend him." Calderwood says that Lennox had before this obtained a dispensation from the king "not to be troubled for religion for a whole year," that he might attend to certain pressing temporal affairs; and that he vexed the church courts of Edinburgh and Lothian with letters from the king, calling their attention to the said dispensation. No doubt Lennox would have been very well content to let the church courts alone, if they would have left him at peace. However, after a short time, he deemed it best to make a profession of conformity to the established religion. In July, 1580, he sent a letter to the assembly, informing them "that it had pleased God to call him to the knowledge of the truth since he came to this country, and that he had made open declaration thereof, first by his own mouth in the kirk of (St. Giles's) Edinburgh, and, secondly, by his hand-writ at Stirling—yet offered to perform what the assembly required further for the accomplishment of the said confession, to procure and advance all other things according to his power, that may serve for the glory of God and weal of the kirk and country." "But," adds Calderwood, "when he subscribed the articles of religion, and communicated, little understood he what he heard. Notwithstanding of his subscription, he brought with him, and had in his company, Papists by profession, but indeed atheists, which were entertained with him almost till his departure out of the country." Spotswood informs us that the still unremoved suspicions and jealousies of the people respecting his real faith "were increased by the intercepting of certain dispensations sent from Rome, whereby the Catholics were permitted to promise, swear, subscribe, and do what else should be required of them, so as in mind they continued firm, and did use their diligence to advance in secret the Roman faith." It was in these circumstances, as we have said, that in January following James ordered the new confession to be drawn up, and after subscribing it himself, made all his household append their names to it—that of Lennox, for whose especial behoof the whole proceeding was devised, being placed at the head of the list. About a month after, an order was issued, charging the people of all ranks to subscribe the king's confession. And it may have been subscribed by Presbyterians and Episcopalians with equal willingness; for it was so expressed, that both the one and the other might interpret it in their own sense. The subscriber merely declared his abhorrence and detestation of certain popish doctrines and ceremonies, as they were damned by the word of God and the Scottish church. But what was the Scottish Church was left for every man to settle with himself according to his own notion. If the Presbyterian considered it to be the general assembly, the Episcopalian had at least as good a right to regard it as being the system of national religion and ecclesiastical polity set up by act of parliament, and actually maintained by the state. Upon this question, therefore, the confession was really altogether of a negative character; and indeed it came afterwards, in the heat of the controversy between episcopacy and presbytery, to be commonly known by the name of the Negative Confession.

In August, 1582, the success of the raid of Ruthven, overthrowing the power of Lennox and Arran, and consigning James himself to durance in the hands of the opposite faction, intoxicated the clergy as with the arrival of a sudden millennium. Presbytery, long held down by a hostile and oppressive government, seemed now to be on the point of rending its bonds, and scattering for ever from the face of the land all obstacles that stood in the way of its undivided ascendancy. Its historian narrates with a fervent pen the blessed change this revolution brought with it to the struggling church:—"Since the late enterprise of the Lords Reformers, liberty was renewed to the ministers to preach the word freely, to exercise discipline, and to hold ecclesiastical assemblies. Papists, Jesuits, excommunicated persons, licentious libertines, old enemies to this crown and to the friendship standing between the two realms, either left the country and the court, or stooped in silence with external reverence to the word."* Low enough, we may be assured, and with all demureness of aspect, they would be forced to stoop before the frown of such a despotism as had now gotten the upper hand. The general assembly, also, upon a formal account being laid before them of the proceedings of the conspirators, had hastened to pass an act, declaring that "they had done good and acceptable service to God, to their sovereign, and to their native country," and directing every minister to exhort the people from the pulpit to stand by the men who had now obtained possession of the king's person, as the deliverers of the kirk and commonwealth. However, this state of things did not last long. In June following the king made his escape from Falkland, and threw himself into the castle of St. Andrew's, whither his friends of the opposite faction immediately gathered about him in such strength as to set all chance of his recapture at defiance.† The Earl of Mar and his associates,

* Calderwood, p. 139.

† Calderwood here tells the following story:—"Mr. Patrick Adamson, called commonly Bishop of St. Andrew's, had keeped his castle, like a fox in a hole, a long time, diseased of a fedity, as he himself called his disease. He sought cure of women suspected of witchcraft, namely of one who was apprehended, tried by the Presbytery, and committed to the castle to be kept to further trial, but suffered by him to escape: yet was she apprehended within three or four

the authors of the *Raid*, had, not, in fact, during their ten months' tenure of power, done much more than allow the clergy to hope for the abolition of episcopacy; no steps had actually been taken to bring about that change in the ecclesiastical constitution; but even what of hope and present freedom had cheered them was now taken away. The aspect of the restored government was hostile from the first. The general assembly, having met at Edinburgh in October, drew out a long statement of grievances, which they sent to Stirling to the king; but "the commissioners," says Calderwood, "returned with small contentment." Soon after, John Durie, already mentioned as one of the ministers of Edinburgh, was cited before the council for having in a sermon publicly justified the Raid. At first, according to Spotswood, "he stood to the defence of that he had spoken; yet after advice taken with Mr. James Lawson, his colleague, he was moved to submit himself to the king." He was in the end ordered to remove from Edinburgh to Montrose, "whereunto he yielded," says Calderwood, "after the council of the town and session of the Kirk had given him a testimonial approving of his life and doctrine." In the beginning of the next year came on "the greater business" of Mr. Andrew Melvil, who was summoned before the council for words spoken by him in a sermon preached at St. Andrew's. According to his own account of what he said, of the truth of which none who know the character of the man will doubt, there was nothing in it at which offence could be justly taken; but, waiving this defence, the fiery Calvinist at once took his stand upon the principle, that no civil court had any jurisdiction over a clergyman for words spoken by him in the discharge of his ministerial office.* The scene that took place in the council when he urged this plea is graphically given by Calderwood:—"After the giving in of the declinature, the king and the Earl of Arran, then chancellor, raged. Mr. Andrew, never a whit dashed, said, in plain terms, that they were too bold, in a constitute Christian kirk, to pass by the pastors, prophets, and doctors, and to take upon them to judge the doctrine and to control the ambassadors and messengers of a greater than was here. That ye may see your own weakness and rashness, in taking upon you that which ye neither ought nor can do (loosing a little Hebrew Bible from his girdle, and laying it down before the king and his chancellor upon the table) there are, said he, my instructions and warrant; see if any of you can controul me that I have passed my injunctions. The chancellor, opening the book, passeth it in the king's hand, saying, Sir, he scorneth your majesty and the council. Nay, sayeth he, I scorn not, but am in good earnest." Here we see flaming out the true spirit of presbytery, which, while opposed to any representation of the clergy in parliament, had always sought to erect the church into a power independent of, and, in its own province, superior to the state—an arrangement which would afford an abundant compensation for the denial of political power of the ordinary kind. Melvil, finding himself helpless in the hands of his enemies, escaped imprisonment by flying to England.

After the Raid of Ruthven had been declared by parliament to be treason, some of the clergy ventured to meet at St. Andrew's on the 24th of April, 1584, to hold a general assembly; but their number was very few. "The king sent to them," says Calderwood, "a fiery commissioner, Mr. J. Graham of Haleyards, Justice Depute." On being required to annul the act approving of the Raid, most of the members left the town; and some of the more obnoxious fled to England, upon which they were proclaimed rebels. On the 22nd of May a parliament met, in which Adamson and Montgomery took their seats as Archbishops of St. Andrew's and Glasgow, and in which acts were passed making the declining of the jurisdiction of the privy council, the pretending an exemption from the authority of the civil courts, or the attempting to diminish the rights and privileges of any of the three estates of the realm, high treason; and the holding assemblies without the king's permission or appointment, a capital crime. All persons were also prohibited, under pain of capital punishment, from presuming to utter anything in sermons, or in any other declamations or conferences public or private, to the dishonour, hurt, or prejudice of the king or his progenitors, or so much as to meddle with affairs of state at all. These acts for the present laid the church bound and helpless at the foot of the throne. In another parliament, held in August following, it was enacted that all ministers should, within forty days, subscribe a declaration of their approval of the acts of the last parliament, and submit themselves to the bishops their ordinaries, under pain of losing their stipends. Upon this all the ministers of Edinburgh abandoned their charges, and, with many others of their brethren, the most eminent for their learning, piety, and popular eloquence, sought an asylum in the sister kingdom.

Nor did the revolution which happened in the end of the following year, by the return from England of the lords concerned in the *Raid*, and the final removal of Arran and his faction, bring about any immediate change in the condition of the humbled church. The parliament having met at Linlithgow, in December 1585, "for ratifying the peace, and abolishing the memory of things

years after, and was executed in Edinburgh. He keeped his castle since the assembly holden in April 1582. When the king cometh to St. Andrew's, he becometh a whole man, occupied the pulpit incontinent, declaimed before the king against the ministry and the lords and their proceeding. He professed before that he had not the gift of application; now he applieth, but inspired with another spirit than faithful ministers use to be. In his sermon he affirmed for certain that the Duke of Lennox died a Protestant, having in his hand a scroll, which he called the Duke's Testament. A merchantwoman, sitting before the pulpit, and spying narrowly, affirmed that the scroll was a count of four or five years' old debt, which a few days before she had sent to him."—*Hist.* p. 141.

* See his Protestation and Declaration in Calderwood, p 141—146.

past," "the ministers," Spotswood tells us, "who returned in company of the lords, did earnestly urge the repealing of the acts concluded the year preceding against their discipline, which the king did utterly refuse." Calderwood says, that James threatened, taunted, and reviled the petitioning ministers, calling them "loons (rascals), smakes (pitiful fellows), and seditious knaves." The lords, who had now got the government into their hands, were next applied to, and reminded both of their duty and their former promises and professions. "They answered," says our historian, "they must first be settled in their own places, and then they should work wonders. . . . The Master of Glammis, upon whose wit the rest depended, said, it was not expedient to thraw (extort) out of the king, so much addicted to the government of bishops, any reformation for the present, but to procure it by time with his own consent; and that the ministers should see a redress in another parliament. So they were careful every one for their own peculiar estate, more than for the kirk of God." In answer to a representation of the clergy James set to work in his cabinet, and spent "the space of twenty-four hours" in penning a Declaration, in the conclusion of which he said, "I mind not to cut away any liberty granted by God to his kirk. I acclaim not to myself to be judge of doctrine in religion, salvation, heresies, or true interpretation of Scripture. I allow not a bishop according to the traditions of men, or inventions of the pope, but only according to God's word." He insisted, however, upon a bishop having the right of voting in parliament and council, and enjoying "some prelation and dignity above his brethren, as was in the primitive kirk;" and in reply to the appeal of the clergy to scripture upon this matter, he did not omit to twit them with the want of any scriptural authority for their own proposed scheme of having certain ministers elected by the rest as commissioners to vote in parliament. "Well," said the royal declaimer, "God purge your spirits from ambition, and other indecent affections for your calling, and give you grace to preach, in all humility and simplicity, his word and verity." The zealous clergy, however, would not yet be silent; some were called before the council and committed to prison; with others James took a different course. A few weeks after he had put forth his above-mentioned Declaration the following singular occurrence took place:—"Upon the 2d day of January, 1586, the king rebuked Mr. Walter Balcanquel publicly after sermon in the great kirk, and said he would prove that there should be bishops, and spiritual magistrates endued with authority over ministers; and that he (Balcanquel) had not done his duty in condemning that which he (the king) had done in parliament. Mr. Walter undertook to prove the contrare."*

James, however, soon became wearied of this contest, and being, as Spotswood expresses it, "very desirous to be at rest with the church," he called together a general assembly at Edinburgh in the beginning of May. In this council some concessions were made on both sides. It had been previously agreed, at a conference held between some of the clergy and certain persons commissioned by the king and the council, that bishops should be continued as a distinct order in the church, and that their election should be by presentation directed by his majesty to the general assembly, by which body they should thereupon receive admission; and this arrangement was now assented to by the assembly, with only a few qualifications, reserving a certain authority in spiritual matters to the synods and presbyteries, but not touching either the civil functions and pre-eminence of the bishops, or their appointment by the uncontrolled nomination of the crown. In order, at the same time, to put the best possible face upon the proceeding, it was voted, "after reasoning," that the name of a bishop hath a special charge annexed to it by the word of God, the same that the ordinary pastor hath—that it was lawful to the general assembly to admit a pastor, bishop, or minister having a benefice, presented by the king's majesty to the same—and that by the name bishop was to be understood only such a bishop as was described by St. Paul. The reader will observe the dexterity with which these propositions were framed, so as to have the semblance of meaning something while they actually meant nothing.

Still, such as they were, they were the propositions or resolutions of the Assembly merely, and were yet unsanctioned by any act of the legislature. The legally established religion of the country was still episcopacy, without even any admixture of presbytery; and in this state the matter remained for some years. A heavy blow, however, was in 1587 struck at the order of bishops, by an act of parliament wrung from James's pecuniary necessities, by which the temporalities of benefices and all the church lands that remained unalienated were annexed to the crown, the tithes alone being reserved for the maintenance of the persons serving the cures. This act was confessedly urged by the leading nobility, at once from the most selfish motives and upon the most hypocritical pretexts. While the king was made to believe that he would find an ample revenue in the patrimony of the church, and the people were told that such a resource would for the future enable the crown almost to dispense with the ordinary taxes, the real object kept in view by the instigators of the annexation was the transference of the property in question into their own hands. The design was sufficiently indicated even on the face of the statute, one of the clauses of which contained a general confirmation of all past grants of church lands to individual noblemen and others, most of such grants having been till now understood to be held by a very precarious tenure. And it was not long before nearly all the new property that now came into the possession of the crown was in like

* Calderwood, p. 197.

manner begged from it, and alienated in perpetuity to the great families and hungry courtiers—to the very men who had in the first instance counselled its seizure under pretence of the public good. Afterwards, James himself, when he had seen this and other consequences of the annexation, denounced it, in his 'Basilicon Doron,' as "a vile and pernicious act." It was such an act, however, as, once passed, it was almost impossible to repeal. Of its publicly-predicted effects, by which, when it was first proposed, its authors secured the popular voice in its favour, there was only one that was actually fulfilled. Calderwood notices that it was thought a great benefit to the kirk, inasmuch as, if it passed, it was conceived the kirk would be no more troubled with bishops. "Privately," says Spotswood, "to such of the ministry as sought the subversion of episcopal government, it was whispered that this was the only way to undo the prelacy; for there being no livings to maintain them (as in this case there would be little or nothing remaining, most of the bishoprics being founded on temporal lands, and having but churches annexed), none would be found to accept those places, which also proved true." The act of annexation reduced the power and the very institution of bishops from a substance to a shadow—from a real thing to a mere name.

In name and form, however, episcopacy was still the church government established by law. Thus, although the people were generally Presbyterians, we find no recognition of presbytery in what was called the "General Band," which was subscribed by the king, the council, and all classes the following year, on the approach of the Spanish Armada. This national bond, a solemn compact of the same kind with the more famous covenant of fifty years' later date, contained only the same abjuration of popery, and vow, in general terms, to maintain "the true and Christian religion, presently professed within this our realm," which had formed the matter of the king's confession of faith of the year 1581. The failure of the great Spanish enterprise was followed in Scotland by a succession of plots and disturbances on the part of the popish faction within the country, the leaders of which were proved to be in confederacy with persons of their own religion abroad; and James excited some popular dissatisfaction and murmuring by the lenity which he showed in repressing and punishing these attempts. He took considerable pains in various ways to dissipate these suspicions of his protestantism, and particularly, after his return from Denmark in 1590, with his newly wooed, won, and wedded queen,—very vain of the unusual spirit he had shown in that affair, and also in unusual good humour with the clergy for the successful exertions some of their leaders had made in preserving the public tranquillity during his absence—he presented himself in the general assembly, which met at Edinburgh in August, and there delivered himself of the speech in laudation of the purity of the Scottish kirk, which has been already given in our preceding chapter.* Although the episcopal historian Spotswood, in his report of the king's speech on this occasion, has nothing of the rhapsodical effusion preserved by Calderwood, it is probable that something like it was actually spoken by James, who already, as we have seen, had set up for a great theologian, and was all his life the most irretentive of talkers. His address was also, no doubt, intended to produce upon the assembly an impression of his favourable disposition at least towards the doctrines and ritual of the kirk—"to please the assembly," as Calderwood expressly notes: and it had that effect; for, after he had finished, "there was nothing heard for a quarter of an hour," says Calderwood, "but praising God and praying for the king." There was nothing, however, either in this speech or in anything else that James now said or did, from which it could have been warrantably inferred that he had abandoned his old predilection for episcopacy, and become a Presbyterian on the point of church government. Even while going as far as he could in the way of complaisance and acquiescence, he altogether, as we see, avoids this ground. He declares himself for Calvinism in the matter of doctrine, and he also gratifies his auditory by a fling at the English Prayer Book; but it is not pretended that, even in the highest flow of his eloquence, he said a word against the bishops. In this very assembly Calderwood admits that the answers he made to certain propositions about ratifying the liberties of the kirk, &c., "did little content the assembly." Upon that head, in fact, he would promise nothing. And only a few months before he had sufficiently shown how little he was inclined to go along with the kirk in its notions either as to bishops or as to ceremonies, by the order he insisted upon being observed at the coronation of the queen, which was celebrated in the Abbey Church on the 17th of May. "The particulars," says Calderwood, "because accustomed, I pass by." But they are nevertheless worth noticing. The same dispute that happened at James's own coronation again arose, and terminated in the same way. The clergy at first vehemently objected to the ceremony of anointing, but James insisted that it should not be omitted, and threatened that, if they would not allow one of their own number to perform it, he would send for one of the bishops to officiate. In the end her majesty was solemnly crowned, with all the accustomed rites, the anointing included, by Mr. Robert Bruce, one of the ministers of Edinburgh.†

It was not possible, however, that in the condition to which things had now been brought,—with the fabric of the episcopal government wholly undermined by the abstraction of the temporalities

* See ante, p. 15. We may here notice, by the bye, that it is Harris who has decorated this story with the introductory flourish about James "standing with his bonnet off, and his hands lifted up to heaven." There is not a word of this in his authority, Calderwood.

† Spotswood, p. 381.

of the bishops,—the triumph of Presbyterianism could be much longer deferred. Accordingly, in June, 1592, in a very disturbed state of public affairs, James was reluctantly induced to give his assent to an act of parliament, abrogating and annulling the acts touching the government and discipline of the church made in the year 1584, and giving for the first time a legal establishment to the system of general assemblies, synods or provincial assemblies, presbyteries, and kirk sessions. Yet although this statute established presbytery, it did not in fact abolish episcopacy. On the contrary, a petition of the general assembly, "that abbots, priors, and other prelates, pretending the title of the kirk, and voting for the same without their power or commission, be not suffered in time coming to vote for the same either in parliament or any other convention," met with no attention.* Most of the ecclesiastical powers hitherto lodged by law in the bishops were transferred to the presbyteries and other church courts; but their temporal or civil *status* was left untouched. Nor were the liberties granted to the Presbyterian church by any means such as to place it in that position of entire independence of the state which would have satisfied the notions of the clergy as to the rights of "the true kirk." While the full power of collection to benefices, for example, was given to presbyteries, they were "bound and astricted to receive and admit whatsomever qualified minister presented by his majesty or laick patrons." And upon the great point of the meeting of the supreme ecclesiastical court, which the church had always contended for the right of calling together when and as often as it pleased, it was merely enacted that "it shall be lawful to the kirk and ministers, every year at the least, and oftener, *pro re nata*, as occasion and necessity shall require, to hold and keep general assemblies; *providing that the king's majesty, or his commissioner appointed by his highness to be present at ilk general assembly, before the dissolving thereof nominate and appoint time and place when and where the next general assembly shall be holden.*" This, it may be observed in passing, is still the law under which the assemblies of the Scottish church are convened; but the old Presbyterian principle also continues to this hour to be asserted, in words at least, by the church, whose officer, the moderator or presiding clergyman, as soon as his Grace the Lord Commissioner has declared the assembly to be dissolved and appointed it to meet again on a certain day in the following year in the name of the sovereign, always rises and convokes it *for the same day* in the name of Jesus Christ.

Both in religion and in politics it generally happens that a principle or a sect, which has long been struggling for legal recognition and establishment, assumes altogether a new character after the achievement of that object,—the fiery impetuosity of its former innovating and overturning propensities now giving place to the stationary, repressive, and cautious instincts of conservatism. But whether it was something in the circumstances of the time, or some peculiar obstinacy and untameableness inherent in the nature of presbytery, it is certain that the Scottish kirk, after having been thus taken under the protection of the state, only assumed a more rampant attitude than ever. The course pursued by the clergy for the next three or four years was one continued effort, not only to throw off all authority of the civil power in whatever they chose to call a matter appertaining to religion—under which description they comprehended whatever should be said or done by any one of themselves in the performance of his spiritual office—but even to mount upon the back of the state, and to exercise a general control over the conduct of public affairs. Indeed, the latter attempt was the necessary consequence of the former; for there cannot really be two sovereignties in the same state, and therefore the only way in which the spiritual can be independent of the temporal power is, by acquiring the mastery over it. James had been forced to consent to a qualified establishment of presbytery; but he himself neither became nor professed to become a Presbyterian any more than he was before; and the struggle between the crown and the parliament on the one side, and the church courts and the clergy on the other, only grew more violent and acrimonious than ever.

One chief ground of dissatisfaction which the church had with the king was the lenity of his treatment of the Earls of Huntley, Angus, Errol, and other popish lords, whose practices still continued to disturb the government and the country. James, conceiving that much of his chance of succeeding to the English crown depended upon the support of the Catholic party, which was naturally attached to him as the representative of his mother, shrunk from doing anything which might lose him their favour, and was, on that account, anxious rather to come to terms with Huntley and his associates, and to win them over by forgiveness to be good subjects, than to exterminate or severely punish them. But this policy the kirk looked upon with abhorrence. The provincial synod of Fife, which Calderwood calls "the most vigilant synod within the kingdom in these dangerous times," having met at St. Andrew's in September, 1593, after drawing up, by way of preface, a long representation of public grievances, directed certain of their members, with all convenient diligence, to repair to the king, "to tell plainly to his majesty that which all his true subjects think touching his too much bearing with, favouring, and countenancing of papistical traitors; his negligence in repressing of idolatry, and establishing of the kingdom of Christ within this realm; and to declare freely to his majesty the mind and resolution of all his godly and faithful subjects within this province, that they are ready to give their lives rather than suffer the same to be polluted with idolatry and overrun with bloody papists."

* Calderwood, p. 268.—Spotswood, p. 386.

This death's-head and cross-bones defiance of the government was accompanied by another proceeding still more extraordinary—the excommunication of the three popish earls and other two gentlemen of their party, which was solemnly pronounced, in the name of the synod, by their moderator, Mr. James Melvin, or Melvil.* The principal grounds on which this provincial and subordinate court asserted its right to pass such an act were, that the three earls had in their youth studied at the university of St. Andrew's, and had afterwards been married in Fife! James, as Calderwood tells us, was highly offended with the sentence of excommunication; but it was ratified, nevertheless, by the general assembly, which met at Edinburgh in May following, and all pastors throughout the realm were ordered to intimate it from their pulpits, that none might pretend ignorance. For the present, the popular feeling of rage against popery, which was the strength of the clergy, ran so high, that James was forced to yield, or to appear to yield, to the tide. But at this very moment he openly showed that his own religion continued to be, not presbytery, but episcopacy, by the order that was taken for the baptism of his son, the infant Prince Henry, which was celebrated in the Chapel Royal at Stirling, on the 30th of August this year. "The solemnities used in the time of baptism, and at the banquet, I omit," says Calderwood, after his customary fashion. But, in fact, the ceremony was performed, not by a Presbyterian clergyman, but by Cunningham, bishop of Aberdeen. The child was then committed to the care of the Lady Livingstone, who was so far from being a good Presbyterian, that she was not even a Protestant.†

The clergy, however, although the opposition of the court somewhat restrained the high hand with which they would have controlled the whole course of public affairs, met with no serious check till the year 1596. "The kirk," says her historian, "was now come to the greatest purity that ever it attained unto; so that her beauty was admirable to foreign kirks. But the devil, envying the happiness and laudable proceedings of the ministry and assemblies of the kirk, stirred up both papists and politicians to disturb her peace." In point of fact, the disturbance may be much more justly said to have come from the side of the kirk herself. Calderwood admits, or rather boasts, that "the papists perceived there was no rest for them in Scotland, if the authority of the kirk continued." And, as for politicians, the country certainly contained none so restless as the clergy themselves.

But before coming to the change in the fortunes of the church which the historian laments, we meet with a very curious exposition of some of the features of that "purity and beauty" he had just before been celebrating in a statement of "the corruptions and enormities of the ministry" which was published by the general assembly of 1596. In this paper are noticed, among a variety of other crying evils, the intrusion into the church of many ministers forced upon congregations by presentation, who afterwards manifested that they were not called by God (for remedy of which it is ingeniously recommended that a law be passed prohibiting any from seeking presentation to benefices without the advice of the presbytery within the bounds of which the benefice lieth); and the existence in the bosom of the establishment of some clergymen not given to their book, in their sermons obscure and too scholastic, cold, and wanting zeal, flatterers, dissembling at public sins, and especially of great persons within their congregation, for flattery or for fear; of others "light and wanton in behaviour, as in gorgeous and light apparel, in speeches, and in using light and profane company, unlawful gaming, as dancing, carding, dicing, and such like;" of others described as "swearers or banners, profaners of the sabbath, drunkards, fighters, &c.;" of others "given to unlawful and incompetent trades and occupations for filthy gain, as holding of hostelries (inns), taking of usury beside conscience and good laws, bearing worldly offices in noblemen's and gentlemen's houses, merchandise, buying of victuals and keeping to dearth, &c." A scene singularly illustrative of the enthusiasm of the times took place in the assembly on the day when this confession was read and adopted. The members met in the Little Kirk at nine o'clock in the morning, to the number of four hundred persons, "all ministers or choice professors," when so powerful an exhortation was delivered to them by Mr. John Davison, who had drawn up the paper, that the whole assemblage was thrown into an agony of penitential sorrow. "For the space of a quarter of an hour," says Calderwood, "there were such sighs and sobs, with shedding of tears, among the most part, every one provoking another by their example, and the teacher himself by his own, that the kirk resounded. So that the place might worthily have been called *Bochim*; for the like of that day had not been seen in Scotland since the Reformation, as every one that was present confessed. There have been many days of humiliation for present judgments, or imminent dangers; but the like for sin and defection was never seen since the Reformation." A few days after, a continuation of the statement of corruptions was read and approved of, the first head of which consisted of an enumeration of certain habitual offences of James and his queen, about

* Minister of Anstruther, and author of the Diary.—See vol. ii. p. 604.

† There has been some controversy about the manner in which James's other children were baptized. Neither Calderwood nor Spotswood mention who officiated in the case of Charles, who was baptized at Dunfermline, in 1600; but, according to a statement, said to be drawn up by John Blinsele, Ilay herald, and to be preserved in the Lyon's Office at Edinburgh, the rite was performed by David Lindsay, bishop of Ross. This statement was first printed in a work called 'The Royal Martyr a True Christian,' by Henry Cantrel, London, 1716; and was afterwards referred to as an authentic document by Caste. Harris, in his Life of Charles I. (p. 3, note), denounces it as "an arrant forgery;" but some circumstances have since been adduced which are rather corroborative of its authenticity. See D'Israeli's Commentaries on the Life and Reign of Charles I., London, 1828, i. 11. It is most probable, at any rate, from James's position in reference to the Presbyterian clergy at the time, that both Charles and his elder sister, the Princess Elizabeth, were baptized by episcopal hands.

which it was at the same time directed that several of the members should be dispatched to confer with their majesties. The blunt plain-speaking of this exposition is inimitable. "First," it said, "as strangers and other good subjects, repairing to the court, have been comforted to see Christian religion religiously exercised, so now they are somewhat troubled, seeing the exercises of the reading of the word at table, and reverent saying of the grace before and after meat, diverse times omitted. That, on the week day, the repairing to hear the word is more rare than before; and that his majesty be admonished to forbear hearing of speeches, in time of sermon, of them that desire to commune with his majesty. Privy meditations in spirit and conscience with God earnestly to be recommended to him. His majesty is blotted with banning and swearing, which is common to courtiers also. . . . . The queen's majesty to be reformed; her company, her not repairing to the word and sacraments, night-waking, balling. And such like concerning her gentlewomen." But to this was tacked another chapter, entitled "The Common Corruptions of all Estates;" the charges contained in which throw those made both against the clergy and the king far into the shade. The first thing bewailed is "an universal coldness and decay of zeal in all estates, joined with ignorance and contempt of the word, ministry, and sacraments;" "and where there is knowledge," it is added, "no sense nor feeling; which showeth itself manifestly by this, that they want religious exercises in their families, as of prayer and of reading of the word, or the same for the most part abused and profaned by cooks, stewards, jackmen, and such like, the masters of the families being ashamed to use these exercises of godliness in their own persons; and no conference at their tables, but of profane, wanton, and worldly matters." "Superstition and idolatry," the paper goes on, "is entertained, which appeareth in keeping of festival days, bonfires, pilgrimages, singing of carols at Yule (Christmas)." Other counts of the strange indictment are, "Great blasphemy of the holy name of God among persons of all estates, with horrible banning and cursing in all their speeches; profanation of the sabbath, and especially in seed-time and harvest, and common journeying on the sabbath, trysting (making appointments) on worldly matters, exercise of all kind of wanton games, keeping of markets, drinking, and the like." In a subsequent paragraph, along with the familiar charge of "garnelling (or hoarding) of victual, and withholding of the same from the markets," is classed the less intelligible delinquency of "not threshing the corn out in due time." But, in truth, in this part of his performance, Mr. Davison's pen quite runs riot in stringing together its reproaches and invectives. The catalogue ends with the mention of "a great number of idle persons without lawful calling, as pipers, fiddlers, songsters, sorners, pleasants, strong beggars living in harlotry, and having their children unbaptized, and no ways repairing to the word." Then follows a short concluding enumeration of "offences in the courts and judgment-seats." Here the paper boldly affirms, in the most unqualified terms, that the country groans under the curse of "a universal neglect of justice both in civil and criminal causes;" that the judges are, "for the most part, unmeet either in respect of want of knowledge, or of conscience, or of both;" and that "when any office vaiketh, the worst men are advanced, both to high and inferior rooms." The Court of Session is openly charged with "buying of places, delaying of justice, and bribery." And there is one other clause worth noting—that which complains of "sacrilegious persons, as abbots, priors, dumb bishops, voting in parliament in name of the kirk." The persons here alluded to were most of them laymen, upon whom the titles and temporalities of these offices had been bestowed; but some of the episcopal sees still continued to be occupied by clergymen, and, although others were at present vacant, none of them had been abolished. Presbyterian writers are in general anxious to make it appear that there were no bishops at this time in Scotland.

In September Andrew and James Melvil, and two other clergymen, being the individuals appointed by the general assembly to admonish the king, repaired to him at Falkland, and having been admitted into the royal cabinet, proceeded to discharge their mission. First, Mr. James Melvil spoke a few words, and upon being interrupted by his majesty, "began," says Calderwood, "to reply after his mild manner. But Mr. Andrew taketh the speech from him, and, howbeit the king was in anger, yet he uttered their commission as from the mighty God,—called the king *God's silly vassal*,—and, taking him by the sleeve, said this in effect: Sir, we will humbly reverence your majesty always, namely in public, but we have this occasion to be with your majesty in private, and you are brought in extreme danger, both of your life and of your crown, and with you the country and kirk of God is like to be wrecked, for not telling you the truth and giving you a faithful counsel." He then went on to inform James that, although he was indeed a king in a certain sense, yet of Christ's kingdom, which, in the notion of Mr. Andrew, was only another name for the Presbyterian kirk, he was neither "a king, nor a head, nor a lord, but a member; and they," added the arrogant churchman, "whom Christ hath called and commanded to watch over his kirk, and govern his spiritual kingdom, have sufficient authority and power *from him* so to do, which no Christian king nor prince should control nor discharge, but fortify and assist, otherwise they are not faithful subjects to Christ. Sir, when you were in your swaddling-clouts, Christ reigned freely in this land in spite of all his enemies." James's plan of employing Protestant and Papist indifferently in the public service, the fiery Presbyter told him in plain terms was "devilish and

pernicious." "Because," he exclaimed, with infinite scorn, "the ministers and Protestants in Scotland are too strong, and control the king, they must be weakened and brought low by stirring up a party against them, and the king being equal and indifferent, both shall be fain to flee to him, so shall he be well settled!" This, he declared, was mere and mad folly, and the curse of God could not but light upon it; "so that in seeking both," said he, "you shall lose both." James Melvil, upon whose report Calderwood has narrated this conference, tells us that the king, though at first very angry, "at last settled and dismissed them pleasantly;" no doubt he was very glad to be rid of them; but we may judge if they left him more in love with Presbytery than before, or less anxious to shake off such an intolerable tyranny as that of the kirk was now become.

A few weeks after, on the 9th of November, James had another call from Melvil and his three brethren. Among other "griefs" of which they now came to complain, one was, that "the king's common talk was invectives against ministers and their doctrine." To this James replied, "that the ministers themselves gave him occasion to speak of them, never ceasing in their sermons to provoke him, and to disgrace him before the people." The four ministers had come this time as a deputation from a body of clergymen which had been appointed by the commission of the last general assembly to sit permanently in Edinburgh under the name of the Standing Council of the Church, for the purpose of watching the progress of events. On receiving the report of the interview with his majesty, "the brethren of the council," says Calderwood, "perceived clearly that the overthrow of the liberty of Christ's kingdom was intended, and were glad that the king had uttered his meaning so plainly."

It was immediately after this that Mr. David Black, one of the ministers of St. Andrew's, was summoned to appear before the privy council to answer for certain expressions he had been using in his late prayers and sermons. He was charged with having affirmed that the king, in recalling the popish lords, or permitting their return, had discovered the treachery of his heart; that all kings were the devil's bairns (or children), and that the devil was in the court and in the guiders of it; with having said in praying for the queen, we must pray for her for the fashion, but we have no cause,—she will never do us good; with having called the Queen of England an atheist; the lords of session miscreants and bribers; the nobility in the mass degenerated, godless, dissemblers, and enemies to the church; and the members of the king's council holliglasses,* cormorants, and men of no religion. This preacher's actions, too, were as energetic as his words, if it was true, as was likewise charged against him, "that he had convocated divers noblemen, barons, and others within St. Andrew's, in the month of June, 1594, and caused them take arms and divide themselves in troops of horse and foot, and had thereby usurped the power of the king and civil magistrate."* Neither Black himself nor his brethren attempted to deny the truth of these charges; but the council of the church resolved that he should decline the judicatory of the civil courts, on the ground that all judgment of doctrine pertained, at least in the first instance, to the pastors of the kirk. The effect of this was to make the matter assume an infinitely greater importance than had at first attached to it,—to raise it from being an inquiry into the conduct of an individual to be a contest for the supreme power between the church and the state. With a full sense of the momentousness of the crisis, the clerical council instantly set themselves to bring up all the force of the kirk to fight the great battle. At once, before they could have consulted any of the rest of the clergy, they resolved that Black's "declinature of the king and council's judicature in matters spiritual" should be headed as "given in his own name and in the name of his whole brethren of the ministry." Both in this paper and in others of the same tenor by which it was followed, they claimed exemption from the jurisdiction of the civil courts as a right secured to them by the laws; but they were never able to name any act of parliament to that effect; they took their stand, therefore, in reality upon the high theological argument that the clergy, as the ambassadors and representatives of the deity, were, by the very reason of the thing, emancipated in regard to whatever they should do in the exercise of their spiritual function from the superintendence or control of any temporal power,—an argument the same in substance with that upon which the Hildebrands and the Beckets of popery had founded their similar pretensions. "In the discharge of this commission (of the ministry)," said Black, "I cannot fall in reverence of any civil law of man but in so far as I shall be found to have passed the compass of my instructions, which cannot be judged, according to the order established by that God of order, but by the prophets (that is, the clergy), whose lips he hath appointed to be the keepers of his heavenly wisdom, and to whom he has subjected the spirits of the prophets." It is plain from this, and from the language of all their other declarations, that what the clergy laid claim to was not merely the right of being first tried in their own courts before the case should be brought by appeal before a civil judicature,—a privilege of comparatively little value,—but that, by declining the jurisdiction of the temporal magistrate *in the first instance* as to anything done by them in the exercise of their ministerial functions, they meant that the eccle-

* Holliglass, or Howleglas, was a personage very famous among our ancestors as the incarnation of the spirit of waggery and mischief.

* Spotswood, p. 424. Calderwood, who details all the rest of the affair at full length (pp. 335—379) nowhere gives more than the most general account of the charges against Black.

siastical tribunal must first decide that they had "passed the compass of their instructions" *before* they could in any such case be brought before a civil court at all. If the church should declare that the accused clergyman had done or said nothing but what was warranted by his divine commission, their doctrine clearly was that there was an end of the case,—that there could be no appeal. This is a point of very great importance, which has been generally overlooked.

The prosecution of this grand crusade by the clergy did not wholly withdraw them from the other important affairs which they had on hand at the time. It is noted, that "upon the 19th of November, Messrs. Robert Bruce, Andrew Melvin, and John Davidson, were directed by the council of the brethren to deal with the Queen; first, touching her religion; next, for dealing for the enemies of the truth,—namely, for Huntley; for want of religious exercise and virtuous occupation among her maids; and to move her to hear now and then instruction of godly and discreet men." However, the reverend gentlemen made nothing of this pious attempt; "they went down," adds the account, "but were deferred to another time; *because she was then at dancing.*"* Meanwhile Black's declinature was sent to all the presbyteries, and in a very short time was subscribed by between three and four hundred ministers. On the other hand the government proceeded to take the most energetic measures. On the 27th of November an order was issued commanding the chief members of the council of the church to depart from the town within twenty-four hours to their parishes and congregations, and to keep no such unlawful conventions any where as they had done of late, under the pain of rebellion and being put to the horn. Instead of obeying this order, the ministers immediately "convened," says Calderwood, "and laid the letters open before the Lord; and, finding that the general assembly was made, as it were, a judicatory inferior and subaltern to the secret council and session, by discharging of the acts of the assembly and commissioners of the same, therefore ordained the ministers of Edinburgh, and such others as were to occupy the pulpits, to deal mightily with the power of the word against the said charge." On the following day, accordingly, which was Sunday, and also for several days more, "the doctrine," as our historian expresses it, "sounded mightily from all the pulpits." In the excitement of the popular mind thus produced, the resolution of the government seems to have at one time nearly given way. On Wednesday, the 3rd of December, after a conference of five hours with the deputies of the clergy, James proposed that the final settlement of the matter should be deferred till the following morning; and "in the meantime he craved that the ministers would forbear sharpness in application; which he feared now because of the fast. This being reported to the commissioners and brethren, they agreed to forbear sharpness in application." But when the king's answer to their propositions was recorded it gave no satisfaction; on the contrary, "the brethren perceiving that there was nothing but driving of time, and thereby the motion of the spirit was abated in the brethren," resolved that there should be no further communing, but that a grave admonition should be addressed to his majesty, which they concluded by protesting before God that they were free *of his majesty's blood, and of whatsoever should ensue and come upon the realm in the righteous judgment of God*, and that they durst not abstain any longer from fighting against such proceedings with that spiritual armour given to them, potent in God for overthrowing of those bulwarks and mounts erected and set up for the oppugning and sacking of the Lord's Jerusalem." Soon after this, however, the tide of the popular feeling, which had hitherto been with the clergy, began to turn, and their cause received a heavy blow from a tumult that broke out on the 17th, in which the life of the king himself at one time appeared to be in danger, and which was, not without some truth, represented as the consequence of their seditious proceedings: nay, it was even alleged that some of the brethren had been seen actively engaged in the riot. The next day the king retired to Linlithgow; and, a new proclamation being read commanding the ministers to leave Edinburgh under pain of treason, they now deemed it prudent to take their departure. One of them, Mr. Robert Bruce, published a very prolix apology for himself and his brethren on this occasion, in which he vindicated their flight by many reasons drawn both from the scriptures and the classics; among others by the Greek proverb, *He that fleeth will fight again*, which, he observed, "requireth a wise foresight in men, and forbids foolhardiness."* The pulpits of the capital, however, were not left unoccupied. One dauntless preacher, Mr. John Welsh, is particularly recorded to have mounted that of the High Church, and there thundered forth his maledictions against the king, who, he said, had formerly been possessed with one devil, but that having been put out of him, seven worse were entered in its place; adding that the subjects might lawfully rise and take the sword out of his hand, on the same principle that a father falling into a phrenzy might be seized by his children and servants, and tied hand and foot to prevent him from doing mischief. Which doctrine, we are told, "was taken by many of the hearers as a sound and free application."†

In the end, however, the king obtained a complete victory. Having convened a general assembly at Perth in the end of February, 1597, James there propounded a formidable list of fifty-five questions, in which he went over the whole subject of the respective rights of the clergy and the civil magistrate. These, however, were event-

* Calderwood, p. 338.

* See the paper at length in Calderwood, pp. 370—379.
† Spotswood, p. 430.

ually reduced to thirteen propositions, upon which matters were so managed that a deliverance was obtained from the assembly favourable upon the whole to the king's views; although of nineteen presbyteries of which the house was composed, eight protested even against the meeting being held to be a general assembly at all. According to Calderwood, the votes were carried by an inundation of ministers from the North, who, besides being popishly or episcopally inclined, were practised upon by agents of the court. It was ordained, among other things, that no minister should take upon him to reprove any of his majesty's statutes or ordinances, until he had first, by advice of his presbytery or other superior church-court, complained and sought remedy of the same from his majesty, and received his majesty's answer; that no man should be publickly rebuked by name in the pulpit, except after trial and conviction for some crime, or when he had fled from the law; that presbyteries should take diligent account that pastors in their preaching kept themselves within the bounds of the word; that, except the customary meetings of sessions, presbyteries, and synods, no convention of the clergy should be held without his majesty's knowledge and consent; and that in all the principal towns the consent of his majesty as well as that of the congregation should be necessary in the choice of ministers.* "This assembly, and consequently all that flowed from it, or followed thereupon," says Calderwood, "was esteemed by the sincere sort to be null in itself, and of no force nor effect." Only a very few ministers, however, were found bold enough to meet at St. Andrew's on the 27th of April, the day which had been appointed in the usual manner for the holding of the ordinary assembly; and they did nothing except agree that all business should be made over to another assembly, which was to be held at Dundee in the month following, although that also was what Calderwood calls "an assembly of the new fashion," and equally irregular with the late meeting at Perth, by which, indeed, it had been convoked at the king's desire. In this assembly, held at Dundee, the excommunicated lords were absolved; † the lawfulness of the late Perth assembly was acknowledged, and its resolutions were all ratified, some additional restrictions being even laid upon the clergy and the church-courts. And before it broke up, a committee of ministers was appointed to confer with the king as often as he should send for them, under colour, says Calderwood, "to keep concord betwixt the king and the kirk, and to treat upon all matters serving to that use; but in effect to put to execution the articles already yielded unto by the greater number, to the grief of the better sort." The historian adds, "In a manner the whole power of the general assembly was weakened by this commission; for the commissioners, having access to the king when they pleased, and commission to sit and consult with him, began soon to change their manners. They would rule all, both in and out of general assemblies, as the king pleased. A fit wedge taken out of the kirk to rent (rend) her with her own; and the very needle which drew in the thread of episcopacy."

And, in fact, many months did not elapse before episcopacy was fully restored both in the state and in the church. The parliament met at Edinburgh in December, when, in conformity with a proposition or article presented by the commissioners of the church, an act was passed providing that such pastors and ministers as at any time his majesty should please to nominate to the office, place, title, and dignity of a bishop, abbot, or other prelate, should hereafter have vote in parliament, "such-like and as freely as any other ecclesiastical prelate had at any time by-gone." As soon as this act was obtained, the commissioners, in the exercise of their authority, summoned a general assembly to meet at Dundee in March following. Here James presenting himself in person "had an harangue, wherein he declared what great care he had to adorn and accommodate the kirk, to remove all controversies, to establish the discipline, and to restore the patrimony." "To effectuate this," he said, "it was needful that ministers should have vote in parliament, without which the kirk could not be vindicate from poverty and contempt." Calderwoood makes James to have added, "I mind not to bring in papistical or Anglican bishops, but only to have the best and wisest of the ministry, *appointed by the general assembly*, to have place in council and parliament, to sit upon their own affairs, and not to stand always at the door, like poor supplicants, despised and nothing regarded." "This his intention," says the historian, "he uttered with protestations; and some of the commissioners, especially the same that were aspiring to bishoprics, did the like." But it is impossible to believe, upon the statement of this credulous and inflamed writer, that any such words as these were really uttered by the king; or that, if they were spoken, they could have deceived or been heeded by any one who heard them, after the passing by the parliament of the act that has just been quoted. Something may have been said about the English and popish bishops; but that James could have pretended that he meant to give the nomination of the clergymen who were to vote in parliament to the general assembly, is plainly incredible. It is sufficiently refuted, indeed, by the sequel of Calderwood's own narrative, from which it is evident that in this very assembly the king openly resisted the claim of the church to a voice in the nomination of the proposed parliamentary representatives of the spiritual estate. The act or resolution of the assembly approving of the king's project was carried only by a majority of ten

* Calderwood, p. 398.—Spotswood, p. 441. In Calderwood, pp. 382—393, may be seen the answers to the king's questions by the Synod of Fife, and by an individual member of that court, which expressed the opinions of the more popular side of the church.

† Calderwood says, "Some of the ministry were as bent to absolve as the earls were to seek absolution."

voices, and after a keen debate. "But to what use served reasoning," exclaims our historian, "where men were either won or dashed? Mr. Gilbert Bodie, *a drunken Orkney ass*, was first called on, and led the ring, when the matter was put to voting, and a great number of the North followed, all for the body with small regard to the spirit." It was next resolved that the new parliamentary clergy should be fifty-one in number, that having been the number of the bishops, abbots, and priors who had voted in parliament in the time of popery. With regard to the manner of their appointment, all that was concluded was, "after reasoning," that it "ought to be of a mixed nature, and appertain partly to his majesty and partly to the kirk." This is a sufficient proof that James never had, as Calderwood asserts, intimated that the sole appointment should be in the general assembly.*

The next assembly was appointed by royal proclamation to be held at Montrose in the end of March, 1600, having been prorogued to that date from the day originally fixed in July of the preceding year. In the meanwhile various signs of the times showed themselves. Calderwood notes, that towards the close of the year 1598 the bishop of Galloway, who had been a fugitive out of the country ever since the reformation of religion, that is, since 1592, was restored to his honours, rank, and dignities; and that, in the beginning of 1599, even Beatoun, the popish archbishop of Glasgow, was not only restored to his benefice, but sent by the king as his ambassador to the French court. About the same time a proclamation was made at the cross of Edinburgh for liberty of May games. James also expressed, in the most unqualified terms, his abhorrence of puritanism and his preference for the episcopal form of church government, both in his 'True Law of Free Monarchies,' published in September, 1598, and in his 'Basilicon Doron,' printed in the following year. The latter, indeed, although only a few copies of it were in the first instance privately distributed, was brought before the synod of Fife by a clergyman into whose hands it had fallen, and was made the subject of a libel, or formal indictment, as an attack upon the constitution of the church. The reverend court, however, seems to have desisted from prosecuting the matter, when the member who was understood to have brought it forward was summoned to answer for his audacity before the privy council, and, upon being reported to have fled, was proclaimed a rebel. James immediately reprinted the book; "which being come abroad and carried to England," says Archbishop Spotswood, "it cannot be said how well the same was accepted, and what an admiration it raised in all men's hearts of him, and of his piety and wisdom."

At the assembly held at Montrose, his majesty again took care to be present in person; and Calderwood says, that, from his rising at an early hour in the morning till he went late to bed at night, he was so busy with ministers, that the courtiers complained they could get no access to him. At last, after a great deal of debate, an act was passed, providing that the parliamentary clergy should be appointed by the king choosing for every place to be filled one person out of a list of six nominated by the general assembly, with liberty to his majesty to reject them all, and to call for a second list, "upon a just reason of insufficiency;" that the person so appointed should at no time presume to propound in parliament, council, or convention, in the name of the kirk, anything without express warrant from the kirk, under pain of deposition; that he should every year give an account of the discharge of his commission to the assembly; that he should continue the pastor of a particular congregation, upon which he should attend faithfully, and be subject to his presbytery and synod, like any other pastor; and that, if he should be deposed from the ministry by sentence of the assembly, or any other church court, he should lose his vote in parliament, and his benefice should become vacant. It was also ordered, touching his name, that he should be called not a bishop, but a commissioner, if the parliament might be induced to acknowledge that name; if not, the point should be determined by a future general assembly. And the important question of whether he should hold his office for life, or only for a year or some other fixed period, was affected to be settled by the ambiguous enactment, that he should every year lay down his commission at the feet of the assembly, "to be continued or altered by his majesty and the assembly, as the assembly, with consent of his majesty, shall think most expedient for the weal of the kirk,"—a

* Calderwood introduces his account of this "corrupt" assembly with the following curious notice:—"Upon Saturday the 25th of February began a fearful eclipse, about nine hours in the morning, which continued about two hours; the whole face of the sun seemed to be covered and darkened about half a quarter of an hour, so that none could read upon a book. The sea and air were still. Fowl flocking together mourned in their kind; the frogs made an hideous noise; people were astonished, as if it had been the day of judgment. The like fearful eclipse of the sun, and appearance of falling stars from heaven, were seen in France, when men of chief note were enticed by flattering gifts to agree upon a midst (a compromise) betwixt papists and protestants; which had been effectuate if God had not cut them off after a strange manner, as Mr. James Melvin observeth in his Memorials." A circumstance recorded by the episcopal annalist, however, is much more fitted to excite the horror of a reader of the present day, and will also be thought to show better than the blackest eclipse how much men's minds were distempered and the times out of joint. "This summer (1597) there was a great business for the trial of witches. Amongst others, one Margaret Atkin, being apprehended upon suspicion, and threatened with torture, did confess herself guilty. Being examined touching her associates in that trade, she named a few, and, perceiving her delations find credit, made offer to detect the whole of that sort, and to purge the country of them, so she might have her life granted. For the reason of her knowledge, she said, that they had a secret mark, all of that sort, in their eyes, whereby she could surely tell, how soon she looked upon any, whether they were witches or not; and in this she was so far believed, that for the space of three or four months she was carried from town to town to make discoveries in that kind. Many were brought in question by her delations, especially at Glasgow, where divers innocent women, through the credulity of the minister, Mr. John Cowper, were condemned and put to death. In the end she was found to be a mere deceiver—for the same persons that the one day she had declared guilty, the next day being presented in another habit she cleansed—and sent back to Fife, where first she was apprehended. At her trial she affirmed all to be false that she had confessed, and persisted in this to her death; which made many forthink their too great forwardness that way, and moved the king to recall the commissions given out against such persons, discharging all proceedings against them, except in case of voluntary confession, till a solid order should be taken by the estates touching the form that should be kept in their trial."—*Spotswood, Hist.* p. 448. It deserves to be noted that this same year James had published, at Edinburgh, his Dialogue entitled 'Dæmonologie,'—moved, as he states, by "the fearful abounding at this time, in this country, of these detestable slaves of the devil, the witches or enchanters."

regulation which evidently left the matter in the hands of the king, and, with the air of giving a great deal of power to the church, really gave none whatever.

But even these precautionary and restrictive provisions, such as they were, with which the church attempted to defend the presbyterian polity against the destructive tendency of the late act of parliament, were disregarded as soon as they were enacted. Spotswood indeed says, with great frankness, "It was neither the king's intention, nor the mind of the wiser sort, to have those cautions stand in force; but, to have matters peaceably ended, and the reformation of the policy made without any noise, the king gave way to these conceits, knowing that with time the utility of the government which he proposed to have established would appear, and trusting that they whom he should place in these rooms would, by their care of the church, and their wise and good behaviour, purchase to themselves the authority which appertained."* And after noticing the conclusions come to by the assembly at Montrose, he observes, with the same coolness, that "now there rested no more but to nominate persons to the bishoprics that were void." There was, however, one serious difficulty in the way of the said nominations;—the want of funds, from which to provide incomes for the new bishops. Of the thirteen Scottish sees only two, at this time, Aberdeen and Argyle, were in the hands of clergymen; there were also titular bishops of Dunkeld, Brechin, and Dunblane, but they were laymen; the revenues of the two archiepiscopal sees of St. Andrew's and Glasgow were held by the Duke of Lennox; those of Orkney by the Earl of Orkney; those of Murray by the Lord Spinie. Galloway and the Isles, Spotswood says, were so dilapidated, that there was scarcely any remembrance of their having existed. In Ross and Caithness alone there remained some part of the ancient patrimony unalienated; and these two sees accordingly were the only ones that were filled up in the first instance; Mr. David Lindsay, minister of Leith, being presented to the former, and Mr. George Gladstanes, one of the ministers of St. Andrew's, to the latter. According to Spotswood, these nominations were made with the consent of the church; but the only consent really obtained, or asked, was that of the council of commissioners already mentioned, which had been renewed by the late general assembly, and which now, as Calderwood observes, "overruled all the affairs of the kirk." The new bishops, according to this last-mentioned writer, "were appointed to vote at the next parliament, in name of the kirk, without any regard had to the caveats and conclusions agreed upon, and without warrant of a general assembly."† "But any colour," he adds, "was thought sufficient where authority did countenance." The mysterious affair, known by the name of the Gowrie Conspiracy, had just taken place when these appointments were made; and another violent quarrel between James and some of the Edinburgh clergy had arisen out of the uncourtly refusal of the latter to receive with implicit credulity his majesty's own account of his adventures on that occasion.* He was consequently, at this particular moment, in the worst possible humour with the kirk.

From this date, however, the opposition of the church courts to prelacy was for the present silenced at least, if not subdued. King James, so long as he remained in Scotland, contrived to keep the general assembly in wonderful order by various arts of management. His proceedings, indeed, might be considered as indicating not indistinctly an intention of suppressing that body altogether as soon as possible. Instead of a particular time and place being named, at the dissolution of each assembly, for the meeting of the next, it was now the custom, as Calderwood states, "that the king appointed, by proclamations at the market crosses, assemblies to be holden when and where he pleased." In this way, by summoning the clergy suddenly and unexpectedly, or at inconvenient seasons, he probably aimed both at preventing the attendance of some of those most opposed to the measures of the court, and even gradually loosening the attachment of the country to a system of church government so irregularly and capriciously administered. By close personal attention, also, to ecclesiastical affairs, and by keeping on the best terms with the commission, which had now become the real governing body in the church, already almost superseding the assembly, which it led and controlled, while it was itself, to adopt Calderwood's expression, nothing but the led horse of the king, he succeeded with little difficulty in carrying the points upon which he had most set his heart. At first, both the assembly and the other church courts affected the greatest horror at the name of bishop, even after they had been brought to tolerate the thing: in the synod of Fife, for instance, which met at St. Andrew's in February, 1601, Gladstanes, who had been raised to the see of Caithness, was called to account for sitting and voting in parliament under that name, and was fain to make his peace with the court by affirming that he did so against his heart, and only because they would not admit him otherwise; and both he and the other bishops continued to be designated by their common names, as simple pastors, in any acts of the assembly in which they were mentioned. Nor for some time do we find any allusion whatever in these official documents to the episcopacy to which the church had now bent its neck. Even the

* Hist. p. 453. This is said of the *caveats*, as originally agreed upon in a convention of commissioners from all the synods of the church, held at Falkland in July, 1598; but the articles especially objected to by Spotswood as absurd were retained in the scheme finally adopted by the assembly of 1600.

† Hist. p. 446. Calderwood appears to be in error in mentioning the nomination of Mr. Peter Blackburn to the bishopric of Aberdeen as one of the appointments that were now made. Blackburn's elevation does not seem to have taken place till 1603, on the death of Bishop Cunningham, who had occupied the see since 1577.—Alexander Douglas, also, whom he states to have voted as Bishop of Murray in the parliament of 1600, was not appointed, according to other accounts, till 1606.

See vol. II. p. 691.

most zealous denouncers of grievances now scarcely ventured to glance at this master grievance, about which, before it had actually come, they had so long made the land ring with their vehement alarms. Meanwhile, however, the church was by no means without occupation in the grievance line; and the court was probably not averse to its taking its full swing in other directions for a time, in the view of thereby the better securing its forbearance in regard to the matter deemed for the present of main delicacy and importance. Some of its proceedings were abundantly illustrative of the intolerant and inquisitorial spirit which marks so strongly the whole of the early history of presbytery. The assembly, for instance, which met at Burntisland in July, 1601, having taken into consideration the "causes of the defection from the purity, zeal, and practice of true religion, in all estates of the country," ordained, among many other things, that, for discovery of the adversaries of true religion lurking within the country, every presbytery should, immediately after the rising of the assembly, take up the names of all the non-communicants within their bounds, and send them to his majesty's ministers (that is, his chaplains) with all expedition; and that the same thing should in future be done at the meeting of every provincial synod. This same assembly also petitioned the king and council, that all such noblemen and others, as sent their sons to be educated out of the country, should send along with them no other pedagogue, or tutor, except one "known godly and of good religion, learned, and instructed in the same, and approved in his religion by the testimonial of his presbytery;" that they should only take up their residence in places where religion (that is, the protestant religion) was professed, or at the least where the power of the inquisition did not extend; and that "during the time of their absence they should not haunt any idolatrous exercises of religion." In case the son, while abroad, should go to any place in which the profession of the true religion was restrained, it was proposed that the father should be obliged to give security that he would not entertain or support him; and if he should embrace any other religion than that presently professed within the realm of Scotland, that in that case he should not be able to enjoy "moyen, heritage, honours, or offices" within the realm. But the most singular proceeding of this assembly was that adopted in the case of the popish, or alleged popish, lords, Huntley, Errol, Angus, Hume, and Herries; with each of whom one or two clergymen were appointed to reside for a quarter or half a year, in order that by their labours the said noblemen "and their families might be confirmed in the truth, and the enemies debarred from their companies." In the next assembly, which met in the Chapel Royal at Holyrood House, in November, 1602, no very satisfactory report was made by these reverend spies when they were called upon "to give an account of their diligence;" whereupon the assembly thought good to try the experiment again with more care and upon an extended scale. To the lords thus placed under superintendence the last year were now added the Lord Maxwell, the Lord Sempil, and the Earl of Sutherland; and Sempil, if the account given by Calderwood be correct, was to have constantly residing with him, for the three months, the whole presbytery of Irvine and Paisley! Sutherland was also committed to the general surveillance of the presbytery of Edinburgh, but it does not appear that they were all to take up their abode in his house. Certain instructions were, moreover, now drawn up for the direction of the clergymen commissioned to this duty, which prove sufficiently that it was no merely formal superintendence they were to exercise, but an inquisition and watchfulness the most prying, comprehensive, and incessant. "Ye shall address yourselves," this curious paper begins, "with all convenient diligence, and necessary furniture, to enter in their company and families, there to remain with them for the space of three months continually; during which time your principal care shall be, by public doctrine, by reading and interpretation of the scriptures, ordinarily at their tables, and by conference on all meet occasions, to instruct them in the whole grounds of true religion and godliness, especially in the heads controverted, and confirm them therein." They are afterwards directed to take pains to catechise the family every day once or twice at the least, or so often as may bring them to some reasonable measure of knowledge and feeling of religion before the expiring of the three months, beginning and ending the task with prayer; to urge the noblemen to dismiss from their houses all persons of evil life, especially such as are of suspected religion; to persuade them to exert their authority and influence in seeing the discipline of the kirk properly executed, and to have the benefices on their estates supplied with qualified ministers and sufficient provision of stipends; and finally to report from time to time how they have profited, and what disposition they are of. The charms of presbyterianism must have been believed to be irresistible indeed, if they were thought likely to make any impression in company with the torment of such a persecution as this.

In this assembly of 1602 we at last find episcopacy distinctly recognised as part and parcel of the national ecclesiastical system. A "plat," as it was called, or scheme for the settlement of the church, was now adopted, which proposed that the great benefices, that is, the bishoprics, priories, and abbacies, should be bestowed upon clergymen, "on condition that all the kirks of the prelacies be planted with sufficient ministers, and be provided with competent livings;" and a list of names was made out, from which his majesty should select incumbents for such of the said great benefices as were still vacant.* A few more of the episcopal

* Such is the account given by Calderwood, p. 467. Spotswood says that, although this scheme and others were proposed, nothing was then concluded, and the subject was remitted to a more deep

sees were soon after this filled up by the king; in particular the archbishopric of Glasgow, which was given by James to Mr. John Spotswood (the author of the 'History of the Scottish Church,'), on being advertised, at Burleigh House, near Stamford, on his way to London, of the death, at Paris, of the restored Catholic archbishop, James Bethune. Some years afterwards Spotswood was translated to the metropolitan see of St. Andrew's.

It thus appears that the church which, upon succeeding to the throne of England, James left established in his native country, was then, and always had been, an episcopal church, as well as that established in England. The clergy, indeed, or a powerful faction of their body, had all along strenuously cried out for the abolition of bishops; and, being supported by the popular voice, had at last forced upon the legislature a sort of compromise between, or combination of, the two systems of episcopacy and presbytery, with the effect for a short time of partially all but submerging or annihilating the former; but episcopacy had never been abolished by the state, which, on the contrary, met every demand of the clergy to that effect with a steady refusal, and did its utmost to sustain the ancient constitution of the church even in the highest strength and fury of the adverse principle. Above all, James himself had been an open supporter of episcopacy and opponent of presbytery from the first moment he took any part in public affairs; upon that point he had constantly held the same language both with his tongue and with his pen: his whole reign, in so far as regarded the church, had been a continued effort, sometimes by force, sometimes by policy, to restrain the advancing tide of puritanism, and as far as possible to hold up the hierarchy, which it would have overborne. Sometimes circumstances were so unfavourable to the pursuit of this object, that he was obliged for the moment almost to relinquish it, as when, in 1587, the pecuniary necessities of the government, and the united importunities of the clergy and the nobility, although with the most opposite views, clamouring in concert for the moment, compelled him to give his assent to the act of annexation: at other times he sought to attain his end, not by pushing right forward to it through whatever impediments lay in his way, but by the roundabout course of concession and temporary compromise. As far as possible, also, to disarm opposition, he naturally presented his designs in the least alarming shape, and took pains to show that, in professing one object, he was not at the same time covertly seeking another often confounded with it: as, for instance, when, in 1590, he made his famous speech to the general assembly, in which, while even Calderwood does not pretend that he made any recantation of his known and uniformly expressed opinions in favour of episcopacy, he is said to have expressed so much satisfaction with the doctrine held by the Scottish church, and to have so greatly gladdened the hearts of the brethren with his disparagement of the English liturgy; on which head there is no reason to think that he spoke anything that he did not honestly feel at the moment, although he may have afterwards come to feel differently. But, at any rate, on the point of his strong attachment to the episcopal form of church government, and his determination to do his best for its retention in the Scottish establishment, he certainly never was guilty either of false profession or of concealment of his real opinions and views. In the uniform tenor of his actions, as well as of his speeches and writings, he avowed himself the irreconcileable enemy of puritanism and of presbytery. The terms, indeed, in which he expressed himself upon this subject were usually sufficiently strong and explicit. We need only refer to the passages that have been already quoted from the Basilicon Doron in the preceding Chapter.* This work, it will be remembered, was published some years before James left Scotland.†

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consideration. P. 468. The want of the consent of the church, however, if that assent was withheld, did not prevent the king from proceeding to fill up the episcopal sees.

* See ante, p. 16.

† Harris, the smallest-minded, but not for that the most honest, of historical writers, has a long preaching note about James's alleged dissimulation in the matter of religion, some things in which merit notice as curiosities in the way of quiet, cautious misrepresentation. One portion of the note, for example, being designed to expose the unreasonable violence of James's prejudices against the Puritans, the passage given in the text is brought forward among others for that purpose, but as another object of the note is to make it appear that these anti-puritanical sentiments were carefully concealed by James till he had fairly made his escape from Scotland and the Presbyterian kirk, all mention of the 'Basilicon Doron' is in this instance suppressed, and, contrary to the reverend biographer's usual practice, the words are merely quoted as from a particular page in "King James's Works." Again, in winding up his enumeration of James's professions of attachment to the doctrine and discipline of the Presbyterian church, after noticing his speech to the assembly (which by the by is called a speech to the parliament) in 1598, about his having no mind to bring in Papistical or Anglican bishops, "and in 1602," continues Harris, "he assured the general assembly that he would stand for the church and be an advocate for the ministry." "A man," proceeds the note, "would think by this that James had a very great regard for his clergy, and an high esteem of them; and doubtless he himself intended they should think so too. But this was mere artifice and dissimulation," &c. The artifice here is really all the historian's own. The words quoted from James's speech in 1602 are not mentioned by Calderwood; zealous as he is in collecting and obtruding every utterance of the king calculated to give a colour to the favourite imputation of his apostasy, and when he found them only in the equally zealous episcopalian Spotswood, Harris, even if he looked no farther, must have known very well that they could not have been intended to bear the sense he has found it convenient to put upon them. In truth, James no more on this occasion affected to make any profession of attachment to Presbyterianism than to Mahometanism. The words spoken in answer to a request made by the assembly through their moderator or president, Mr Patrick Galloway, that the king would use his authority in compelling the nobility and others who had obtained grants of the old church lands, "if not to restore all, at least to grant a competent allowance to ministers forth of the tithes they possessed." This mere money question was the single matter to which the king's answer referred. "The king," continues Spotswood, "accepting the petition graciously, said, that it should not be well with the church so long as ministers were drawn from their charges to attend the yearly modification of stipends, and that he held it fittest at once to condescend upon a competent provision for every church, and deal with those that possessed the tithes to bestow a part thereof to the foresaid uses; and, seeing that business would require a longer time than they could well continue together, that they should do well to make some overtures to those who had the commission for stipends, promising for himself that he should stand for the church, and be an advocate for the ministers."—(*Hist.* p. 468.) It was at this very assembly, as we have already seen, that the clergy were for the first time induced to acquiesce in the re-establishment of prelacy, partly by the management, partly by the threats and bullying of the king, according to Calderwood, who denounces the assembly as one held in thraldom, in which, "if any zealous minister was to utter his mind, the king would boast or taunt, or his minister, Mr. Patrick, moderator, an arrogant ignavo would imperiously command silence."—(*Hist.* p. 469.)

terianism, in this the earliest stage of its hot and turbulent youth, may receive a few additional touches from the proceedings of the Scottish kirk in regard to various matters standing apart from its contest with episcopacy and the government. The importance that was attached to the canonical habits, both by the Romanists and the Episcopalians, very early made it a badge of genuine presbyterianism to affect a peculiar disregard for all such points of mere external appearance; but it soon came, nevertheless, to be found that the want of all rule and order as to the attire of the clergy had its inconveniences as well as the opposite system. Certain of the brethren appear to have taken advantage of the liberty in which they were left upon this head, to indulge a taste for a gaiety of apparel which was deemed somewhat unclerical. The subject was brought before the general assembly which met at Edinburgh in March, 1575, and produced a solemn ordinance, which, after premising that "it becometh the true messengers of the word of salvation not only to bear in their conscience a good testimony of unfeigned humility and simplicity of heart, but also in external habit and behaviour to represent the humility and sobriety of their minds, that the mouths of this godless generation, which are opened to blaspheme the godly calling of the ministry, may be shut up from just occasion of slander," proceeded to enact, "that all that serve within the kirk apparel themselves in a comely and decent manner, as becometh the gravity of their vocation, and that they conform their wives and families thereto, that no slander nor offence arise to the kirk of God thereby." And, further, that it might be distinctly known by all what especial fashions, colours, or decorations were to be eschewed, a committee, to be presided over by John Erskine of Dun, superintendant of Mearns and Angus, was appointed to advise thereupon, and to report to the next assembly. At the next assembly, accordingly, which took place in August of the same year, the following curious act was passed:—"Forasmuch as comely and decent apparel is requisite in all, namely [especially] in ministers and such as bear function in the kirk, we think all kind of broidering unseemly; all begairies [stripes] of velvet in gown, hose, or coat; all superfluous and vain cutting out; all kind of costly sewing on of pasments [borders of lace], or sumptuous and large steeking [stitching] with silks; all kind of costly sewing or various hues in shirts; all kind of light and variant hues of clothing, as red, blue, yellow, and such like, which declare the lightness of the mind; all wearing of rings, bracelets, buttons of silver or gold or other fine metal; all kind of superfluity of cloth in making of hose; all using of plaids in the kirks by readers or ministers, namely in time of their ministry and using of their office; all kind of gowning, coating, doubleting, or breeches of velvet, satin, taffety, or such like stuff; costly gilding of whingers [hangers] and knives; silk hats of divers and light colours. But we think their whole habit should be of grave colour; as black, russet, sad-grey, sad-brown, or serges, worset, camlet, grogram, Lisle worset, or such like: to be short, such as thereby the word of God be not slandered through their lightness or gorgeousness. And that the wives of ministers be subject to the same order."* The history of the national costume at least is under obligations to the venerable assembly for this elaborate exposition of the Scottish dandyism of the sixteenth century. There were many other things, however, in the life and conversation of the clergy of those days that gave the kirk much to do in the way of prohibition and correction. In the assembly held in October, 1576, for instance, one of the questions brought forward was, whether a minister or reader might tap ale, beer, or wine, and keep an open tavern? All the deliverance of the House upon this occasion was, that the said clerical Bonifaces should "be exhorted to keep decorum." In 1580 we find a complaint made that, through a great part of the country, especially in uplandish parts, the afternoon's exercise and doctrine upon Sabbath days was neglected, and no sufficient instruction, therefore, was given to the people in the catechism and rudiments of religion. In 1583, "the question being moved concerning the censure of ministers that bear with the people repairing in pilgrimages to wells, hard beside their own houses, without reproof,—yea, rather entertaining them with meat and drink in their houses; and distributing the communion to their own flocks, and yet not communicating with them for the space of seven or eight years; it was answered that they deserve deprivation."† In an act of the assembly which met in August, 1588, it is affirmed that, "through the whole realm, there is no religion nor discipline among the poor, but the most part live in filthy adultery, incest, fornication; their bairns lie unbaptized; and they themselves never resort to the kirk, nor participate of the sacrament." By the poor here, apparently, must be meant actual paupers and beggars. The general neglect of divine worship, however, in certain parts of the country, continued to be the subject of complaint long after this date. Thus, an act of the Holyrood House Assembly of 1602, declares that the conventions of the people for religious service, especially on the Sabbath-day, were "very rare in many places, by reason of the distraction through labour, not only in harvest and seed time, but also every Sabbath-day, by fishing both of white fish and salmon fish, and going of mills." Another of many ineffectual attempts was thereupon made to put down the said violations of the day of rest. But the kirk at this early period by no means confined its threats, and anathemas, and other prohibitory interferences to offences, such as this, of a more or less purely spiritual character. The general assembly and the other church courts constituted to a great extent the practical judicature of the country: it was customary for criminals and

* Calderwood, p. 823. † Ibid. p. 831.

delinquents of all sorts to be brought before the presbyteries and synods, and, although these bodies could not of their own authority adjudge to any temporal punishment, the civil magistrate probably seldom dared to withhold the blow which they called upon him to strike; while even their own mere ecclesiastical sentence of excommunication or suspension from church privileges was, from the state of public opinion, an infliction attended with sufficiently terrible consequences. Such encroachments upon the province of the civil power, however, were carried much farther at a later period.

At the date of the accession of James to the throne of England the great body of the puritans of that country had by no means adopted either the presbyterian principle of church government, or even, in their full extent, the notions of the Scottish puritans in regard to rites and ceremonies and the forms of public worship. Neither did they as yet constitute more than a very small minority of the population. No open profession of sectarianism was tolerated by the law, and nearly all the English puritans accordingly were still in outward profession members of the established church. The famous Millenary petition,* which was presented to the new king while on his progress from Scotland in April, 1603, declared at once their objects and sentiments, and their numerical strength. It was signed by eight hundred ministers, or considerably less than a tenth part of the whole clergy; and these were confined to twenty-five counties: throughout the other half of the kingdom there were probably next to no puritans at all. The subscribers to the millenary petition began by expressly disavowing all wish for "a popular parity in the church;" and they limited their proposals of reformation to certain points of mere internal regulation, none of them affecting either the general frame-work of the establishment, or any material part of the mode of public worship. In their own words they pray: 1. in regard to the church-service, "that the cross in baptism, the interrogatories to infants, baptism by women, and confirmation, may be taken away; that the cup and surplice may not be urged; that examination may go before the communion; that the ring in marriage may be dispensed with; that the service may be abridged, and church songs and music moderated to better edification; that the Lord's Day may not be profaned, nor the observation of other holydays strictly enjoined; that ministers may not be charged to teach their people to bow at the name of Jesus; and that none but canonical scriptures be read in the church;" 2. concerning ministers, "that none may be admitted but able men; that they be obliged to preach on the Lord's Day; that such as are not capable of preaching may be removed, or obliged to maintain preachers; that non-residency be not permitted; that King Edward's statute for the lawfulness of the marriage of the clergy be revived; and that ministers be not obliged to subscribe, but, according to law, to the articles of religion and the king's supremacy only;" 3. in regard to benefices, "that bishops leave their commendams; that impropriations annexed to bishoprics and colleges be given to preaching incumbents only; and that lay impropriations be charged with a sixth or a seventh part for the maintenance of a preacher;" 4. in the matter of discipline, "that excommunication and censure be not in the name of lay-chancellors, &c.; that men be not excommunicated for twelvepenny matters, nor without consent of their pastors; that registrars and others, having jurisdiction, do not put their places out to farm; that sundry popish canons be revised; that the length of suits in ecclesiastical courts may be restrained; that the oath *ex officio* be more sparingly used, and licences for marriage without bans be more sparingly granted." Such, according to the most authentic exposition we have of them, were the sentiments and desires, or at least the distinctly contemplated objects, of the English puritans in the year 1603. There is here no symptom of fraternization with the presbyterians of Scotland; no demand for the abolition either of episcopacy or of the Book of Common Prayer; no hankering after either the polity or the church-service of Geneva. That some, even of the subscribers to the Millenary petition, and other persons calling themselves puritans, may have entertained views of ultimate reformation going far beyond those here expressed is highly probable; but, whatever some modern party-writers may have imagined, the knowledge the English puritans, one and all, could not but have of the whole course of James's previous conduct in ecclesiastical matters would necessarily prevent them from coming before him with anything approaching to a petition for an assimilation of the English church to that of the northern part of the island. They knew well that to any such change as that the new king was as little inclined as Elizabeth herself would have been; and being also well aware of what indeed could not be denied or questioned, and of which their very petition was itself a proof and a confession, that their party formed as yet but a small fraction of the population of the country, as they had no pretence for asking anything of the kind, so they could have no ground for expecting that if they had asked it their petition would have been listened to for a moment. In regard, however, to the comparatively trivial alterations which they did propose, there was a fair probability that they might receive a favourable answer; it was by no means certain that James's own opinion was not with them on all or most of these minor points; nay, notwithstanding the aversion he had always shown to presbytery, and the general anti-puritanism which had of late been growing upon him, it may be affirmed that the Millenary petition really did very nearly express what had been his own views but a few years ago, if they were not still. He always had been, it is to be remembered, and continued

* See ante, p. 15.

to be to his death, a determined Calvinist in the matter of doctrine; and with all his attachment to a hierarchical church on political grounds, his theological bigotry and conceit naturally drew him somewhat, in points not appertaining to the question of church government, towards the Genevan system. It was known for instance, that he had some years before publicly declared himself against both the observance of holydays and what he called the "evil-said mass" of the English church service; and whatever modification, or revolution, his opinions then expressed might have since undergone, the change had probably not yet been so announced as to place it beyond doubt in the minds of the public. The royal declaimer of former years against the liturgy and the keeping of "pasch and yule," might still be very well suspected of some predilections not quite in accordance with the rubric, which would both a little alarm the bishops and other friends of things as they were, and encourage the hopes of the puritanical and innovating party. Both parties, however, knew very well that the established church in the great principle of its constitution had nothing to fear from James—that of the hierarchical polity, as opposed to the presbyterian, he was not the enemy, but the zealous friend and supporter. It was in this conviction that the eight hundred puritanical ministers addressed to him what was called their Millenary petition; and in the same perfect assurance was written the answer to that petition soon after presented by the University of Oxford, in which they besought the king not to suffer the peace of the State to be disturbed by allowing these men to begin any alteration in the polity of the church. It is ridiculous to assert, as a modern historical writer has done, that the Oxford doctors, in attacking the way in which the reformation had been carried on in Scotland, fell severely upon that "which his majesty had so publicly commended before he left that kingdom."* They knew better what they were about; for James's recent public commendation of presbyterianism is the mere fiction of this writer's own prejudiced imagination.

The grievances complained of in the Millenary petition were substantially the same with those brought forward by the puritan divines at the Hampton Court conference, held in the beginning of the following year, of which an account has already been given.† In his speech to the bishops and privy-counsellors on the first day of the conference, James declared himself happier than any of his predecessors, from Henry VIII. inclusive, "in this, because they were fain to alter all things they found established; but he saw yet no cause so much to alter and change anything as to confirm that which he found well settled already;" and he thanked God "for bringing him into the promised land, where religion was purely professed, where he sat among grave, learned, and reverend men; not as before elsewhere, a king without state, without honour, without order, where beardless boys would brave him to his face."* He had called the assembly, he proceeded to assure his hearers, with no purpose of making or permitting any innovation in the constitution of the church; but merely to examine and endeavour to cure any corruptions that might insensibly have grown up in it, as they might do in the most perfect and absolutely ordered of human arrangements. The matters wherein he himself desired to be satisfied he reduced to three heads: 1. Concerning the Book of Common Prayer and order of divine service, in which he had some scruples touching confirmation, absolution, and private baptism; 2. concerning excommunication, for which he suggested whether another equivalent coercion might not be invented and substituted; and, 3. concerning the providing of fit and able ministers for Ireland. The demands urged by the puritan disputants, or, as Dr. Barlow calls them, "the agents for the Millenary plaintiffs," went a good deal beyond the line taken by his majesty, but still kept a far way from absolute presbyterianism, or from touching any of the essential parts of the established system either of church government or worship. They requested that two or three slight alterations might be made in the articles of religion, for the purpose either of making the expression more clear, or removing apparent inconsistencies; that certain high predestinarian and Calvinistic propositions, called the Nine Articles of Lambeth,† might be added; that a new catechism might be compiled longer than the one in the Book of Common Prayer; that there might be a new translation of the Bible; that unlawful and seditious books (meaning those in favour of popery) might be suppressed, or at least restrained and imparted only to a few; that learned ministers might be planted in every parish; that subscription to the Book of Common Prayer might be dispensed with; and that the order of divine service might be amended by the abolition of the lessons read from the apocryphal books of the interrogatories propounded to infants in baptism, of the sign of the cross in that rite, of the surplice and other canonical habits, of the expression "With my body I thee worship" in the celebration of matrimony, and of the churching of women;‡ that lay chancellors should not be per-

* Neal, Hist. Pur. I. 393.

† See ante, p. 16.

* Dr. Barlow's Account, in the Phœnix, I. 142.

† They were drawn up at Lambeth in 1594 in a consultation between Archbishop Whitgift and certain deputies from the University of Cambridge, with the intention of quieting a violent controversy that had raged for some time in that and the other university touching the points to which they relate. They were affirmed by their authors to be only an explanation of the doctrine already professed by the church and established by the laws of the land; but as it would have been in vain to submit them for the sanction of the queen, who, designating herself *semper eadem*, firmly and proudly kept to the principle of altering nothing she had once established either in church or state, they could not be absolutely imposed either upon the universities or the clergy; and accordingly Whitgift, when he sent them down, directed that they should be only used privately and with discretion. James, it should appear from Barlow's narrative, had never heard of them; and when he was informed what they were, he declared against needlessly extending the book of the articles with such superfluous matter

‡ His majesty was facetious in his knock-down replies to Dr. Reynolds upon these two last points. In regard to the first he said, "Many a man speaks of Robin Hood who never shot in his bow: if you had a good wife yourself, you would think all the honour and

mitted to issue ecclesiastical censures; that the clergy might have meetings for prophesying, as it was called, in rural deaneries every three weeks; that what things could not be resolved upon there might be referred to the archdeacon's visitation; and finally, that all the clergy of each diocese should meet in an episcopal synod, where, the bishop presiding, they should determine all such matters as could not be decided in the subordinate assemblies. This last demand was the nearest approach that was made to proposing any imitation of the presbyterian system; but it amounted at most only to a demand for such a combination of presbytery and episcopacy as had been already established in Scotland, and was the abomination of the pure presbyterians there. It was in answer to this daring proposition that James, "somewhat stirred," made his famous speech about presbytery agreeing with monarchy as God with the devil.* "Stay," he concluded, in a high flight of his peculiar style of eloquence, "Stay, I pray you, for one seven years, before you demand that of me; and if then you find me pursy and fat, and my wind-pipes stuffed, I will perhaps hearken to you; for let that government be once up, I am sure I shall be kept in breath: then shall we all of us have work enough—both our hands full. But, Dr. Reynolds, till you find that I grow lazy, let that alone." †

Soon after the conference at Hampton Court two or three expressions in the Book of Common Prayer were ordered to be amended by a royal proclamation, in which James admonished his subjects not to expect any further alterations, for that his resolutions were now absolutely settled; and the chief result of the conference was the new translation of the Bible—the same that is still in use—for the execution of which the king's commission, directed to fifty-four of the most eminent divines of both universities, was issued in 1604, but which was not begun till 1606, when the number of translators had been reduced by the deaths of some of them to forty-seven, and was finished and sent to the press in 1611. This, upon the whole most admirable version of the Holy Scriptures, which, in addition to its more venerable claims, has long been regarded as one of the chief classics of our language, and a precious "well of English undefiled," was founded upon the immediately preceding translation called Parker's, or the Bishops' Bible, first published in 1568, and brought to its most improved state in 1572. The version of the Psalms still retained in the Book of Common Prayer is that of the Bishops' Bible, and affords a ready means of comparing the two translations, and acquiring a general notion of the improvements made in the last.

The puritans generally were extremely dissatisfied both with the issue of the conference, and with the manner in which it had been conducted even by their own champions. They went the length indeed of publicly disowning Dr. Reynolds and his associates as their representatives, on the double ground that they had never been invested with that character by any nomination or election on the part of their brethren, and that moreover they actually were not all four of one opinion as to the controverted points. They objected, also, both to the inefficient style in which much of the argument had been propounded by these learned but neither very dexterous nor very courageous theologians, and to the gross indecency and unfairness with which their harangues had been constantly interrupted by their opponents. The conduct of the prelates, they observed, had been so bad, that they were checked for it by the king himself. It would have been more correct, and more honest, if they had laid by far the greater part of the coarse browbeating to which the puritan advocates were subjected to James's own door.

From this date at least no further doubts could be entertained about James's thorough aversion to puritanism. In proclamations, in speeches to his parliament, in the whole course of his government, he avowed his determination to enforce a conformity as strict as that maintained by Elizabeth, and his conviction that the puritans, or novelists, as he called them, were "a sect insufferable in any well governed commonwealth." In the same speech in which he used this expression—that with which he opened his first parliament—he probably excited against himself a still bitterer feeling by his moderate declarations on the subject of popery. "I acknowledge the Roman Church," he said, "to be our mother church, although defiled with some infirmities and corruptions; . . . and as I am none enemy to the life of a sick man because I would have his body purged of ill-humours, no more am I an enemy to their church, because I would have them reform their errors, not wishing the down-throwing of the temple, but that it might be purged and cleansed from corruption." He even added that if they would leave and be ashamed of the said gross corruptions, he would for his own part be contented to meet them in the mid-way: "I could wish from my heart," said he, "that it would please God to make me one of the members of such a general Christian union in religion, as, laying wilfulness aside on both hands, we might meet in the midst, which is the centre and perfection of all things." The only points in popery, he declared, against which he absolutely set his face as making those who held and practised them not deserving of being permitted to remain in the kingdom, were their arrogant and ambitious doctrine of the supremacy of the pope, and their hateful habit of assassinating and murdering kings whom the pope might have excommunicated. He did not, however, impute the holding of these objectionable tenets to the generality of his Roman Catholic subjects, or, at least,

worship you could do to her were well bestowed:" on the second he observed, "that women were loth enough of themselves to come to church, and therefore he would have this or any other occasion to draw them thither."

* See ante, p. 17. † Barlow, p. 169.

he was willing to believe that few would ever think of acting upon them: for he desired them to assure themselves that he was a friend to their persons if they were good subjects, and, while he would always oppose their errors, he would be sorry to be driven by their ill-behaviour from the protection and conservation of their bodies and lives. From these declarations of James, on his accession to the English throne, and from the inclination of his mind as manifested by the whole course of his previous conduct, it seems probable that if it had not been for the gunpowder-plot, and the suspicion and odium drawn upon their whole body by that conspiracy of a few madmen, the papists would have been allowed to live in comparative quiet during this reign. The popular feeling, it is true, was strong against them at the beginning of the reign, and, having infused itself in large measure into the parliament, would have compelled the government at least to make a show of going along with it for a time: it was the apprehension excited by some of his first acts adopted under this influence that the new king was about to follow up in all its severity the harsh policy of his predecessor, which instigated Catesby and his associates to engage in their insane enterprise; but if the papists had refrained from giving any further provocation, the alarm and hatred of which they had made themselves the objects by their restless intrigues in the late reign would have gradually died away, and they would ere long have reaped the benefit of the favourable disposition of the court. King James had as little real religion of any kind as Elizabeth herself: in the notion of both the one and the other the church was an engine of state and nothing else; and, in this feeling, both were naturally much more inclined towards popery than puritanism—towards the religion of the monarchical than that of the democratic principle. If the Romanists would only have given up the supremacy of the pope, neither James, nor Elizabeth, nor Henry VIII. would probably have been prevented from returning to them by any scruples of conscience, however they might have been by circumstances. No one of these three sovereigns was anything of a religious bigot, as were Edward VI. on the one side, and his sister Mary on the other. The main difference among them as to this matter was, that while Elizabeth, as a woman, naturally left the whole affair to her bishops, both James and Henry, though not bigots, were conceited pedants, and filled with a vain, flatulent imagination of their theological erudition and orthodoxy. As the prejudices of Henry's training kept him to the end of his life a zealous maintainer of all the merely speculative doctrines of the ancient religion, James's education in the extreme of the opposite system of opinions made him stick to the last in like manner to predestination and the other high points of doctrinal Calvinism, far as he was carried away from the system of the Genevan reformer in everything except such purely theological dogmas. It is necessary to keep this feature of his character in recollection, in order fully to understand his movements in the matter of religion.

Some proceedings both of James's first parliament, which met on the 19th of March, 1604, and of the convocation, which, as usual, sat at the same time, must be shortly noticed. On the 18th of April a message was brought up to the Lords from the Commons soliciting a conference "concerning a reformation of certain matters and rites of the church, of which some complaints had been made, and for a better correspondence to be held betwixt the clergy and laity for the future,"—a proposition betraying in sound and substance the puritanism, or at least the puritanical inclinations, that lurked in a part of the lower house. It is not well ascertained what was done in consequence of this overture, further than that the Lords eventually appointed nine of their number, and the Commons twenty, to meet in committee in the council-chamber on the 21st of May to settle the business. Among other articles or instructions to this committee voted by the Commons, one directed that in future no one should be admitted to be a minister in the church unless he were a bachelor of arts, or of a higher degree in the schools, "having testimony from the university, or college, whereof he was, of his ability to preach, and of his good life; or else such as are approved and showed to be sufficient to preach, by some testimonial of six preachers of the county where the party dwelleth." The solicitude here evinced for the exclusion from the church of unlearned or inefficient clergymen, the importance assigned to the gift of preaching, and the weight given to the attestation of the preachers of the district—all this strongly reflects the new light of puritanism and presbytery. In the same spirit it was also recommended in subsequent articles that no dispensation or toleration should be allowed to any to have or to retain two or more benefices with cure of souls, or to be non-resident; that no minister should be forced to subscribe otherwise than to the thirty-nine articles touching the doctrine of faith as enjoined by the statute of the 13th of Elizabeth; and that such faithful ministers as dutifully carried themselves in their functions and callings might not be deprived, suspended, silenced, or imprisoned for not using the cross in baptism, or the surplice, "which," added the article, "turneth to the punishment of the people." On the 13th of June following a committee that had been appointed to search for precedents touching intermeddling with ecclesiastical matters reported to the House a petition they had drawn up for presentation to the king, in which they humbly recommended to his majesty's godly consideration certain matters of grievance resting in his royal power and princely zeal either to abrogate or moderate, as being a course which they thought more expedient than to take the public discussing of the same unto themselves. "The matters of grievance," continued the petition, "(that we be not troublesome to your majesty) are these: the pressing the use of

certain rites and ceremonies in this church,—as the cross in baptism, the wearing of the surplice in ordinary parish churches, and the subscription required of the ministers further than is commanded by the laws of the realm; things which, by long experience, have been found to be the occasion of such difference, trouble, and contention in this church, as thereby divers profitable and painful ministers, not in contempt of authority and desire of novelty, as they sincerely profess, and we are verily persuaded, but upon conscience towards God, refusing the same, some of good desert have been deprived, others of good expectation withheld from entering into the ministry, and way given to the ignorant and unable men, to the great prejudice of the free course and fruitful success of the gospel, to the dangerous advantage of the common adversaries of true religion, and to the great grief and discomfort of many of your majesty's most faithful and loyal subjects." No lengthened detail or elaborate description could give a better notion than is conveyed by the language of this petition of the puritanism of James's first parliament, and, it may be added, of English puritanism generally at this date—of the extent to which it had gone, and also of the tone in which it was as yet disposed, or found itself able, to urge its pretensions. The petition, after occasioning much sharp debate, is supposed to have been dropped in the end: it probably went too far for the majority even of the Commons; but some acts relating to the church were passed this session which did a little to satisfy the wishes of the more moderate friends of ecclesiastical reform. All future leases or grants of church-lands for a longer term than twenty-one years were made void;* and certain statutes of the first year of the reign of Edward VI.—among others, that legitimatizing the marriages of the clergy,—which had been repealed by Mary, and had never been suffered to be revived by Elizabeth, were now re-enacted.† At the same time the new parliament confirmed the statutes made in the preceding reign against "Jesuits, seminary priests, and other such like priests, as also against all manner of recusants."‡

The principal act of the convocation was the adoption of a new Collection or Book of Canons, being the first which had been substituted by any sort of authority for the old canon law which had been swept away with the Romish religion and ecclesiastical system, of which it formed a principal part. We gave an account in the former Book of the canons drawn up in the time of Edward VI. by Cranmer and his brethren, but which never received the sanction either of the parliament or of the church. The present collection was laid before the convocation by Bancroft, bishop of London, the president, along with the royal license to make canons; and after it had been revised and passed by both houses, it was ratified by the king's letters patent under the great seal. Never having been confirmed by act of parliament, it is now well established by decisions of the courts that these canons have no legal force in respect to the laity; but for a long time an opposite doctrine was maintained and acted upon both by the church and the government, and many of them were applied to the coercion and persecution of the dissenters from the establishment, in the same manner as if they had formed part of the law of the land. The existence, indeed, of the courts of Star-chamber and of High Commission had so confused the jurisdictions of the temporal and the spiritual courts, and enabled the latter to encroach to so great an extent and in so many ways upon the former, that such a result could not fail to take place. These canons are 141 in all, but the greater part of them relate merely to the officers and proceedings of the ecclesiastical courts, and the routine of the ordinary duties of ministers, churchwardens, parish-clerks, and other parochial functionaries. Others enjoin the observance of certain of the ceremonial parts of the established worship: as, for example, bowing at the name of Jesus, kneeling at the sacrament, wearing the habits, &c. By canon 30th, however, it is declared that the cross is no part of the substance of the sacrament of baptism, and that the ordinance is perfect without it. Canons 36 and 37 ordain that no person shall be ordained or suffered to preach who has not acknowledged by his subscription that the king is the supreme head of the realm as well in all spiritual and ecclesiastical as in temporal causes; that the Book of Common Prayer contains nothing contrary to the Word of God, and that he will use it and none other; and that the Thirty-nine Articles of 1562 are all and every of them agreeable to the word of God. The most remarkable feature of the canons, however, is the liberality with which the extreme punishment of excommunication is denounced against a great variety of offences. This was the weapon of proof—in those days one having a very sharp temporal as well as spiritual edge—by which the puritans were chiefly attacked and harassed. All persons are declared to be *ipso facto* excommunicated, and only to be restored by the archbishop, after repentance and public revocation of their wicked errors, who shall affirm the Church of England not to be a true and apostolical church, or the Book of Common Prayer to contain anything repugnant to Scripture, or the Thirty-nine Articles to be in any part superstitious or erroneous, or the rites and ceremonies of the church to be such as good men may not with a good conscience approve, or the government by archbishops, bishops, &c. to be opposed to the word of God, or the form of consecrating bishops, priests, and deacons to be in any particular unscriptural. All those are in like manner excommunicated who shall separate from the communion of the established church and combine together in any new brotherhood; and all who shall affirm that ministers refusing to subscribe to the formulas of the church and their adherents, may truly take to themselves the name

* By stat. 1 Jac. I. c. 3. † By stat. 1 Jac. I. c. 25.
‡ By stat. 1 Jac. I. c. 4.

of another church not established by law; or that there are within the realm other congregations of the king's born subjects than such as are established by law, which may rightly challenge to themselves the name of true and lawful churches; or that it is lawful for any sort of persons, whether ministers or laymen, to make rules, orders, and constitutions in matters ecclesiastical, without the authority of the king. These curious ordinances, repugnant as they are in many things to the law of the land as it has now been settled by the courts and declared by acts of parliament, still constitute a principal portion of our ecclesiastical law, and are held by the highest authorities to be binding upon all the clergy of the established church. Finally, the Book of Canons excommunicates all who shall affirm the synod in which it was agreed upon not to have been the true Church of England by representation; or that all other persons not actually assembled in the said synod, *whether clergy or laity*, are not subject to the decrees thereof; or that the said sacred synod was a company of such persons as did conspire against godly and religious professors of the gospel, and therefore that they and their proceedings ought to be despised and condemned.

The chief authorship of these canons of the year 1604 is attributed to Bishop Bancroft, who in the end of the year was raised to the primacy, left vacant by the death of the able and prudent Whitgift in the preceding February, about three weeks only before the meeting of that first parliament of the new reign, a haunting apprehension of the unorthodox and innovating spirit of which is said to have shortened his days. Bancroft brought to the government of the church all the high uniformity notions of his predecessor, but little or nothing of his commanding intellect; so that the change was upon the whole not very unlike what the substitution of King James for Queen Elizabeth brought about in the government of the state. The ecclesiastical sovereignty began to be exercised by Bancroft even before he found himself the actual lord of Lambeth; scarcely was the breath out of the old primate's body when his destined successor assumed all the authority of his future station, and the violence of his temper made itself felt throughout the church as soon as the administration of affairs came into his hands. A passage in a remarkable speech delivered on the 23rd of May in the convocation (where Bancroft presided, as if already archbishop) by Rudd, bishop of St. David's, attests both the comparatively moderate and forbearing sway of Whitgift, and the impetuous course the inheritor of his power was already running: "Forasmuch," said Rudd, speaking of the ceremonies and other points complained of by a certain class of the clergy, "forasmuch as in the time of the late Archbishop of Canterbury these things were not so extremely urged, but that many learned preachers enjoyed their liberty conditionally that they did not by word or deed openly disturb the state established, I would know a reason why they should now be so generally and exceeding straitly called upon, especially since there is a greater increase of papists lately than heretofore." This remonstrance was made before the new canons were yet in force; after these severe and comprehensive ordinances were passed they remained no dead letter so long as Bancroft lived. The puritan writers assert that in the course of his primacy of about six years, three hundred ministers were silenced *or* deprived; but the fact appears to be that only forty five of these were actually deprived, the rest being merely prohibited from preaching until they should conform. Some things that are told of Bancroft would go to show, that, although he was of a rough and violent temper, as well as of a narrow and bigoted understanding, he was not a man without kindness of heart; and it has never been questioned that, like other bigots, he believed he was only doing his duty in the harshest and worst of his proceedings. The rules by which he guided himself in his treatment of the non-conforming clergy may be gathered from a circular which he addressed to the rest of the bishops immediately after his elevation to the metropolitan see. Here, while he strictly enjoins that none are in future to be admitted to the ministry without subscribing to everything laid down in the canons, he observes that of those already placed in the church some promise conformity, although they are unwilling to subscribe a second time, and with regard to these he directs that the bishop may "respite their subscription for some short time." "Others," he continues, "in their obstinacy will yield neither to subscription nor promise of conformity; these are either stipendiary curates or stipendiary lecturers, or men beneficed: the two first are to be silenced, and the third deprived."

But the opposition which all these rigours were intended to put down was now fast becoming formidable in a new shape. The Puritans, worse than disappointed in whatever expectations of relief they had entertained from the new reign, and made to feel, from the result of the Hampton Court conference, from James's public declarations, from the enactment of the new canons, and from the first taste they had of Bancroft's fiery rule, that they were to be more severely repressed than ever, were very generally losing all attachment to the established church, and were in great numbers leaving it altogether. It was not, therefore, with nonconformists only that Bancroft found he had to deal, but with actual dissenters and separatists. Something of separation there had always been from the days of the Reformation—and, indeed, it had not been unknown, as we have seen, even before the overthrow of the old religion; but, strictly prohibited as it was by the law, and therefore necessarily carried on with great caution and secrecy, it never had been more than very insignificant in amount till after the commencement of the present reign. Disgust and despair, together perhaps with some instinctive sense of a weak

government having succeeded to a strong one, now emboldened many persons to set at defiance both the terrors of the old laws against conventicles and the additional denunciations of the new Book of Canons on the same head. This newly-awakened opposition from without gave more trouble to Bancroft than even the resistance to his authority which he had to encounter from within the church. Before the accession of James, a considerable number of the more rigid English Puritans had, under the denomination of Brownists, left their native country and established themselves in Holland, where they published a confession of faith in the year 1602. From having thus led the van in the march of open secession from the establishment, the Brownists are sometimes spoken of as the fathers of the English Protestant Dissenters, and more especially of the Independents and the Baptists (properly a branch of the Independents), whose notions upon the subject of church government they seem to have anticipated in most particulars. But in many of their proceedings the Brownists were fanatics of a very wild order; and their principles never were generally adopted by the great religious body which, under the name of Independents, fills in the latter part of the reign of Charles I. so large a space in our history, and has ever since formed so numerous and important a community. After Bancroft began his severities, many, both of the clergy and the laity, who were not Brownists, followed the example of that sect in flying from England to the Low Countries, where they joined the English congregations, mostly presbyterian, that had subsisted there under the protection of the government ever since the overthrow of the Spanish dominion. Others tried to find a quiet asylum from the archbishop and his fines and imprisonments in the regions claimed by the British crown on the other side of the Atlantic; but the zealous prelate could not endure that puritanism should have a chance of taking root and flourishing even in those far-away wilds of the new world; and he put a stop to the emigration of the puritans to Virginia, by getting the king to issue a proclamation prohibiting any of his subjects from transporting themselves thither without his special license.

One consequence of the state to which matters had now been brought was a difference of opinion for a time among the puritans themselves, as to the course they ought to take. All were gradually becoming estranged, in their principles as well as in their affections, farther and farther from the establishment; but some had drifted much a-head of others in their opinions and feelings; and while the more ardent urged an immediate separation, and even denounced the continuing in communion with the national church as a great sin, the majority, acted upon by various motives, still shrunk from raising the banner of open revolt. "Most of the puritans," says Neal, "were for keeping within the pale of the church, apprehending it to be a true church in its doctrines and sacraments, though defective in discipline and corrupt in ceremonies; but being a true church, they thought it not lawful to separate, though they could hardly continue in it with a good conscience. They submitted to suspensions and deprivations; and when they were driven out of one diocese took sanctuary in another, being afraid of incurring the guilt of schism by forming themselves into separate communions. Whereas, the Brownists maintained that the Church of England, in its present constitution, was no true Church of Christ, but a limb of antichrist, or at best a mere creature of the state; that their ministers were not rightly called and ordained, nor the sacraments duly administered; or, supposing it to be a true church, yet as it was owned by their adversaries (the conforming puritans) to be a very corrupt one, it must be as lawful to separate from it, as for the Church of England to separate from Rome." Gradually the force of these latter arguments came to be more and more felt, under the enlightening operation of Bancroft's deprivations and other severities; but in the mean time, about the year 1607, some ministers took a middle course, resigning their charges rather than subscribe the three articles imposed by the canons, but still avowing their adherence to the church as private individuals. These were called brethren of the second separation, by way of distinction from those who had preceded them in a more open and decided dissent; and their principles may be best gathered from their own words in a published defence of their conduct, in which they say, "We protest before the Almighty God, that we acknowledge the churches of England, as they be established by public authority, to be true visible churches of Christ; that we desire the continuance of our ministry in them above all earthly things, as that without which our whole life would be wearisome and bitter to us; that we dislike not a set form of prayer to be used in our churches; nor do we write with an evil mind to deprave the Book of Common Prayer, Ordination, or Homilies; but to show our reasons why we cannot subscribe to all things contained in them." At the same time, that the foundations of the system afterwards called Independency were already fully laid clearly appears from a treatise published in 1607 by the Reverend M. Bradshaw, entitled "English Puritanism, containing the main Opinions of the rigidest Sort of Those that went by that Name in the Realm of England," in which all the leading principles still maintained by the Independent body respecting religion in general—the church—the ministry—the elders, or visiting officers in congregations—church censures—and the rights and duties of the civil magistrate in reference to religion—are set forth with great method and clearness. Under the last head are distinctly laid down those views which chiefly made the difference and opposition between the Independents and the Presbyterians, and were all along fiercely denounced by the latter under the name of Erastianism; namely, that the

civil magistrate ought to have supreme power over all the churches within his dominions in all cases whatsoever; and that all ecclesiastical officers are punishable by the civil magistrate for the abuse of their ecclesiastical offices, much more if they intrude upon the rights and prerogatives of the civil authority. It deserves, however, to be noted that on the great question of toleration the views of these fathers of Independency were still somewhat clouded. It is declared that they hold the pope to be antichrist, because he usurps the supremacy over kings and princes; and therefore all that defend the popish faith, and are for tolerating that religion, to be secret enemies of the king's supremacy. This amounts to a protest, not only against the toleration of popery, but even against the toleration of all who would tolerate that religion.

We have seen that Bancroft's scheme of extirpating dissent embraced the most distant possessions of the crown—that he would have put down all religion but that of the Church of England even in the as yet almost uninhabited English territories that lay in the opposite hemisphere. His busy zeal, also, could take no rest until he had succeeded in depriving the French churches in the Isle of Jersey of their original constitution—a kind of presbyterianism—which they had enjoyed without molestation during the whole reign of Elizabeth, and the continuance of which had even been guaranteed to them by James himself in a letter under the privy seal shortly after his accession. He attempted the same thing with the churches in Guernsey, but they appear to have been more successful in preserving their independence. The great object, however, both of the archbishop and the king, after the enforcement of a uniformity of worship in England, was to sweep away whatever yet remained of the Presbyterian discipline in Scotland, and to effect the complete establishment of episcopacy in that country. A course of measures for the suppression of the general assembly—at once the heart, arm, eye, and tongue of the Presbyterian system—or, at least for the extinction of every privilege that gave it either authority or influence in the state—had been taken with hardly any disguise almost from the first hour of the new reign.

We have shortly noticed, in the preceding chapter,* the repeated prorogations by the royal authority of the assembly which had been appointed to be held at Aberdeen in July, 1604, and the events which arose out of the meeting, notwithstanding the king's proclamation, of a few of the most zealous ministers at the time and place originally fixed. Nine Presbyteries only out of fifty, according to Spotswood, sent representatives to the Aberdeen assembly; the entire number of ministers was only twenty-one; Mr. John Forbes, minister of Awford, and Mr. John Welsh, minister at Ayr, being "the chief leaders of this stir." On the interference of the king's commissioner, who ordered letters from the privy council discharging the meeting to be read at the market-cross of the town, the assembled ministers merely chose Forbes their moderator, and then adjourned to the last day of September. In the mean time, however, Forbes and Welsh were brought before the council; and, "standing to the defence of what they had done," were committed to the castle of Blackness; eight more, taking the same course, were afterwards committed in like manner to that and other places of custody; the rest, having acknowledged their offence, and besought his majesty's pardon, were permitted to return to their charges. Small, however, as had been found to be the number of the clergy inclined to brave the utmost fury of the court, it appears that these proceedings excited considerable popular dissatisfaction and alarm, which James endeavoured to allay by a declaration, denouncing those "malicious spirits, enemies to common tranquillity," who were labouring to possess the minds of the people with an opinion that he did "presently intend a change of the authorized discipline of the church, and by a sudden and unseasonable laying on of the rites, ceremonies, and whole ecclesiastical order" of the English church to overturn the former government received in Scotland. It was, however, only the design of making an *immediate* change of the sweeping description alluded to that this proclamation denied; the intention of gradually bringing the one church into conformity with the other was almost distinctly avowed. "We cannot but judge it convenient," said James, "that two estates so miserably disjoined should be drawn to as great conformity in all things as the good of both may permit; and that no monarchy either in civil or ecclesiastical policy hath yet obtained to that perfection that it needs no reformation, or that infinite occasions may not arise whereupon wise princes will foresee, for the benefit of their estates, just cause of alteration." In the beginning of the following year, 1605, Forbes, Welsh, and four of the other imprisoned ministers were brought to trial at Linlithgow, and being all found guilty of treason, were, after being detained for some time longer in durance, sentenced to be banished from their native country for life. Meanwhile, in a parliament which assembled at Perth in July, 1606, notwithstanding the clamorous protestations of many of the clergy, who crowded to the place from all parts of the kingdom to oppose the measure,* an act was passed entitled for "the Restoration of the Estate of Bishops," by which the Act of Annexation of the year 1587 was repealed, and the bishops were declared to be restored "to their ancient and accustomed honours, dignities, prerogatives, privileges, livings, lands, tithes, rents, thirds, and estates, as the same was in this reformed kirk

* See ante, p. 64.

* Spotswood says that they laboured "all they could secretly to make some perturbation." But they by no means confined themselves to such secret machinations. "Mr. Andrew Melvin," says Calderwood, "after he had gotten entry into the parliament-house, not without great difficulty, stood up to speak and protest. But how soon he was espied, one was sent to him to command him to depart; which, notwithstanding, he did not till he had made his mind known."

most ample and free, at any time before the Act of Annexation." The title of this act, Spotswood observes, "giveth many to mistake the truth of things, and think that before this time the estate of bishops was overthrown and cast down; whereas the same was never so much as intended; only by this act the temporalities of bishopricks, which, by the Act of Annexation, were made to belong to the crown, were restored, in regard it was seen that the bishops were disabled to attend their service in the church and state by the want thereof." "A paction," says Calderwood, "was made betwixt the lords that had the kirk rents and the bishops. So the lords consented to the erection of bishops, and confirmation of their new gifts." He adds, "At this parliament the earls and lords were clothed in red scarlet. It is constantly reported that Dunbar, bishop of Aberdeen, said, at the breaking up of the Reformation, that the red parliament at St. Johnstone* should mend all again. . . . . The first day of the parliament ten bishops rode, two and two, betwixt the earls and the lords. But the last day they would not ride; because they got not their own place, that is, before the earls and next to the marquesses; but went on foot to the parliament-house. This made the noblemen to take up their presuming humours, and to mislike them as soon as they had set them up, and to fear their own thraldom by time." Another act passed by this parliament, which may also be regarded as planting one of the main pillars of James's darling scheme of assimilating the ecclesiastical condition of the two countries, was that declaring his supremacy over all persons and in all causes, and setting forth an oath to be taken by the subject to that effect. In the preamble to the Act for the Restoration of Bishops, the estates, in accordance with the new law, acknowledged the king to be sovereign monarch, absolute prince, judge, and governor over all estates, persons, and causes, both spiritual and temporal, within the realm of Scotland.

A sketch has already been given in the last Chapter† of the measures subsequently taken by James to curb and enervate what of the old Presbyterian spirit still remained in the constitution of the Scottish church, and to strengthen the very ricketty episcopacy he had thus set up: for it was soon found that it required something more than a few lines in a new act of parliament practically to repeal the Act of Annexation, and to get back for the bishops their ancient lands and revenues out of the grasp of their present possessors. We shall only here briefly recapitulate the principal events, adding, as we go along, a few of the more curious characteristic notices to be found in the pages of the original historians.

Calderwood has detailed at great length what passed between the court and the eight ministers who were called up by James to London in September of this year. On the whole, Bancroft appears to have affected a bland and soothing style of demeanour, between which and the reckless impetuosity of Andrew Melvil the contrast is sometimes very ludicrous. The Presbyterian annalist admits that when the brethren were first admitted into the Chamber of Presence on the 22nd of September, "they were courteously received by the Bishop of Canterbury." When Melvil was brought before the council for the Latin epigram he had written on the altar and other abhorred ornaments of the royal chapel, the scene that took place is thus described. He "confessed he had made such verses, being much moved with indignation to see such vanity and superstition in a Christian church, under a Christian king, born and brought up in the pure light of the Gospel; and specially before idolaters, to confirm them in their idolatry, and to grieve the hearts of true professors. He said he had a purpose to present these verses to his majesty, and withall to have uttered his mind; but wondered how they came in his majesty's hand, seeing as yet he had not given out any copy. When Bancroft, then Bishop of Canterbury, began to speak, he charged him with profanation of the Sabbath, imprisoning, silencing, and bearing down of faithful preachers, holding up of antichristian hierarchy and popish ceremonies. Shaking the white sleeve of his rochet, he called them Romish rags, and told him that he was the author of the book entitled *English Scotizing*; he esteemed him the capital enemy of all the reformed kirks in Europe, and would profess himself an enemy to him, in all such proceedings, to the effusion of the last drop of his blood. He said he was grieved at the heart to see such a man have the king's ear, and to sit so high in that honourable council. He painted out likewise Bishop Barlow in his colours, and challenged him for reporting the king to have said in the conference at Hampton Court that he was *in* the kirk of Scotland, but not *of* it, and other like; and marvelled that such an one was suffered to live unpunished exemplarily for making the king to be of no religion. He refuted his sermon preached at Hampton Court briefly, so long as he could get audience. Often was he interrupted, and, in the end, removed; and, when he was called in again, Lord Egerton (Chancellor) admonished him to "join modesty with his learning and years." Calderwood sneers at the chancellor for this attempt to restrain the presbyter's holy zeal. With all their arrogance and intolerance, however, and the other offensive features of their creed and character, these men were far from being without other high qualities besides their piety and religious fervour. The meekest of them, not less than he that was of hotter temper, cherished an honourable pride and spirit of independence even in worldly matters, which kept them erect to a remarkable degree in their general carriage amid all the servility and baseness of the time. There is another passage of the story, as recorded by Calderwood, in which James Melvil and the archbishop appear upon the scene, that

* An old name for Perth.

† See ante, pp. 64—66

displays this highmindedness of the poor Scottish ministers in a touching way, and brings out, also, an agreeable enough aspect of the English prelate. By this time, in March, 1607, Andrew Melvil had been committed to the Tower, and one of the other seven brethren had been permitted to return home in consequence of the dangerous illness of his wife; the rest were detained, without durance, in the houses of some of the bishops. In these circumstances they had addressed a supplication to the council, in which they complained that, "being free Scottish men, and pastors of a right reformed and long renowned kirk," they should be used in a manner which they took to be worse than either imprisonment at home or banishment to foreign parts. "Why should they," they asked, "not as yet accused, much less condemned, make themselves bondmen of masters, and live like loiterers at the tables of strangers, having honest callings, houses, and provisions at home?" The supplication was referred by the council to Bancroft, who sent for two of their number, Mr. James Melvil and Mr. William Scot. "He showed them," continues the narrative, "that it was the king's pleasure that they should not be licensed to return as yet, and in the mean time to be entertained by some of the principal of the clergy. They answered, no injury was worse than compelling courtesy. They would rather attend his majesty's leisure upon their own cost and charges, as they have done some months already, than to trouble such to whom neither could they be pleasant guests nor they pleasant hosts to them. They had honest houses and tables of their own, according to the fashion of the country and condition of their callings, more accustomed to give meat than to take of any. Some of them were aged and diseased, and therefore it is not fit that men of such honour and worship should be troubled with them. Likewise, it is manifest that, where opinions differ, there cannot be found agreement in affection. Truly, said Bancroft, ye speak true, and like honest men as ye are. And I think my brethren, the bishops, would have little pleasure of you, except it were to pleasure the king's majesty: for our custom is, after our serious matters, to refresh ourselves an hour or two with cards, or other games, after our meals; but ye are more precise." His grace then turned to the subject of a union of the two churches, which his majesty had so much at heart. "I am sure," he said, "we both hold and keep the ground of true religion, and are brethren in Christ, and so should behave ourselves to other. We only differ in the form of government of the church, and some ceremonies." Even in these matters, too, he went on to say, the Scottish church, he understood, since they had come from home, had been brought to be almost the same with the English—alluding to the act of the Linlithgow assembly of the preceding December, afterwards ratified by the parliament, constituting the bishops and certain other clergymen perpetual moderators of the assembly and the other church courts.* He himself, he said, though holding under the king the highest place in the English church, was yet in nothing above the rest of his brethren the bishops, save in pains and travail, and was, in fact, merely such a moderator in his diocese as was any one of the Scottish ministers who might hold the said office of constant moderator. The interview ended in a way that goes rather to belie the reputation Bancroft has of having been but a stingy and inhospitable bishop. When Mr. William Scot, in answer to all this civil, conciliatory small talk, was entering upon what Calderwood calls "a solid discourse," the archbishop, "clapping upon his arm and smiling, said 'Tush, man, take here a cup of good sack;' and so, filling the cup and holding the napkin himself, he caused him to drink." No doubt his grace thought a more generous diet was much more likely than any logical wrangling to produce a favourable effect upon the prejudices of the poor Presbyterian. However, he also promised, Calderwood tells us, to travail with the king, so far as he could, for their liberty; and it is added, "they were no more urged to go to the bishops' houses after that."

The convention, or conference, which was called together at Linlithgow, in December, 1606, consisted of thirty-three noblemen, gentlemen, and officers of state, with the Earl of Dunbar, as chief manager for the king, at their head, and above 130 clergymen, all, as well as the lay members, nominated by the crown. Nothing, therefore, could be more unlike than this meeting to a regular general assembly of the church, the name and authority of which, nevertheless, it assumed. Carefully as the ministers had been selected, there was still a small minority opposed to the measures of the court; the act for the establishment of permanent moderators obtained the votes of all the noblemen and gentlemen, but only of 126 of the clerical members;† and, numerically insignificant as the minority was, they had influence enough, no doubt in consequence of the support with which they were backed out-of-doors, to tack to the proposition as originally brought forward about a dozen *cautions*, or qualifying regulations, which went considerably to encumber its operation. Great resistance, notwithstanding, was made for a time by many of the church courts to the reception of the constant moderators. Many presbyteries, according to Calderwood, being threatened with the pains of rebellion and being put to the horn, yielded through fear; the synods, especially those of Perth and Fife, made a longer stand; "but all this opposition," says Spotswood, "proved vain, and they, in the end, forced to obey, did find, by experience, this settled course much better than their circular elections."

Meanwhile, other innovations were gradually

* See ante, p. 66.

† Calderwood, p. 559.—Spotswood says that four members only voted against the act: other four refusing to vote because they had no commission, as they pretended, from their presbyteries, and two answering *Non liquet*.—p. 502.

introduced, all tending in the same direction. By annexations of parish churches and other expedients revenues were endeavoured to be found for some more of the sees, after which the easier work of providing them with incumbents was not long delayed. Before the close of the year 1608 all the thirteen bishoprics were filled.* Calderwood notes that it was in another general assembly, held at Linlithgow in July, 1608, that the name of archbishop was for the first time attributed to any minister in the acts or other proceedings of the church. "The bishops," he adds, "got sundry advantages in this assembly. They were continued commissioners of the general assembly, and established moderators in the presbyteries where they were instituted." In December, 1609, the practice of conferring high civil employments upon churchmen was begun by the appointment of Spotswood to the place of one of the lords of session, or judges of the supreme court of justice. At the same time, also, by the king's direction, the session rose on the 25th of December, and did not sit again till the 8th of January—which was, says Calderwood, "the first Christmas vacance since the Reformation," and foreshadowed the return of many of the other holidays of the church, besides "pasch and yule," the objects of James's ancient derision. This was immediately followed by the proclamation of directions, in conformity with a recent act of parliament, not only for the wearing of the canonical habits by bishops and doctors of divinity, and of black gowns in the pulpit and black clothes as their ordinary attire by the inferior clergy, but for the official costume of the judges and advocates, the clerks and scribes of the courts of justice, and even the provosts and baillies of burghs—all which orders of men, thus compelled to array themselves in the outward formalities of civilization, had hitherto rejoiced in a liberty nearly perfectly untamed in that respect. Very soon after, the erection of the two Courts of High Commission for the provinces of St. Andrew's and Glasgow—in 1615 united into one court, in which both archbishops had seats—completed the extension of the authority of the crown over the Scottish church in the same manner as over the English, and also the extension of the power of the one church over the same wide bounds as that of the other. "After," says Calderwood, "that the bishops became lords in parliament, council, exchequer, session, lords of temporal lands and regalities, patrons of benefices, moderators of presbyteries, commissioners of the general assembly, commissioners in the King's Court of High Commission, and consequently great and terrible to the ministry and other professors, it was thought fit and a ripe time to convocate a general assembly." An assembly was accordingly convened at Glasgow in June, 1610, the members being again all nominated by the crown, or, at least, a note of the persons whom the king wished to be elected having been communicated to each presbytery by the bishops, accompanied with an intimation that they would provoke his majesty's severest wrath if their choice should fall upon others. In this convocation various new acts were passed, having the general effect of still further enlarging the spiritual superintendence of the bishops, and contracting the old powers of the presbyteries and other church courts. From this time, indeed, these latter retained little more than a merely formal existence, and even that they held but upon sufferance; a state of things which soon resulted in the general assembly, without which the inferior courts were nothing better than limbs without a head, not being permitted to meet at all. In September of this year, Spotswood, archbishop of Glasgow, taking with him Lamb, bishop of Brechin, and Hamilton, bishop of Galloway, went up to London by the king's command, where the three received consecration to the episcopal office at the hands of the Bishops of London, Ely, and Bath; neither the Archbishop of Canterbury nor the Archbishop of York being allowed "to have hand in the business," in case any clamour should be raised in Scotland that these prelates were renewing their ancient claims of superiority over the northern church. Spotswood tells us that a doubt was started by Dr. Andrews, bishop of Ely, who thought that the Scottish bishops ought, in the first instance, to be ordained as presbyters, since they never had received such ordination from episcopal hands; but Archbishop Bancroft, who was present, answered, and his opinion was acquiesced in by the other bishops and by Andrews himself, "that thereof there was no necessity, seeing, where bishops could not be had, the ordination given by the presbyters must be esteemed lawful; otherwise, that it might be doubted if there were any lawful vocation in most of the reformed churches." The three bishops, returning to Scotland in December, first consecrated Archbishop Gladstones in the same manner in which they had been consecrated themselves; after which, each of their other brethren underwent the ceremony. Calderwood does not pretend that much actual opposition was made among the clergy after this date to the new constitution of the church; he records a few slight outbreaks in one or two synods or presbyteries: but "what opposition was made in other synods by some of the best sort," he adds, "I have not inquired. Howsoever it was, the bishops were become so awful with their grandeur and the king's assistance, that there was little resistance; howbeit great murmuring and malecontentment: so that their possession was violent."

Within a fortnight after the consecration of

* Calderwood has preserved some Latin verses circulated at this time, "wherein," says he, "shortly were described the conditions and manners of our new prelates." The description, as may be supposed from its suiting the taste of the worthy historian, is in a high style of Presbyterian scorn and scurrility. "Vina amat Andreas, cum vino Glasgua amores," it begins—"St. Andrew's (Gladstones) loves wine; Glasgow (Spotswood) both wine and women;" and so on it goes through the whole list, blackening each right reverend name with some similarly awkward predilection, till it comes to Campbell, Bishop of Argyle, who is designated the only one of the thirteen that could be considered a minister of religion.—*Hist.*, p. 601.

Spotswood and his two brethren, the death of Archbishop Bancroft left vacant the chief place in the English church. It was filled up, after a few months, by the appointment of Dr. George Abbot, who, within the two preceding years, had occupied first the see of Lichfield and Coventry, and then that of London. Abbot had been indebted for this rapid succession of preferments to the patronage of the Scottish minister, the Earl of Dunbar, into whose family he had been introduced as chaplain in 1608, and whom he had accompanied when the earl came down to Scotland that year to hold the general assembly at Linlithgow, in which the powers of the bishops were confirmed and extended. It is said that Abbot, though not appearing in any public capacity, was privately of great service in forwarding the measures of the court upon this occasion. He had, also, while a member of the University of Oxford, attained considerable reputation for his theological learning, and had especially distinguished himself as the opponent both of Popery and Arminianism, on which latter question the position he took had already begun to involve him in a rivalry and contention with his celebrated contemporary Laud, which did not cease to place them in opposition to each other so long as they both lived. At this date Abbot's Calvinism probably rather aided Dunbar's recommendation of him to James's favour, and helped to make his majesty overlook other qualities in the mounting bishop which were naturally the least to his liking. "He was," according to Clarendon, "a man of very morose manners and a very sour aspect, which in that time was called gravity," but which certainly was not James's own mode of making profession of orthodoxy. Abbot's lenity to the Nonconformists, the consequence of his Calvinistic opinions and of his personal antipathy to Laud, has made him a favourite with Puritan writers, who have extolled his government of the church as the perfection of liberality and wisdom; but his bearing in the Court of High Commission, in every other respect except in the repression of Puritanism, showed at least as much rapacity for power as had been manifested either by Whitgift or by Bancroft, and the sentences he was accustomed to pass upon certain kinds of delinquencies go far to support the testimony of the royalist historian as to the natural harshness and severity of his disposition. Notwithstanding all the ostentation of independence, too, which he assumed after he could hope for no farther advancement, Abbot, at the commencement of his career, could tickle James's ears with the most courtly flatterers of the time: some of his effusions of those days have been preserved, in which he does not scruple to extol his majesty as equal in learning, piety, and other virtues, to the greatest characters both in profane and sacred history.

Abbot, though not yet formally appointed, had been duly selected by the king for the primacy, when (in the end of January, 1611) death deprived him of his great patron, whom he now no longer needed, the Earl of Dunbar—"a chief instrument employed for the overthrow of the discipline of our kirk," says the zealous Presbyterian chronicler—who, moreover, does not scruple to set down his death, just before he had finished a "sumptuous and glorious palace" he was erecting at Berwick, as a proof that "the curse which was pronounced upon the rebuilders of Jericho was executed upon him." Spotswood characterises him as "a man of deep wit, few words, and in his majesty's service no less faithful than fortunate:" "the most difficil affairs," adds the archbishop, "he compassed without any noise, and never returned, when he was employed, without the work performed that he was sent to do." His death, which was followed by the rapid rise of Somerset, and by considerable changes in the civil government, made no change in the affairs of the Scottish church, the management of which was now entirely in the hands of the bishops, the new powers conferred upon whom by the assembly at Glasgow were confirmed in still more ample and unqualified terms by a parliament which met at Edinburgh in October, 1612. Even the old popular spirit of hatred to prelacy and the Anglican forms of worship seems to have at this time been nearly wearied out. Calderwood admits, that when, in the spring of 1614, the people were charged by royal proclamation to observe Easter Sunday by all communicating at their parish kirks, "the most part obeyed, howbeit there were acts of the general assembly standing in force against it." The death of Gladstones, archbishop of St. Andrews, in May, 1615, opened the primacy to Spotswood, who was succeeded as archbishop of Glasgow by Law, Bishop of Orkney. "Here it is to be observed," exclaims Calderwood, writing while both these prelates were still at the head of the church, "that Mr. John Spotswood and Mr. James Law, both sometime ministers within the presbytery of Linlithgow, two pretty foot-ball men, are now the only two archbishops in Scotland, and have now, as we use to say, the ball at their foot. They were both near the point of suspension in the purer times for the profanation of the Sabbath: now they have power to suspend, deprive, imprison, fine, or confine any minister in Scotland. Out of preposterous pity they were spared then; but now they spare not the best and the most blameless."

In August, 1616, another general assembly was called together at Aberdeen for the purpose of making certain further alterations which were still wanting in order to assimilate the Scottish church to that of England. "A number of lords and barons sat there," says Calderwood, "with their silks and satins, but had not lawful commission to vote." In this assembly, among many other things, it was enacted, that "an uniform order of liturgy, or divine service, be set down to be read in all the kirks, on the ordinary days of prayer, and every Sabbath-day before sermon, to the end

the common people may be acquainted therewith, and, by custom, may learn to serve God rightly;" that there should be an uniformity of church discipline throughout all the kirks of the kingdom, and that for that purpose a book of canons should be made and printed, "drawn forth of the books of the former assemblies, and, where the same is defective, that it be supplied by canons of councils and ecclesiastical conventions in former times;" and that registers of baptisms and burials should be kept in every parish. A new Confession of Faith was also drawn up and published, to be universally received throughout the kingdom, and to which all persons hereafter should be bound to swear and set their hand.* James was desirous that certain additional ordinances touching kneeling at the Lord's Supper, the private administration of the sacraments in certain cases, the observance of holidays, and the rite of confirmation, should be adopted; but "the difficulty of admitting these articles," Spotswood tells us, "being represented in an humble letter to his majesty by the Archbishop of St. Andrew's, and a reason given why the same could not be inserted with the canons, as having at no time been mentioned to the church, nor proposed in any of their meetings, he was pleased to forbear pressing of the same for that time, thinking at his coming into Scotland, which he intended the next summer, to satisfy such as were scrupulous, and to obtain the church's consent."

In January following, accordingly, James wrote to his Scottish council, informing them of his intention to visit his ancient kingdom, an intention proceeding out "of a longing he had to see the place of his breeding, a salmon-like instinct," as he characteristically expressed himself. "Among other directions sent from the king," says Spotswood, "one was for repairing of the chapel (the chapel-royal in Holyrood House); and some English carpenters employed, who brought with them the portraits of the Apostles to be set in the pews or stalls. As they were proceeding in their work, a foolish and idle rumour went, that the images were to be set up in the chapel;† and, as people are given to speak the worst, it was current among them, that the organs came first, now the images, and ere long they should have the mass. The Bishop of Galloway, then dean of the chapel, moved with these speeches, did pen a letter to the king, entreating his majesty, for the offence that was taken, to stay the affixing of these portraits. To this letter he procured the subscriptions of the Archbishop of St. Andrew's, the Bishops of Aberdeen and Brechin, and divers of the ministers of Edinburgh. The answer returned by the king was full of anger, objecting ignorance unto them that could not distinguish betwixt pictures intended for ornament and decoration, and images erected for worship and adoration; and resembling them to the constable of Castile, who, being sent to swear the peace concluded with Spain, when he understood the business was to be performed in the chapel, where some anthems were to be sung, desired that, whatsoever was sung, God's name might not be used in it, and, that being forborne, he was contented they should sing what they listed. Just so, said the king, you can endure lions, dragons, and devils to be figured in your churches, but will not allow the like place to the patriarchs and apostles." James, however, having thus discharged himself of his ever ready and abounding rhetoric, then consulted his equally unfailing caution and timidity, and concluded his epistle by giving order for stopping the erecting of the portraits—covering, at the same time, the concession which pusillanimity or prudence had extorted from him by professing, with the shallow and transparent trickery he was accustomed to call kingcraft, that he had not yielded "for ease of their hearts, or confirming them in their error, but because the work could not be done so quickly in that kind as was first appointed."

This incident was prophetic of a good deal that followed in the course of James's personal dealing on this occasion, first with the parliament, and then with the assembled representatives of the clergy of his native country, as may be seen by turning to the summary of his proceedings in the first chapter.* The church historians have preserved some curious details of what took place in regard to the first point upon which his majesty found it expedient to draw back in the end, after the usual violence and precipitation in entering upon it.

The principal article to which the sanction of the parliament was demanded was drawn up originally in the following terms:—"That whatsoever conclusion was taken by his majesty, with advice of the archbishops and bishops, in matters of external policy, the same should have the power and strength of an ecclesiastical law." This was too strong even for the bishops themselves, who were alarmed at the notion of becoming parties to so abrupt and undisguised an extinction of whatever the church courts still retained of even the name and semblance of their ancient powers; and at the intercession of their lordships, who represented, that in the making of laws in the Scottish church the advice and consent of presbyters had at all times been requisite, James was induced to allow the article to be altered so as to include along with the archbishops and bishops "a competent number of the ministry;" and in this form it was actually passed. Before it had received the royal assent the clergy subscribed their strong protestation against it; but Spotswood asserts, that "as it falleth out in things unadvisedly done, and in the heat of humour, the principals in that business, quickly forethinking that which they had done, came the next morning early to the Archbishop of St. Andrew's (Spotswood himself), intreating him

* It is given at length by Calderwood, *Hist.* pp. 668—673

† Calderwood's account is, that "there were also carved the statues of the Twelve Apostles and the Four Evangelists, curiously wrought in timber, to be gilded and set up."

* See ante, p. 66.

to stop the presenting thereof, which they showed he might easily do by taking the same from Mr. Peter Hewet, in whose hand it was given to present." According to Calderwood, Hewet, or Hewat, was the writer of the protestation. We will let the archbishop tell the rest of the story, which, even in his own version, is not particularly to the credit of his grace. "This man (Hewat)," he says, "being one of the ministers of Edinburgh, had lately before been preferred to the abbacy of Crossragwell, and, having thereby a place in the parliament-house, was held the most fitting to present the protestation, which he willingly undertook, for he loved ever to be meddling, and was always set to make trouble. The parliament was that day to close, and the archbishop, knowing how ill the king would take their doing, went the more timely to the palace, where, meeting with the abbot, he asked him concerning the protestation, desiring to see it; and, having perused a few lines, began to rebuke him for taking in hand such a business. He, making some excuse, and saying it was a protestation only, which could not offend, put forth his hand to take back the paper; but the archbishop holding it fast, the protestation was near rent betwixt them. It happened one of the grooms, called John Levingston, to see them at strife, for they had met in the private gallery near to his majesty's chamber; who, showing the king what he had seen, his majesty came forth, being as yet undressed, and asked what the matter was. The archbishop answered, that a number of ministers, having framed a protestation against the article of his majesty's prerogative, had given it to the man that he had made abbot to present, and that he had undertaken to do the same; for which he (the archbishop) had been chiding him, it being an undutiful part in him, without signifying the matter to his ordinary, to take such a business in hand. The man, falling upon his knees and trembling, said that he supposed the protestation would never offend his majesty, and that he had promised to present the same in parliament, but, now that it appeared to him otherwise, he would no more meddle therewith." The fright, however, into which he was thrown by this fight between the archbishop and the abbot shook James's resolution; he immediately went and commanded the register, or clerk of the parliament, to pass by the article "as a thing no way necessary, the prerogative of his crown bearing him to more than was declared by it;" thus, in his customary way, veiling, or vainly trying to veil, with another false pretence, the real motive of his conduct, and thinking to make his cowardice pass for magnanimity by means of a few big words.

It should appear that the resolution of calling a convention of the clergy at St. Andrew's was taken in consequence of this failure in the parliament. There assembled in the chapel of the archbishop's castle, along with the bishops, according to Spotswood, "the ministers of chief accompt, to the number of thirty-six." Having narrated his two successive attempts to effect the establishment of the additional canons; first, by desiring them to be inserted among the acts of the church, as ordered to be collected by the Aberdeen assembly; secondly, by his proposal in the late parliament for a declaration of his prerogative in the making of ecclesiastical laws, when "certain of your number," said he, "did maliciously assemble themselves, and form a protestation to cross my just desires;" he proceeded: "But I will pass that among many other wrongs I have received at your hands: the errand for which I have now called you is, to hear what your scruples are in these points, and the reasons, if any you can have, why the same ought not to be admitted." With a ludicrous affectation of logic while in the very act of using the most open and outrageous violence, he further told them that he meant to do nothing against reason; but, on the other hand, his demands being just and religious, they must not think that he would be refused or resisted. "For your approving or disapproving," said he, "deceive not yourselves; I will never regard it, unless you bring me a reason which I cannot answer." That, in truth, is what it would be hard enough to do in behalf of anything whatever, with a very pertinacious disputant—on which account it is fortunate that men's decisions and the course of human affairs are not left to be directed and impelled solely by logomachy or argumentation: with King James, in the present case, the attempt was manifestly not to be thought of. The poor ministers therefore fell on their knees, and besought him that, in lieu of the proposed debate with himself, he would indulge them with a general assembly, "wherein these articles, being proposed, might be with a common consent received." "The king," to follow Spotswood's narrative, "asking what assurance he might have of their consenting, they answered, that they found no reason to the contrary, and knew the assembly would yield to any reasonable thing demanded by his majesty. But if it fall out otherwise, said the king, and that the articles be refused, my difficulty shall be greater; and when I shall use my authority in establishing them, they shall call me a tyrant and persecutor. All crying that none could be so mad as to speak so, yet experience, says the king, tells me it may be so; therefore, unless I be made sure, I will not give way to an assembly. Mr. Patrick Galloway saying that the Bishop of St. Andrew's should answer for them, the bishop refused, for that he had been deceived by them, they having, against their promise in the time of parliament, taken the course which they did." In the end, however, the king agreed to take the assurance of Mr. Patrick Galloway himself for the proper behaviour of the ministers, and consented to call a general assembly, which accordingly met at St. Andrew's on the day appointed, the 25th of November, about four months after his majesty's return to England. But here only "a fashion was made," as Spotswood phrases it, of agreeing

to one of the five articles,—that which directed that the communion in certain circumstances might be given privately, and that whenever it was celebrated the minister, contrary to the presbyterian practice, should give the bread and wine out of his own hands to each of the communicants. To the letter of the two archbishops, announcing what had been done, James returned a furious answer:—"We will have you to know," said his majesty, "that we are come to that age as we will not be content to be fed with broth, as one of your coat was wont to speak, and think this your doing a disgrace no less than the protestation itself." "Since your Scottish church," he added, in a postscript, "hath so far contemned my clemency, they shall now find what it is to draw the anger of a king upon them." Meanwhile he commanded both their graces to "keep Christmas-day precisely" themselves, preaching and choosing their texts according to the time; and to urge as many of the other bishops as they could warn in time to do the same. In another epistle, addressed to Spotswood alone, he inveighed in terms of the bitterest contempt against the scruples of the assembly, and what he called the ridiculous manner in which the two penurious concessions they had made were hedged and conceived; and he concluded by intimating that—especially since the point of kneeling at the Lord's Supper had not been yielded, so that either he and the English church must be held to be idolatrous in that particular, or the Scottish clergy reputed rebellious knaves in refusing what was asked of them—it was his pleasure that the regulations that had been passed by the assembly should be altogether suppressed, and that no effect whatever should follow thereupon. A third letter was at the same time sent to the Scottish council desiring them to withhold the payment of their stipends from all the rebellious ministers until they should produce evidence of their conformity under the hands of their bishops; and this, says Spotswood, "being showed to the ministers of Edinburgh and others that happened to repair to that city for augmentation of stipends, did cast them into a great fear, and, repenting their wilfulness, as they had reason, they became requesters to the Archbishop of St. Andrew's to preach, as he was commanded, on Christmas-day at Edinburgh, trusting his majesty should be mitigated by his obedience and intercession for the rest." James, in fact, was prevailed upon to suspend the edict prohibiting the payment of the refractory clergymen, and to convoke another assembly to be held at Perth on the 25th of August, 1618. "We were once fully resolved," he wrote in his letter sent to be read at the opening of this new convocation, "never in our time to have called any more assemblies here for ordering things concerning the policy of the church, by reason of the disgrace offered unto us in that late meeting of St. Andrew's, wherein our just and godly desires were not only neglected, but some of the articles concluded in that scornful manner as we wish they had been refused with the rest." He again told the assembled clergy, that, although he should be very glad to have their consent to the articles, yet they must not think that he had not authority sufficient to enjoin such things upon the church in spite of any opposition they might make. If any of the other inhabitants of his native kingdom of Scotland, he intimated, had had their minds infected with the same spirit of opposition, he was sure they had been corrupted by the clergy. "What and how many abuses," said he, "were offered us by divers of the ministry there before our happy coming to the crown of England, we can hardly forget, and yet like not much to remember; neither think we that any prince living should have kept himself from falling in utter dislike with the profession itself, considering the many provocations that were given unto us." After the king's letter had been read, the primate, who assumed the place of moderator or president, made a speech, "wherein he protested," writes Calderwood, "that he craved not these novations, and that it was against his will that they were proposed; yet he was persuaded that his majesty would be more glad of the consent of this assembly to these five articles than of all the gold of India. But in case of their refusal he assured them that the whole estate and order of our kirk would be overthrown; some ministers would be banished, other some deprived of their stipend and office, and all would be brought under the wrath of authority." The assembly sat only two days, the principal debates being carried on in the secret committee for preparing the business to be brought before the house, then called the conference; and on the second day, Thursday the 27th, the whole of the five articles, being put to the vote, at once received the suffrages of all the members, except one nobleman, one doctor, and forty-five ministers. All the burgesses, without any exception, voted in their favour. The first enjoined that persons coming to the Lord's Supper should receive the sacrament "meekly and reverently upon their knees;" the second, that the communion might in extreme cases be privately administered, "three or four of good religion and conversation" being present with the sick person to partake of it along with him, according to the order presented in the church; the third, that baptism might in cases of great need be in like manner administered in private houses; the fourth, that children when they arrived at the proper age should be confirmed by the bishops, or, as it was expressed, that every parish minister having catechized all the children in his parish of eight years of age, and seen that they were able to make rehearsal of the Lord's Prayer, Belief, and Ten Commandments, and to answer the questions of the small catechism, the bishops should "cause the said children to be presented before them, and bless them with prayer for the increase of their knowledge and the continuance of God's heavenly graces with every one of them;" the fifth, that on the days and times universally set apart by the church the birth, passion, resurrection, and as-

cension of Jesus Christ, and the sending down of the Holy Ghost, should be commemorated by the performance of divine service, and that on the said days all ministers should "make choice of several and pertinent texts of scripture, and frame their doctrine and exhortation thereto, and rebuke all superstitious observation and licentious profanation thereof." In the following October obedience to these new ecclesiastical constitutions was enjoined upon all the king's Scottish subjects by a proclamation from the privy council, in which it was particularly commanded that the people should "abstain from all kind of labour and handiwork" upon the five newly-established holidays; and although the acts of the assembly had not yet received any parliamentary ratification, the authorities did not scruple to apply all the ordinary means of enforcing their observance, just as if they were already become in the strictest sense the law of the land. Several persons were from time to time brought before the Court of High Commission for the violation of the holidays; but the point upon which the people stood out most obstinately appears to have been the kneeling at the Communion. To gain their compliance here persuasion and stratagem were employed, as well as harsher courses, if we may believe the Presbyterian authorities. The following is Calderwood's account of the celebration of the Communion in the capital on Easter Sunday, the 28th of March, 1619: "To allure many to come to the kirk, the ministers of Edinburgh offered them liberty to sit, stand, or kneel, as they pleased, and dealt with some in particular; but few were moved with the offer; cold and graceless were their communions, and few were the communicants. And those who did communicate either kneeled not, or, if they kneeled, were of the poorer sort, who lived upon the contribution (the money collected at the church-doors), and kneeled more for awe than for devotion, or were members of the secret council or of the College of Justice. Some were deceived with the offer of liberty made by the ministers; for when they came the ministers used all the means they could to cause them to kneel." He adds: "The communion was celebrated the same day in the Abbey Kirk, the West Kirk, and in the kirk on the north side of the bridge of Leith, after the old form, whereunto the inhabitants of Edinburgh resorted in great numbers. In some kirks of the country, where the minister conformed, the people went forth and left the minister alone. Some, when they could not get the sacrament sitting, departed, and besought God to be judge betwixt them and the minister." Many ministers were punished, some by suspension, some by deprivation, some by being put into ward, for nonconformity with the five articles in various ways, or for preaching or speaking against them; and some proceedings were even taken, in April, 1620, to order certain citizens of Edinburgh into confinement, without any regular trial, "for assisting refractory ministers in all their disobedience, and countenancing them in all their public doings." An anxious inquisition was repeatedly made for all books and pamphlets written against the authority of the Perth assembly—especially for one by David Calderwood (the author of 'The True History of the Church of Scotland,' so largely referred to in the preceding pages), who after hiding himself for some time, fled, in August, 1619, beyond seas, "with his purse well filled by the wives of Edinburgh," as he has himself told us the other party asserted at the time. But after these methods had been tried, with little effect, for three or four years, the government at last determined to have the five articles of Perth confirmed by the legislature, and a parliament was assembled at Edinburgh, principally for that purpose, in July, 1621. When it was about to meet, a number of zealous ministers (there seems to have been about thirty of them) hastened to that city from different parts of the kingdom, and prepared a supplication or petition against the articles; but the day before the parliament opened they were by an order of council charged to be gone within twenty-four hours, under the pain of rebellion; and to this command they thought it expedient to yield obedience, only first drawing up and leaving behind them certain voluminous reasons and protestations, which, according to Calderwood, "made such impression upon the hearts of many, that few would have consented to the ratification of the five articles, if they had not been wrought upon by the Marquess of Hamilton (the king's commissioner), the secretary, and others that were set on work by them." The confirmation of the acts of the Perth assembly was carried in the committee of the lords of the articles, with the opposition only of four members, of whom the most distinguished was Sir John Hamilton of Preston, commissioner or representative for the shire of East Lothian, a relation of the marquess. The subject, however, was not brought forward in the House till the last day of the sitting, Saturday, the 4th of August. Between three and four o'clock on the morning of that day a great fire broke out in Edinburgh, which "was taken," says Calderwood, "for a forewarning to the estates to take care what they did." Nor was this all;—"many of the people," the historian adds, "being convened in the outward court of the palace of Holyrood House, observed that when the lords were mounted on their horses, a swan did flee over their heads, from the north towards the south, flaffing with her wings, and muttering her natural song: the people, shaking their heads, whispered among themselves that they feared a bad conclusion of that parliament." Spotswood affirms that the marquess "did carry himself and the matters committed to his trust with such wisdom and foresight as within a few days he brought them all to the end which he wished without any open contradiction." But from the more detailed account of the Presbyterian chronicler it appears that the act of ratification was not obtained without very considerable opposition and difficulty. Great efforts were made to gain over Sir John Hamilton; but

nothing would induce him either to change his vote or even to absent himself. Even of those who did not take the same bold part of directly opposing the measure, several are represented as having assented to it with visible reluctance. "The half of the town of Edinburgh," says the account, "was not gathered to attend upon the lords and other estates when they came riding up the street. When they were in the Parliament House, the noblemen, according to the custom, went into the inner house, and came forth to the outer house, by degrees, to their place. But the Earls of Morton, Buchan, and the Viscount of Lauderdale staid in the inner house till the kirk's part was called, and God's worship through her sides had received a deadly wound; and then came forth to their own places, to play their parts in civil matters." Unusual precautions are also asserted to have been taken to prevent the free expression of opinion. Scarcely any debate was allowed, and, as had been done in the assembly, only one vote was taken upon all the articles. If we may trust to Calderwood, the vote even in this form was not fairly taken: the members, he says, "were directed to express their voices by these words, *Agree*, *Disagree*. It came to pass that the wide opening of the mouth at the syllable *A* did eat up the first syllable *Dis*, specially by those who spoke with a low voice, being threatened and menaced with the menacing eyes and looks of the secretar; and so the negative was noted for the affirmative, *Agree* for *Disagree* . . . . When the chancellor desired some, that for fear uttered not their voice distinctly, to speak out freely, the secretar said, Nay, my lord, let them alone; those that will not speak out let the clerk mark them as consenters; and so were some of them marked indeed." The innovation of voting by proxy, which had been introduced by an act passed in the last parliament, is also objected to as one of the "uncouth," or strange, practices to which recourse was had on this occasion. The result appears from Calderwood's lists to have been, that all the bishops who were present, being eleven in number, voted for the measure; that of the nobility and officers of state, thirty-five voted in the affirmative, and fifteen in the negative; of the commissioners for shires, fifteen in the affirmative, and nineteen in the negative; and of the commissioners for burghs, twenty in the affirmative, and twenty-five in the negative. This would give in all eighty-one votes in favour of the ratification, and fifty-nine against it.*

The anger of the Almighty, however, was universally believed by the Presbyterians to have been visibly and audibly manifested on occasion of this extinction of the liberties of the "true kirk." "When all the acts were now concluded," writes their fervent historian, "and the ringleaders were insulting over the defenders of ancient orders, and wishing every one to have wings to flee to court with the report, the grand commissioner, rising from the throne to ratify the acts by touch of the sceptre, at that same very moment was sent from the heavens, in at the windows of the house, which was dark before by reason of the darkness of the day, an extraordinary great lightning; after the first a second, and after the second a third more fearful. Immediately after the lightnings followed an extraordinary great darkness, which astonished all that were in the house. The lightnings were seconded with three loud claps of thunder. Many within the Parliament House thought them to be shots of cannons out of the Castle. It appeared to all that dwelt within the compass of ten or twelve miles, that the clouds stood right above the town, and overshadowed that part only. The beacon standing in the entry of Leith haven was beaten down with one of the blasts of thunder. After the lightning, darkness, and thunder followed a shower of hailstones extraordinary great, and last of all rain in such abundance that it made gutters run like little brooks. The Lords were imprisoned about the space of an hour and a half. Servants rode home with foot-mantles, and their masters withdrew themselves, some to their coach, some to their foot. So the five articles were not honoured with the carrying of the honours, or riding of the Estates in ranks. In the mean time the Castle thundered with their fiery cannons, according to the custom used at other parliaments. This Saturday, the 4th of August, was called by the people Black Saturday. It began with fire from earth in the morning, and ended with fire from heaven in the evening. When the fear was over, then durst atheists scoff and say, that, as the Law was given with fire from Mount Sinai, so did these fires confirm their laws."*

The news of the passing of the act of ratification put King James in great spirits; but the bishops and the government in Scotland probably did not share in his majesty's confident self-congratulations that all his troubles with the kirk were now at an end. In an epistle addressed to them on the 12th of August, we find him rating the archbishop of St. Andrew's and his brethren in round terms for the little joy they had testified at what had been done. "Solomon saith," he begins, "that every thing hath a time; and therefore certainly the last letter which we received from you was written in an unseasonable time, being fraughted with nothing but grieves and expressions

* A further list, however, is added of peers and commissioners, who, says the historian, "were either absent, or, if present, what were their votes I am uncertain."

* Among such atheists the worthy Presbyterian historian would, probably, have reckoned his episcopal rival, whose notice of the storm is as follows:—"At the closing of the parliament, which was the 4th of August, such abundance of rain, with such thunderings and lightnings, did fall, as the noblemen and others of the estates were compelled to leave their horses and betake them to their coaches, which the factious sort did interpret to be a visible sign of God's anger for ratifying the acts of Perth: others in derision of their folly, said, that it was to be taken for an approbation from heaven, likening the same to the thunderings and lightnings at the giving of the law to Moses." *Spotswood, Hist.* p. 542. Calderwood records, that on Monday, the 20th of August, when the acts of the late parliament were, according to custom, proclaimed at the Market-cross of Edinburgh, "the tempest, rain, thunder, and fire-flaughs were renewed, and continued all the time of the reading of the acts at the Cross."—*Hist.* p. 284.

of affection, like Lamentations of Jeremy, in the very instant when both we and ye had won so great and honourable a victory against the enemies of all religion and good government; considering also the very time, which was the evening of the 5th of August." "The greatest matter," he goes on, "the Puritans had to object against the church government was, that your proceedings were warranted by no law, which now by this last parliament is cutted short. So that hereafter that rebellious, disobedient, and seditious crew must either obey, or resist both God, their natural king, and the law of the country." It remained only therefore for them, the bishops, to take good heart, and to lose no more time in reducing the country to a settled obedience to God and to him, the king. "The sword," continued James, "is now put in your hands: go on, therefore, to use it, and let it rust no longer, till ye have perfected the service trusted to you; or, otherwise, we must use it both against you and them. If any, or all of you be fainthearted, we are able enough, thanks to God, to put others in your places, who both can and will make this possible." They had two sorts of enemies, he tells them, to deal with, Papists and Puritans: as papistry was a disease of the mind, so was puritanism in the brain; and the only remedy and antidote against both was a grave, settled, uniform, and well-ordered church, obedient to God and their king. "We wish you now," proceeds his majesty, "to go forward in the action with all speed and not to shew yourselves counterfeited now when ye had never so little reason. We expect to hear hereafter from time to time what ye have acted, and of your good success, and not to be troubled any more with questions and conceits." And he ends by wishing them stout hearts and happy success, while he bids them farewell.* But great difficulty was still found in inducing public functionaries, the clergy, and the people in general, to conform to the innovations. At first the milder methods of admonitions and threats seem to have been followed by the Court of High Commission; but this course being found to be of little avail, suspensions, deprivations, fines, banishments, imprisonments, and consignments to wards, were again resorted to. Many details of these latter proceedings, from 1622 to 1625, are preserved by Calderwood.

One remarkable effect of these severities was the sudden growth of a practice which had hitherto been scarcely known in the history of the struggle respecting religion in Scotland, but which from this time came to be one of its most remarkable features,—the meeting of the people in secret assemblies, in which they might enjoy their favourite mode of worship, and the ministrations of their favourite ministers, both now every where expelled from the regular churches of the land. In 1624 a royal proclamation was issued denouncing and prohibiting such meetings, the narrative part of which thus describes their nature:—"We have of late known," says his majesty, "to our unspeakable grief, that a number of our subjects—some of them misled by the turbulent persuasions of restless ministers, either deprived from their functions, or confined for just causes, or such as leave the due conduct of their own flock to debauch and seduce their neighbours; many affecting hypocritically the glory of purity and zeal above others; and some corrupted by the bad example of the former;—have casten off the reverent respect and obedience that they owe to our authority royal and to their pastors, contemned and impugned their doctrine, disobeyed and controlled their ordinary discipline, abstained to hear the word preached and to participate of the sacraments ministered by them in their own parish, and have disorderly strayed to other congregations, and, in the end, numbers of them have assembled themselves in private houses, in Edinburgh and other places, to hear from intruding ministers preachings, exhortations, prayers, and all sort of exercises fitting their unruly fantasies, many times at the very ordinary hours when their own pastors were, according to their lawful callings, preaching in their parish kirks." These seditious conventicles, it is added, had assumed to themselves the name of congregations, and done their utmost to impress the people with a persuasion that the king and government were persecutors of the sincere professors of the true religion, and had corrupted the government of the church. Calderwood, whose old Presbyterianism withheld him from altogether approving of these irregular meetings, would have us believe that this is a very exaggerated representation of the facts. "A number of good Christians," he says, "convened sometimes, when they had occasion of a sound and zealous minister to stir them up in these times of defection, and recommended to God the desolate estate of this poor kirk; for the pulpits of Edinburgh sounded all the contrary way. But that they abstained from hearing the word preached, that they had private meetings many times at the ordinary hours when their own pastors were preaching in their parish kirks, or that they assumed to their conventions the name of congregation, are mere forgeries."

One thing still remained to be done to complete the uniformity of the English and Scottish churches; the imposition upon the latter of a Liturgy and form of Common Prayer. An order for drawing up such a form had been issued, as already mentioned, by the Aberdeen assembly of 1616; but it does not appear that any thing was actually done in consequence. Calderwood relates that, in January, 1623, Mr. Robert Howie, Principal of the New College of St. Andrew's, and two of his brother professors, were directed by a letter from Dr. Young, Dean of Winchester, written by command of the king, to use the English

* "This letter," says Calderwood, "as many other of that kind, no doubt was procured by the bishops themselves, if not also devised and penned by them and sent up by court to be subscribed." The characteristic style and spirit of the letter sufficiently refute this notion.

Liturgy at the prayers at which all the students in their college were wont to be present every morning and evening; "which," it is added, "was presently put in execution, notwithstanding they wanted the warrant of any general assembly, or of any continued practice of the form, in times bypast since the Reformation." It appears also that, in the beginning of the following year, Archbishop Spotswood sent up a memorial to court, recommending that a form of public worship and administration of the sacraments, &c., similar to that of the English church, should be drawn up for the church of Scotland, and submitted for the approval and sanction of a general assembly of the clergy, which convocation we may suppose care would have been taken so to model as to ensure the adoption by it of whatever was desired by the court. But the continued troubles arising out of the enforcement of the articles of Perth are understood to have filled the hands of the bishops and the government for the present, so that this other project was reserved to become the occasion of a new and much greater storm in the next reign.

One thing worthy of notice in the history of the long religious contest that agitated Scotland for nearly a century and a half after the Reformation, is the absence of any controversy about purely theological dogmas between the two great parties that were so fiercely opposed upon the questions of the government and discipline of the church, and the forms of public worship. Down even to the present day, indeed, doctrinal dissent has made little progress in that country; the only considerable bodies of seceders from the established church there all continue to adhere to its standards of faith. In like manner, in the turbulent times we have been reviewing, Presbyterians and Episcopalians in Scotland were equally Calvinists. The new confession of faith enacted by the Aberdeen assembly of 1616, under the domination of the bishops, was as rigidly conformable to the conclusions of the great Genevese reformer as that of 1560, which was drawn up by Knox himself; or as that afterwards compiled and published by the assembly of divines at Westminster, which still remains the authorized exposition of the tenets of the Scottish Presbyterian church. It must be admitted, at the same time, that, generally speaking, the Calvinism of the Episcopalians, although expressed in the same words, and accordant in the mere letter with that of the Presbyterian and Puritanical party, was in spirit and temper really another faith. Great strictness of life, a carriage and disposition largely partaking of asceticism and gloom, an enthusiastic spirit of devotion, with all the other natural concomitants, good and bad, of a hot and devouring zeal,—its honesty, its earnestness, its restlessness, its inquisitiveness, its rashness, its arrogance, its egotism, its intolerance, its want of charity,—these were the products of the doctrines of election and justification by faith alone as held by the great body of the Presbyterians. In the generality of the Episcopalians the same profession of belief was associated with features of character directly the reverse: they were neither morose nor precise, but took religion easy, accustomed as they were to feel as if the danger was rather lest there should be too much of it in the world than too little. In their notion, too, it was only in part a spiritual and moral law; it was in great part a mere affair of form and fashion; if the one half of it had come down from heaven, the other was but the manufacture of expediency and the civil magistrates. The violent antagonism into which they were thrown tended, of course, to augment the natural divergence of the two parties; and it is probable that the extreme scrupulosity of the Presbyterians provoked a greater freedom and laxity of manners among their opponents than might otherwise have prevailed. Some even of the Scottish bishops themselves, of this period, are not favourably reported of by history in the article of professional decorum. Without heeding the scandalous imputations and anecdotes which abound in the pages of Calderwood, and other furious Presbyterian authorities, we have the testimony of such a writer as Burnet, for example, who in one place says of them, generally, that they did their part very ill—that most of them were haughty, neglected their functions, were often at court, and lost all esteem with the people;* and in another characterises Spotswood, the primate, as "a prudent and mild man, but of no great decency in his course of life; for he was a frequent player at cards, and used to eat often in taverns; besides that all his livings were constantly offered to sale by his servants."† It is probable, also, that, although no attempt had yet been made to modify the doctrinal standards of the Scottish church, any more than of the English, which were almost equally Calvinistic, yet a disposition to recede from the puritanical party in theological creed, as well as in everything else, had spread to a considerable extent among the adherents of episcopacy in Scotland before the death of James. The proclamation issued in 1624 for the suppression of conventicles reminded the lieges that in their own age and in that of their fathers "such pernicious seeds of separation, and singularity of blind and feigned zeal," had "brought forth damned sects of Anabaptists, Families of Love, Brownists, Arminians, Illuminates, and many such pests, enemies to religion, authority, and peace." Upon this passage Calderwood has the following remark: "As for the fear of damnable sects of Arminians, Anabaptists, &c., we had an evident proof that day that the government of prelates is a shelter for damnable sects; for Arminian preachers possessed the most eminent places, and were not only tolerated, but also countenanced, because they maintained in public doctrine the power which our prelates had usurped." As long, however, as James lived a bar was placed in the way of a perfectly open profession of anti-Calvinistic opinions by the clergy, either in Scot-

* Own Times, i., 10.

† Id. p. 26. This passage was first incorporated in the Oxford edition of 1823.

land or in England, or at least of any alteration of the established standards of belief and doctrine, by the character and position of that prince, who, coveting no other sort of renown so much as that of a great theologian, and laying claim, moreover, almost to the authority of a Protestant pope in virtue of his title of Defender of the Faith and supreme earthly head of the churches within his dominions, would have felt himself to be insulted in the most tender point by any proposal of remodelling his own and the national creed. His orthodoxy James regarded as the highest test and token of his learning: it was with him the point of honour, upon which he stood as punctiliously as ever woman did upon her chastity, or knight of old romance upon his courage. We have seen, in the preceding chapter, how his zeal took fire and flamed up on occasion of the Arminian Vorstius being appointed in 1611, by the states of Holland, to the professorship of divinity at Leyden; and how the following year a much more frightful outblaze of it actually consumed at the stake here in England the bodies of two unfortunate Socinians or Arians.* When in 1618, also, the Calvinistic party in Holland succeeded in assembling the great Protestant council or synod of Dort for the condemnation of the Arminians and their tenets, James sent four English and one Scotch divine to represent the British churches, and to take part in the assertion of the famous Five Points, as they were called, of absolute predestination, the limitation of the benefits of the death of Christ to the elect only, the necessity of justifying grace, the bondage of the human will, and the perseverance of the saints. After this, the Calvinistic sense even of the more doubtful parts of the Thirty-Nine Articles could not, with any decency, be openly called in question either by James himself, or by any of his bishops, so long as he occupied the throne. Nevertheless, with all this persistency in the doctrinal formulæ of Calvinism, various motives operated strongly to separate James from the more zealous professors of that creed in everything except what we may call their mere verbal theology. If the notions of Calvin as to the mysteries and metaphysics of Christianity were to his taste, the system of the Genevan reformer, both in its political and in its moral spirit, was his abhorrence. He hated its moroseness and asceticism, as well as its democratic and republican tendencies. The Presbyterians in Scotland and the Puritans in England, the two parties with whom he was at strife during his whole reign, were to a man Calvinists. The most ardent friends of monarchy and episcopacy, on the other hand, were many of them well known to be secretly disposed towards Arminianism, however they might find it necessary for the present to cloak their real sentiments. In truth, the hostility into which the two parties were thrown by their differences as to other matters naturally tended to divide them also in their purely speculative theology, and, since the Puritans were all Calvinists, to make the generality of churchmen Arminians. Such, accordingly, was fast coming to be the case towards the close of the present reign. And James himself went as far as he consistently could in the same direction in which the most active supporters of the established church were beginning to lead the way. He did not abjure his old Calvinistic articles of faith, but everything else of Calvinism he threw off and opposed by every means in his power. A few months before the assembling of the synod of Dort, he had published his Book of Sports;* or 'Declaration to encourage Recreations and Sports on the Lord's Day,' the object, according to a zealous episcopalian historian, being to counteract the evils occasioned by the Puritans, who, by raising the sabbath, had taken occasion to depress the festivals, and had introduced by little and little a general neglect of the weekly fasts, the holy time of Lent, and the embering days. "But this was not all the mischief that ensued," adds this contemporary authority; "for several preachers and justices of the peace took occasion from hence to forbid all lawful sports on the Lord's day, by means whereof the priests and Jesuits persuaded the people in the northern counties that the reformed religion was incompatible with that Christian liberty which God and nature had indulged to the sons of men; so that, to preserve the people from popery, his majesty was brought under a necessity to publish the Book of Sports."† If his majesty had made public proclamation of his disbelief in Christianity altogether, he could scarcely have more outraged the feelings of the puritanical party than by this declaration, in which it was announced to be his pleasure, "for his good people's recreation," "that after the end of divine service they should not be disturbed, letted, or discouraged from any lawful recreations; such as dancing, either of men or women, archery for men, leaping, vaulting, or any such harmless recreations; nor having of May-poles, Whitsun-ales, or morrice-dances, or setting up of May-poles, or other sports therewith used, so as the same may be done in due and convenient time, without impediment or let of divine service; and that women should have leave to carry rushes to the church for the decoring of it, according to their old customs." This method of driving away popery no doubt seemed to many very like the bringing back of some of its worst enormities. In fact, the anti-puritanism of James and his friends swung them round again towards the old religion in other respects as well as in this; and hence, during this and the next reign, Arminian sentiments in theology came to be generally held as implying inclinations both towards popery in the church and absolute government in the state, although there is certainly no reason for supposing that such tendencies have naturally any closer connexion with one side of the controversy about predestination and grace than with the other. And, notwithstanding all his professed Calvinism, James, in his

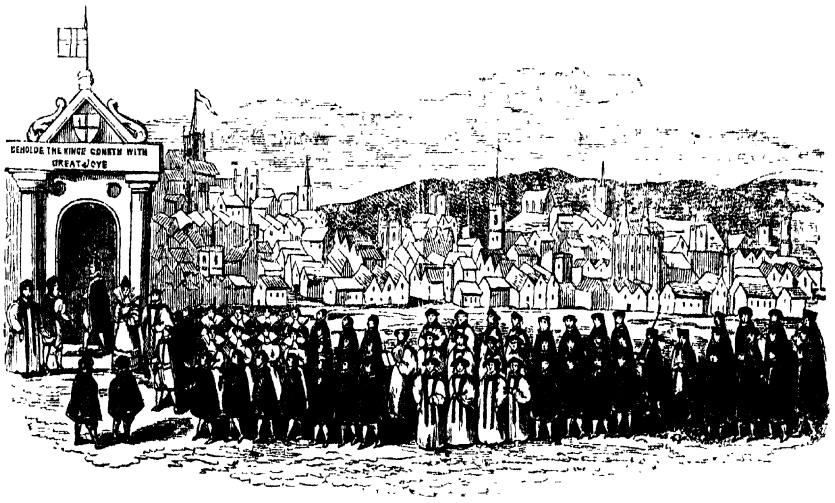
* See ante, pp. 47, 48.

* See ante, p. 67.

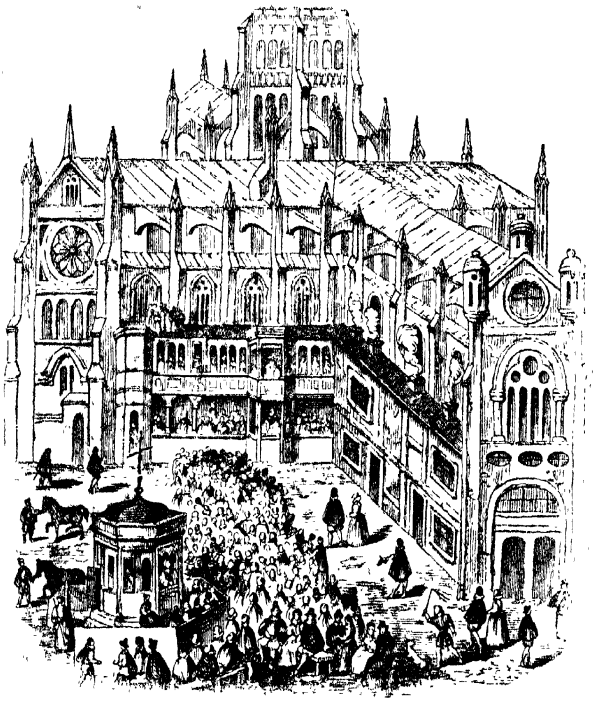
† Heylin, Hist. of Presbytery.

latter years, found himself driven by the force of political considerations into what might almost be called the direct discountenancing and discouragement of that mode of faith, and the patronage of its opposite. Abbot, the Calvinistic archbishop of Canterbury, ceased to have any influence at court, and was eventually disgraced and suspended; while Laud, Neile, Harsnet, Buckeridge, and others, his enemies or rivals, theological, political, and personal, were promoted to the richest bishoprics and other chief dignities in the church. In August, 1622, certain royal injunctions were issued to the clergy, having for their evident and all but avowed purpose the silencing of all such ministers as were most zealous in the inculcation of Calvinistic doctrines. Not only was preaching, the great weapon of the Puritanical and Calvinistic party, restrained and hampered by the order that no preacher, under the rank of a bishop or a dean, should in his sermons fall into any commonplace of divinity not to be found in the Thirty-Nine Articles or the Homilies, but it was moreover expressly commanded that no mere parish minister should presume to discourse to any popular auditory on the deep points of predestination, election, reprobation, the universality, efficacy, resistibility, or irresistibility of God's grace—in other words, upon any one of the doctrines peculiar to Calvinism. All persons offending against this regulation, or against another, which prohibited any preacher of any degree whatsoever from henceforth presuming in any auditory to declare, limit, or set bounds to the prerogative, power, or jurisdiction of sovereign princes, or to meddle at all with affairs of state, were made punishable with suspension for a year and a day, till his majesty should prescribe some further penalty with advice of the convocation. This was, if not an actual abjuration of Calvinism on the part of the king and the court party in the church, at the very least a distinct abandonment of all the distinguishing articles of that creed as essential articles of belief, which, in the view of Calvinistic orthodoxy, was quite as damnable a heresy as the absolute rejection or denial of them. On the other hand, the Arminian bishops and clergy were accused of making open advances towards popery fully as fast as they receded from Calvinism. To quote the summary of a modern ecclesiastical historian of Puritan principles, "the new bishops admitted the church of Rome to be a true church, and the pope the first bishop of Christendom. They declared for the lawfulness of images in churches; for the real presence; and that the doctrine of transubstantiation was a school nicety. They pleaded for confession to a priest, for sacerdotal absolution, and the proper merit of good works. They claimed an uninterrupted succession of the episcopal character from the apostles through the church of Rome, which obliged them to maintain the validity of her ordinations, when they denied the validity of those of the foreign Protestants. Further, they began to imitate the church of Rome in her gaudy ceremonies, in the rich furniture of their chapels, and the pomp of their worship. They complimented the Roman Catholic priests with their dignitary titles, and spent all their zeal in studying how to compromise matters with Rome, while they turned their backs upon the old Protestant doctrines of the Reformation, and were remarkably negligent in preaching or instructing the people in Christian knowledge."* Dissent of course throve under this neglect; and the more the heads of the church tended to Arminianism, to popery, and to the doctrine of absolutism in poli-

* Neal, Hist. Pur. i. 490.



PROCESSION OF JAMES I. TO ST. PAUL'S, accompanied by the Prince of Wales and many of the Nobility, on Sunday, March 26, 1620.



St. Paul's Cross, as it appeared during the services performed before James I. and his Court, Sunday, 26th March, 1620. The Cathedral in the back ground. From a Painting of the period.

This Cross was destroyed in 1643, by order of the Parliament.

tics, the farther and the faster did the people go on receding from all these things, and drifting over to Puritanism, Calvinism, and democracy.

Such was the state to which things had been brought when James died, and his son Charles came to reign in his stead. Notwithstanding, however, that the course of events from the beginning of the new reign continued to be in the highest degree favourable to the progress of the movement that had already advanced so far, it required still a space of some years to bring the gradually rising waters up to the bursting or overflowing point. The rush came at last from the north, and a dark-rolling inundation of presbytery soon filled the whole length and breadth of the land.

We have seen to what insignificance the general assemblies of the Scottish church had been reduced before the death of James; from the accession of Charles they were no longer suffered to be held at all. And even in the synods and presbyteries the bishops, who were in their own persons or by their nominees perpetual moderators of these subordinate courts, controlled everything: so that the great body of the clergy, so potent in the former popular constitution of the church, were now brought down to be mere parish priests, with little more to say in a legislative or regulating character than the common soldiery have in an army. The chief administration of ecclesiastical affairs was left in the hands of the primate, Archbishop Spotswood; but, although his power in this department was nearly absolute, it is admitted even by Presbyterian writers that Spotswood's government was not only able, but, upon the whole, as temperate and conciliatory as it well could have been in the circumstances, and that probably the convulsions which eventually broke out might have been prevented if his authority had been permitted to continue unimpaired and uninterfered with. From the very first, however, the archbishop was pressed upon with importunities to advance at a quicker step than he was inclined to take, both by some of his right reverend brethren, and more especially by the king himself, acting under the instigation of the restless and impatient Laud. Where no violent opposition was offered, conformity on the part of the clergy to the late restrictive laws which had been carried in the assembly and the parliament had not at first been very strictly enforced by Spotswood and the Scottish privy council; but within a few weeks after his accession Charles

wrote to the archbishop, informing him that he was determined that there should be an end of this laxity; and in July, 1626, he sent down a set of regulations, in which, although it was directed that such ministers as had been admitted before the assembly of 1618, and had previously preached against conformity, should be excused from obeying the five articles or canons of Perth for a little time till they should be better instructed, and that all those who had been banished, confined, or suspended should be replaced in their charges on giving security for their future good behaviour—indulgences and concessions probably obtained by Spotswood's representations—it was at the same time ordered that conformity to the said five canons should be strictly enforced on all who had been admitted to the ministry since the Perth assembly, and that a bond to that effect should be subscribed by every new entrant into the ministry at his admission.

About the same time, the further to exalt the hierarchy, his majesty hastened to confer upon Spotswood, its head, certain marks of dignity and pre-eminence which were as distasteful to the aristocracy as to the popular sentiment of the Scottish nation. First he was admitted by the royal command to a new office, that of President of the Court of Exchequer; and soon after, letters came down directing that, as primate and metropolitan, he should take place, as was the custom in England, before the lord chancellor, and of course before all others of the temporal nobility. To this transposition, however, Hay (afterwards Earl of Kinnoul), who then held the office of chancellor, "a gallant stout man," as Sir James Balfour, the annalist, calls him, never would submit. Balfour, who was lord-lyon-king-at-arms, and consequently conversant with such matters, relates an incident which vividly pourtrays the irritation and scorn excited in the breasts of the fierce and haughty Scottish nobles of that day, by the intrusion of these novel pretensions of the clergy. "I remember," says he, "that King Charles sent me to the lord chancellor (being then Earl of Kinnoul) the day of his coronation, in the morning, in anno 1633, to show him that it was his will and pleasure, but only for that day, that he would cede and give place to the archbishop: but he returned by me to his majesty a very brisk answer, which was, that since his majesty had been pleased to continue him in that office of chancellor, which, by his means, his worthy father of famous memory had bestowed upon him, he was ready in all humility to lay it down at his majesty's feet; but, since it was his royal will he should enjoy it with the known privileges of the same, never a stoned priest in Scotland should set a foot before him so long as his blood was hot. When I had related his answer to the king, he said, Weel, Lyon, let's go to business; I will not meddle further with that old cankered goutish man, at whose hands there is nothing to be gained but sour words."* Hay, accordingly, was troubled no more on the subject, till he died, about a year and a half after this (16th December, 1634), when Spotswood was immediately raised to the office of chancellor himself.

It is believed, however, that certain of his brethren had already been for some years at work in undermining the influence of the primate at court. Spotswood himself is said to have made no fewer than fifty journeys to London in the course of his primacy of about twenty-four years; but the opposition of temper between him and Laud made all this diligence of little effect. Excepting at the times of these short periodical visits, he had necessarily his hands fully occupied with the affairs of his two high offices, and little leisure either for cultivating court favour, or for watching and counteracting the intrigues of his opponents and rivals. A custom, too, had grown up of having one of the bishops generally resident in London, in order, as it was expressed, to deal with his majesty for the weal of the church, contributions being collected throughout the country for the maintenance of the persons who were successively sent up on this commission, which afforded the best opportunity for the more ambitious members of the bench to insinuate themselves into the good graces of Laud, and to seek to advance their fortunes by siding with him against their own metropolitan. In the pursuit of this object they adopted and made ostentatious profession of Laud's Arminian theology, as well as of his church and state politics; and while the openly avowed design of the measures which they urged forward was to bring the Scottish church, in discipline, in doctrine, and in ceremonies, into perfect conformity with the English, it was universally felt that they also desired to bring both churches nearer than either of them yet was to the original popish model in all these respects.

According to Burnet, Charles had, from the first, set his heart upon carrying through two designs in regard to the church of Scotland, "that his father had set on foot, but had let the prosecution of them fall in the last year of his reign." The first of these was the recovery of the tithes and church-lands; for which end we are told he determined to go on with and complete the project only begun, or rather only announced, by James, of annulling all the grants of property of this description made in the minority of the latter, and also to augment the spiritual lords in parliament to their old number by the restoration of the titular abbots. In this scheme, however, but little progress was made beyond the secret purchase from the two great families of Hamilton and Lennox of the abbey of Arbroath for the see of St. Andrew's, and the lordship of Glasgow for the other archbishopric. "These lords," says Burnet, "made a show of zeal after a good bargain, and surrendered them to the king. He also purchased several estates of less value to the several sees; and all men

* Annals. of Scot. ii. 142.

who pretended to favour at court offered their church lands to sale at a low rate." But no grants were, as had at first been threatened or intended, actually resumed without compensation. It may be also mentioned, in connexion with this matter, that when Charles came down to Scotland to be crowned, in 1633, he erected a new bishopric at Edinburgh; "and," says Burnet, in his gossiping way, "made one Forbes bishop, who was a very learned and pious man: he had a strange faculty of preaching five or six hours at a time: his way of life and devotion was thought monastic, and his learning lay in antiquity; he studied to be a reconciler between Papists and Protestants, leaning rather to the first, as appears by his *Considerationes Modestæ:* he was a very simple man, and knew little of the world; so he fell into several errors in conduct, but died soon after, suspected of popery, which suspicion was increased by his son's turning papist."*

The other grand project to which Charles was instigated by Laud and his partisans among the Scotch bishops, was the imposition of a Liturgy upon the church of Scotland—a measure which was carried farther, and which ere long set the whole kingdom in flames. To adopt the homely but expressive language of Balfour, writing in the time of the civil wars, this "was that business, the so much advancing whereof since has not only rooted out the bishops root and branch, but also ruined the king and his haill family. Thir [these] unhappy bishops, they were evil counsellors, but worse musicians; for they tempered their strings to such a clef of ambition and superstitious foolery, that, before ever they yielded any sound, they burst all in pieces."†

It appears that the first proposal made in the present reign for the introduction of a Liturgy into the Scottish church was brought forward in 1630, at a convention of the clergy called by the primate, at the king's command, for the express purpose of considering how the whole order of the church of England might be adopted in Scotland. Laud's representative, or emissary, upon this occasion, was a Mr. John Maxwell, then one of the ministers of Edinburgh, who a few years afterwards was made bishop of Ross, and after having been driven out of the country at the general overthrow of episcopacy in Scotland, obtained the bishopric of Killala in Ireland, and died Archbishop of Tuam, in 1646. Although several consultations upon the subject took place in the two following years, nothing was determined upon till Charles came down to Edinburgh to be crowned in 1633, when, as Clarendon tells us, "he carried with him the resolution to finish that important business in the church at the same time." "And many wise men," adds this historian, "were then, and still are, of opinion, that if the king had then proposed the Liturgy of the church of England to have been received and practised by that nation, it would have been submitted to without opposition." This, however, it is said, was opposed by the Scottish bishops, as they professed, in part on the ground that there were some things in the English Liturgy which could not be altogether defended, but principally from the apprehension that the popular feeling in Scotland, always jealous of England, might be inflamed by what would be construed as indicating an intention of making everything in the former country be overridden by the institutions and customs of the latter. The expedient of having a new Liturgy prepared for the special use of the Scots, "was so passionately and vehemently urged," says Clarendon, "even by the bishops, that, however they deferred to the minds and humours of other men, it was manifest enough that the exception and device proceeded from the pride of their own hearts." The fact, however, appears to have been, that the opposition to the adoption of the English Liturgy came from those of the bishops, namely, Spotswood and his friends, who would have been best pleased to go on as they had been doing without any appointed form of public worship at all, and that their chief motive for insisting upon the necessity of a new form was probably the hope that the thing might in that way be got rid of altogether. In the end it was determined that a Liturgy and a Book of Canons should be drawn up in Scotland, and then submitted for revisal to Laud, assisted by his brother prelates, Juxon and Wren. Burnet says expressly that the books "were never examined in any public assembly of the (Scottish) clergy; all was managed by three or four aspiring bishops—Maxwell, Sydserf, Whitford, and Ballantine, the bishops of Ross, Galloway, Dunblane, and Aberdeen."* The Book of Canons, the shorter and easier work, was the first begun, or at least the first finished: it was confirmed by letters patent under the great seal, dated 23rd May, 1635; and a proclamation was at the same time issued by the king for the due observance of the canons within his kingdom

* Own Time, i. 23. Bishop William Forbes, who before his elevation to the bench had been one of the ministers of Edinburgh, must not be confounded with either of his learned relations, Patrick Forbes, bishop of Aberdeen (1615-1635), and his son John Forbes, the author of several theological works written in Latin, which long enjoyed a high reputation. The friends of Bishop William Forbes indignantly deny the truth of the imputation of popery thrown upon him by Burnet. Burnet himself, in the preface to his Life of Bishop Bedel, 1685, has drawn a more favourable character of the Bishop of Edinburgh than that quoted in the text. He there says, "He was a grave and eminent divine; my father, that knew him long, and, being of counsel for him in his law matters, had occasion to know him well, has often told me that he never saw him but he thought his heart in heaven, and he was never alone with him but he felt within himself a commentary on these words of the apostles—Did not our hearts burn within us, while he yet talked with us, and opened to us the scriptures. He preached with a zeal and vehemence that made him often forget all the measures of time; two or three hours was no extraordinary thing for him." Bishop Forbes died within a year after he was raised to the bench. His only printed work, 'Considerationes Modestæ et Pacificæ Controversiarum de Justificatione, Purgatorio, Invocatione Sanctorum, Christo Mediatore, et Eucharistia,' did not appear till many years after his death, having been brought out at London in 1658, under the care, as it is thought, of Dr. Thomas Gale.

† Annals, ii. 140.

* Own Time, i. 26. Burnet's enumeration, however, is somewhat hasty and loose. Maxwell became bishop of Ross in 1628; Sydserf was translated from Brechin to Galloway in 1634; Whitford was promoted to the see, not of Dunblane, but of Brechin in 1634. Ballantine, or rather Ballenden, was translated from Dunblane to Aberdeen in 1634. Wedderburn, who became bishop of Dunblane in 1636, and Lindsay, translated from Brechin to Edinburgh in 1631, are mentioned as two of the bishops of Laud's party who had a chief hand in this business, by other authorities.

of Scotland. "It was a fatal inadvertency," observes Clarendon, "that these canons, neither before nor after they were sent to the king, had been ever seen by the assembly, or any convocation of the clergy, which was so strictly obliged to the observation of them; nor so much as communicated to the lords of the council of that kingdom; it being almost impossible that any new discipline could be introduced into the church which would not much concern the government of the state, and even trench upon or refer to the municipal laws of the kingdom." It was also strange and much to be regretted, he thinks, that the canons should have been published before the Liturgy, seeing that several of them, to which the whole body of the clergy were to swear to submit and pay all obedience, expressly enjoined a punctual compliance with the ritual and form of worship which yet remained unsettled, or at least unannounced. It may, indeed, be questioned if any more prudent or dexterous management of the business would have prevented the flame which actually broke out; but, certainly, whether we look to the character and substance of the proposed innovations, or to the manner and circumstances of their introduction, nothing could have been better fitted to provoke the simultaneous aversion and revolt against them of all classes of the Scottish nation—of the aristocracy, as well as the clergy and the general mass of the people. The canons, as Clarendon remarks, in the mere mode in which they were prepared and published, "appeared to be so many new laws imposed upon the whole kingdom by the king's sole authority, and contrived by a few private men, of whom they had no good opinion, and who were strangers to the nation; so that it was thought no other than a subjection to England by receiving laws from thence." Then, he also acknowledges, "they were so far from being confined to the church, and the matters of religion, that they believed there was no part of their civil government uninvaded by them, and no persons, of what quality soever, unconcerned, and, as they thought, unhurt in them." Among other novel extravagancies contained in these canons, which filled all men with alarm, were the unlimited extent assigned to the royal power and prerogative, which was expressly declared to be according to the pattern of the kings of Israel; the severe restrictions laid upon ecclesiastical persons, as, for example, that none of them should become surety for any man, and that all of them, from bishops inclusive, who died without children, should be obliged to bequeath a considerable part of their property to the church, and even if they should have children, still to leave something to the church, or for the advancement of learning; that no person should officiate as a teacher, either publicly or privately, without having first obtained a license from the archbishop of the province, or the bishop of the diocese. These and other things of the same kind the great royalist historian oddly thinks might have been "fit to be commended to a regular and orderly people piously disposed;" but he admits that the whole mess was "too strong meat for infants in discipline, and too much nourishment to be administered at once to weak and queasy stomachs, and too much inclined to nauseate what was most wholesome." In doctrine also, of course, the new canons were all that was most abhorrent to presbyterian consciences; in some points, indeed, they were thought to go to the very verge of popery, particularly in their assignment of the power of absolution to the bishops, and in the injunction "that no presbyter should reveal anything he should receive in confession, except in such cases where by the law of the land his own life should be forfeited"—the practice of confession, under whatsoever restrictions, being looked upon by most Protestants, to adopt the expression of Clarendon, "as the strongest and most inseparable limb of antichrist." The proper positions of the font, and of the altar or communion-table, in every church, were moreover set down with all the punctiliousness which Laud held to be requisite in such matters, but which many other Christians, and especially those of Scotland, were accustomed to look upon as the height of puerility and superstition. In all things, in short, these canons were designed and fitted to bring the Scottish church into as exact conformity as possible with the Arminian, half-popish model which Laud had established in England.

It was more than a year after the publication of the Book of Canons before the Liturgy was ready. It is said that the first edition of the latter work, after it was printed off, proved so unsatisfactory to Laud, that it was sold for waste paper. Ultimately, by his alterations, it was brought, as his opponents alleged, to be little better than an English translation of the Roman Missal; and in this form it was at last published, and the use of it enjoined by royal proclamation, in December, 1636. It was at first directed that the new service should begin to be read in all the churches at the following Easter; and the more impatient zeal of Maxwell, Wedderburn, and Whitford, the Bishops of Ross, Dunblane, and Brechin, did, in fact, introduce it then in those three dioceses. Spotswood and his party, however, had in the mean time strongly advised that more time should be allowed to prepare the public mind for the change; and, in compliance with their representations, it had been resolved that the great innovation should be put off till the autumn. Finally, it was arranged that the reading should be begun, by way of experiment or example, only in the churches of Edinburgh and the immediate neighbourhood, on Sunday, the 23rd of July, "to the end that the lords of the session, and others who had any law business, might see the success of it before the rising of the session," on the first of August, and so might report what had been done to all parts of the country on their return home.* This determination seems to have been taken with the same precipitancy and want

*Rushworth, ii. 387.

of proper provision and forethought that had marked the management of the business from the first. According to Clarendon, even the privy council, or Scottish government, received no further notice of what was intended to be done than the public announcement made on the preceding Sunday to the whole kingdom, when it was intimated from the pulpits that the Liturgy would be read on that day week. But no country, in truth, was ever more strangely circumstanced in respect of the administration and superintendence of public affairs than Scotland was at this most critical moment. In England, as Clarendon observes, "there was so little curiosity, either in the court or the country, to know anything of Scotland, or what was done there, that, when the whole nation was solicitous to know what passed weekly in Germany, Poland, and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette."* Scottish affairs were never mentioned at the English council-board;—indeed, as the same historian informs us, "the king himself had been always so jealous of the privilege of that his native kingdom, and that it might not be dishonoured by a suspicion of having any dependence upon England, that he never suffered anything relating to that to be debated, or so much as communicated to his privy council in this, but handled all those affairs himself with two or three Scotsmen, who always attended in the court for the business of that kingdom." Of these Scottish managers at this time resident in London, the chief was the Marquess of Hamilton, whose influence was so predominant, that all matters are said by Clarendon to have been dispatched by his sole advice and direction; but the head of the administration in Scotland was the lord treasurer, the Earl of Traquair, a person whom the favour of Charles had within a few years advanced to that high rank and office from the station of a private gentleman.† "He was," says Burnet, "a man of great parts, but of too much craft; he was thought the capablest man for business, and the best speaker in that kingdom." But Traquair, after all, was only the chief of one of the parties in the Scottish government; the whole was a confused scene of faction and intrigue, in which the management of public affairs was little better than a miserable contention of private interests and personal rivalries and animosities. The lord treasurer, it is said, had been made the enemy of Spotswood by the primate having been the means of preventing his marriage with a wealthy heiress, and he had thereupon thrown himself into the interest of Laud, so that, when the affair of the Liturgy was in hand, he was, according to Clarendon, "the only counsellor or layman relied upon by the Archbishop of Canterbury in that business." But if Traquair was lord treasurer, Spotswood was both lord primate and lord chancellor: his son also held the high office of president of the College of Justice, or supreme court of civil jurisdiction; and, if the three or four bishops who supported Traquair and Laud were the most active and fiery spirits of the hierarchy, Spotswood still drew after him the great majority of the right reverend bench. But the worst of all was, that neither faction in the government possessed any real hold or authority in the country: the politics of Laud and the politics of Spotswood—the views of the more ardent and impetuous, and those of the more timid and temporizing, among the bishops—were nearly equally detested by the general opinion of all classes in the community. Episcopacy had fairly succeeded in acquiring the hatred alike of high and low—of some, indeed, only by its opposition to their prejudices or their interests, but of many others by much in the conduct and demeanour of the bishops that was offensive to their conscience, their reason, and their best feelings. Authorities the least liable to the imputation of any Presbyterian partialities concur in admitting that the bishops mainly drew upon themselves, by their own rashness, arrogance, and grasping ambition, the storm by which they were now assailed. We have seen above in what terms Burnet speaks of the Scottish bishops in the latter part of the reign of James. In the next reign he describes them as having all become "so lifted up with the king's zeal, and so encouraged by Archbishop Laud, that they lost all temper;"* he speaks of "the fury of their proceedings," and observes, both of them and of the other persons associated with them in conducting the affairs of the kingdom, that they "had as little of the prudence of the serpent as of the innocence of the dove."† Clarendon, after admitting that the bishops of Scotland "had very little interest in the affections of that nation, and less authority over it," disapproves of the expedient adopted by Charles to "redeem them from contempt,"—the placing them in high civil offices,—as both premature and otherwise injudicious: "it had been better," he says, "that invidious promotion had been suspended till, by their grave and pious deportment, they had wrought upon their clergy to be better disposed to obey them, and upon the people to like order and discipline;" and he adds, "This unreasonable accumulation of so many honours upon them, to which their functions did not entitle them (no bishop having been so much as a privy counsellor in very many years), exposed them to the universal envy of the whole nobility, many whereof wished them well as to their ecclesiastical qualifications, but could not endure to see them possessed of those offices and employments which they looked upon as naturally belonging to themselves; and then the number of them was thought too great, so that they overbalanced many debates;

* That is, newspaper.

† "At this time a private gentleman of the name of Stewart was become so considerable, that he was raised, by several degrees, to be made Earl of Traquair and lord treasurer, and was in great favour; but suffered afterwards such a reverse of fortune, that I saw him so low that he wanted bread, and was forced to beg, and it was believed died of hunger."—*Burnet, Own Time*, i. 24.

* Own Time, i. 26.

† Ibid. 27.

and some of them, by want of temper, or want of breeding, did not behave themselves with that decency in their debates towards the greatest men in the kingdom as in discretion they ought to have done, and as the others reasonably expected from them: so that, instead of bringing any advantage to the church, or facilitating the good intentions of the king in settling order and government, it produced a more general prejudice to it."* And in a subsequent part of his narrative the noble historian remarks that the quietness of the people for a short time after the chief places in the state were thus bestowed upon churchmen, although it was at first interpreted to proceed from a newly-begotten affection and reverence towards the church and a disposition to submit to the proposed innovations in the mode of worship, yet appeared afterwards really "to be from the observation they made of the temper and indiscretion of those bishops in the greatest authority, that they were like to have more advantages administered to them by their ill managery than they could raise by any contrivance of their own."† Still more openly are the same and other charges advanced by the contemporary annalist, Spalding, a Scottish episcopalian, and a bitter enemy of presbytery and puritanism, who enumerates among the provocations that aroused the revolt against the church to which he belonged "the pride and avarice of the prelates, seeking to overrule the haill kingdom;"—"their inbringing of innovations within the church, such as rochets worn by prelates in time of service at divers churches, &c."—and their "intolerable greediness, seeking to reduce noblemen's rights upon slight reasons."‡ He professes, indeed, to state these simply as the grounds on which the "menzie of miscontented Puritans," by whom the first opposition to the Liturgy was secretly organized, and among whom he, improbably enough, maintains both Traquair and Hamilton were leagued with Alexander Henderson and his clerical brethren, founded their "clandestine band;" but, at the same time, he evidently admits the facts, however much inclined to condemn the use made of them on that occasion.

The great scene of the reading of the new service-book in the cathedral church of St. Giles has been already described, along with the rest of the sweeping revolution in church and state, in England as well as in Scotland, which followed that first outbreak of the popular fury.§ The service-book, the bishops themselves, and every rag and remnant of episcopacy were blown away out of Scotland to the four winds of heaven by the first breath of that tempest. "After this Sunday's work," writes Spalding, "the haill kirk-doors in Edinburgh were locked, and no more preaching heard; the zealous partisans flocked ilk [each] Sunday to hear devotion in Fife, syne [then] returned to their houses, while [till] they got preaching at home." The work of the harvest interrupted that of the new reformation for a few weeks; but the storm only gathered strength from that pause, and when it began to blow again it soon spread itself on all sides till it shook the remotest corners of the kingdom. In the month of November, Spalding records, "Walter Whitford, bishop of Brechin, upon a Sunday, within the kirk of Brechin, using his English service, as he had often done before without impediment in that kirk, the people got up in a mad humour, detesting this sort of worship, and pursued him so sharply, that hardly he escaped out of their hands unslain, and forced for safety of his life to leave his bishopric and flee the kingdom." By the following spring even the most northern parts of the kingdom, which had always been the strongest holds both of episcopacy and popery, were enveloped by the spreading and triumphant revolt. "The Bishop of Ross" (Maxwell), notes the Aberdeen chronicler, "having used the service-book peaceably within the chantry kirk of Ross each sabbath-day by the space of two years, he, upon the 11th of March, being Sunday, causes, as his custom was, lay down a service-book upon the reader's desk, and upon some other gentlemen's desks besides, who used the same, about the ringing of the first bell to the preaching; but before the last bell was rung certain scholars came in pertly to the kirk, and took up thir haill service-books, and carried them down to the Ness with a coal of fire, there to have burnt them altogether; but there fell out such a sudden shower, that before they could win to the Ness the coal was drowned out. The scholars, seeing this, they tore them all in pieces, and threw them into the sea; the bishop, hearing of this, miskens [passes over] all wisely, comes to church, and preaches, wanting service-books. He had soon done with sermon, and thereafter hastily goes to horse, and spake with the Bishop of Murray, syne spake with the Marquess of Huntley, and, privately disguised, he rode south, and to the king goes he directly;—a very busy man thought to be in bringing in this service-book, and therefore durst not, for fear of his life, return to Scotland again." A few months later—in August, apparently—the following entries occur in the same record: "The Archbishop of St. Andrew's, an old reverend man, high chancellor of Scotland, is forced, for fear of his life, to flee into England for safety and refuge at the king's hands. The bishops of Ross, Brechin, Galloway, and Dunblane, went all to him also for relief; the king was very sorry at their overthrow, but could not for the present mend it: however, he gives order for their maintenance. The Bishop of Edinburgh goes also; the Archbishop of Glasgow, lying bedfast, might not move; the Bishops of Aberdeen, Murray, and the rest, bide at home for a while in rest. The glorious organs of the chapel royal were broken down masterfully [lawlessly], and no service used there, but the haill chaplains, choristers, and musicians

* Hist., i. 88 (Edit. 1717). † Id. 104.

‡ History of the Troubles and Memorable Transactions in Scotland, from 1624 to 1645; from the original MS. of John Spalding, then Commissary Clerk of Aberdeen. 2 vols. 12mo. Aberdeen. 1792.

§ See ante, pp. 182, *et seq.*

are discharged, and the stately organs altogether destroyed and made useless. These uncouth alterations bred horrible fears in the hearts of the country people, not knowing what to do, or whom to obey." Some curious details of the same kind have been preserved by another contemporary chronicler, the celebrated Robert Baillie, whose letters and journals, or rather some selections from them, were published in the latter part of the last century.* As Baillie was a Presbyterian, though at this time one of the most moderate, as he always was one of the most learned and able, of his party, it becomes the more interesting to compare his accounts of events and of the state of the popular mind with those of the episcopalian commissary clerk of Aberdeen. In one of the earliest of his letters he thus describes the effects of a sermon preached at Glasgow on the last Thursday of August, 1637, by Mr. William Annan, at the command of the archbishop of the diocese: "In the last half of his sermon, from the making of prayers he ran out upon the Liturgy, and spake for the defence of it in whole, and sundry most plausible parts of it, as well, in my poor judgment, as any in the isle of Britain could have done, considering all circumstances. . . . Of his sermon, among us in the synod, not a word; but in the town, among the women, a great din. To-morrow Mr. John Lindsay, at the bishop's command, preached. He is the new moderator of Lanark. At the ingoing of the pulpit it is said that some of the women in his ear assured him, that, if he should touch the service-book in his sermon, he should be rent out of the pulpit. He took the advice and let that matter alone. At the outgoing of the church about thirty or forty of our honestest women, in one voice, before the bishop and magistrates, fell a railing, cursing, scolding, with clamours, on Mr. William Annan. Some, too, of the meanest were taken to the Tolbooth. All the day over, up and down the streets where he went, he got threats of sundry in words and looks; but, after supper, while needlessly he will go to visit the bishop, who had taken his leave with him, he is no sooner on the street, at nine o'clock, n a dark night, with three or four ministers with him, but some hundreds of enraged women, of all qualities, are about him, with neaves, staves, and peats, but no stones. They beat him sore; his cloak, ruff, and hat were rent; however, upon his cries, and candles set out from many windows, he escaped all bloody wounds; yet he was in great danger even of killing. This tumult was so great, that it was not thought meet to search either the plotters or actors of it, for numbers of the best quality would have been found guily. To-morrow poor Mr. William was conveyed with the baillies and sundry ministers to his house; for many women were waiting to affront him more. Always [however] at his on-leaping, his horse unhappily fell above him in a very foul mire, in presence of all the company; of which accident was more speech than of any other."* "I think our people," says Baillie, in a letter written soon after this to his friend Spang, minister of the Scotch congregation at Campvere, "possessed with a bloody devil, far above anything that I could ever have imagined, though the mass in Latin had been presented. The ministers, who have the command of their mind, disavow their unchristian humour, but are noways so zealous against the devil of their fury as they are against the seducing spirit of the bishops. . . . Ye and all your neighbours had much need to pray for us, as we have oft done for you in your dangers. The massacre of Paris, the Catholic league of France, is much before my eyes; but I hope the devil shall never find a Duke of Guise to lead the bands."† In another letter to Spang he thus notices the catastrophe of the Bishop of Brechin:—This prelate had been advised, it seems, both by the treasurer and chancellor, as well as by his brother bishops, to forbear the book for a time; "but he, being resolved," says Baillie, "to serve the king in a time when other feeble cowards couched, would not be counselled, but on the Sunday following went to the pulpit with his pistols, his servants, and, as the report goes, his wife, with weapons. He entered early, when there were a few people, closed the doors, and read his service: but when he had done, he could scarce get to his house; all flocked about him, and had he not fled, he might have been killed. He durst never try that play over again."‡ In the following spring (under date of 8th April, 1638), our letter-writer, addressing himself to the same correspondent abroad, thus describes the state of Scotland:—"Our country is at the point of breaking loose; our laws this twelve months has been silent; divers misregard their creditors; our highlanders are making ready their arms, and some begin to murder their neighbours. Douglas, Abercorn, and Semple, are openly arming among us; readily, after their example, other noblemen will provide presently their houses with musquets, pikes, powder, and lead."

Meanwhile, the Four Tables had been established, and the "Confession of Faith of the Kirk of Scotland, and General Band for maintenance of the True Religion and the King's Person," afterwards known by the name of the Covenant, had been drawn up at Edinburgh in February, 1638, and had been subscribed and sworn to there, and in all parts of the country, as has been already related.§ The height to which the hurricane had now risen daunted the stoutest hearts in the Scottish council; and from this time we find even Laud's former confidant and coadjutor, Traquair, strenuously urging forbearance and concession, to the extent even of the complete revocation of the obnoxious service-book; a course which exposed the lord

* Letters and Journals, written by the deceased Mr. Robert Baillie, Principal of the University of Glasgow. 2 vols. 8vo. Edin. 1775.—These two volumes, now become very scarce, are said to contain only a very small portion of the papers left by Baillie, several manuscript copies of which are still preserved in Scotland.

* Letters, i. 9. * Id. p. 11. † Ib. p. 24.
‡ See ante, pp. 186, &c.

treasurer to the suspicion, on the part of many of the episcopalians, of having been all along secretly in league with their opponents—indeed, of having been one of the original instigators and contrivers of the insurrection: in which light, as we have seen, he is regarded by Spalding;—although his conduct is much more consistently and probably accounted for by the mere revolution of circumstances operating upon a character such as his, which the want of any deep convictions made unstable and pliable to the current of events; and to which, notwithstanding that he was entirely the creature of the royal favour, an eager ambition of popularity is attributed by those who knew him best. He seems, besides, to have been rather a quick and dexterous than an able man in any higher sense, and his discernment of the signs of the times and talent for temporary expedients would combine with his indifference about the principles that were involved in the contest, to draw him over, as soon as the danger became imminent, to what was, if not the best policy in the largest view, at least the shortest and easiest cut to peace and present deliverance.

The meeting of the famous General Assembly of November, 1638, at Glasgow,—the first that had been called since that held at Perth twenty years before, may be regarded, if not as the legal re-establishment of Presbyterianism in Scotland, at least as its actual restoration to all intents and purposes.* From the day on which that convocation opened till the conquest of the country by Cromwell, the kirk rejoiced in a freedom and ascendancy such as it had never before known: it may be said, indeed, to have reigned, during these thirteen or fourteen years, uncontrolled and supreme, for there was no power either in the government or in the country all that while that was disposed, or, if disposed that dared, to question its authority, or stand in the way of any of its demands or ordinances. Even in the public affairs of the state, the voice of the clergy, carrying along with it, as it did, the almost undivided force of the popular sentiment, and of whatever then existed that would be now called public opinion, could not but be attended to in any case in which it was strongly and earnestly expressed; and the perfect mechanism of the ecclesiastical system afforded them all facilities for making themselves thus effectively heard whenever they desired to exert their influence. In their pulpits and in their church courts they had at their command an enginery as potent at any time to make all the constituted authorities of the state bend before them, as were the rams' horns of the priests and the shouts of the people in the camp of Joshua to throw down the walls of Jericho. Over the minds and consciences of men, so far as their sway extended, the papal church itself in the darkest ages never enjoyed a more absolute despotism. It may be doubted if even auricular confession itself has ever in any country conferred upon the Roman priesthood so all-pervading a controul over human actions as the Presbyterian clergy of Scotland exercised at this time over the daily walk and conversation of every man, woman, and child composing their flocks. They were by no means scrupulous about interfering even with matters properly coming under the superintendence of the law of the land; but over the whole of that other department of conduct and demeanour which constitutes the dominion of morality, as distinguished from the comparatively insignificant province of mere legal sanctions and regulations, their fiats and frowns were held by the great bulk of the community to be hardly less terrible than those of the Divinity himself. It happened, too, that in this the era of its highest and haughtiest ascendancy at home, Scottish Presbyterianism also extended its conquests beyond its native boundaries, and, throwing down prelacy in England, as it had done to the north of the Tweed, stood forth for a time as the established faith of the whole island. This period, accordingly, looked upon by the admirers of the kirk as the brightest in its history, is, at least, the most illustrative of the true spirit and genius of Presbytery, and of the operation of that form of ecclesiastical polity when allowed its full swing.

The storm of the national excitement in which the covenant was born and cradled still blew when the clerical and lay representatives of the resuscitated church thronged to meet and soon to set at defiance the king's representative at Glasgow. Baillie, who, decided as he afterwards became, was then one of a very few members—not to be designated a party—inclined to more moderate courses than the great body of the clergy, was not a little shocked at the scene of turbulence which the assembly displayed. "On Wednesday, the 21st of November (the first day of meeting), with much ado," he says, "could we throng into our places, an evil which troubled us much the first fourteen days of our sitting. The magistrates with their town-guard, the noblemen with the assistance of the gentry, whiles [sometimes] the commissioner in person, could not get us entry to our rooms, use what force, what policy they could, without such delay of time and thrusting through, as grieved and offended us. Whether this evil be common to all nations at all public conferences, or if it be proper to the rudeness of our nation alone, or whether thir [these] late times and admiration of this new reformation have at all public meetings stirred up a greater than ordinary zeal in the multitude to be present for hearing and seeing, or what is the special cause of this irremediable evil, I do not know; only I know my special offence for it, and wish it remeided above any evil that ever I knew in the service of God among us. As yet no appearance of redress. It is here alone, I think, we might learn from Canterbury—yea, from the pope—yea, from the Turks or Pagans, modesty and manners; at least, their deep reverence in the house they call God's ceases not till it have led them to the admiration of the timber and stones of

* See ante, pp. 195—199.

the place. We are here so far the other way, that our rascals, without shame, in great numbers, make such din and clamour in the house of the true God, that if they minted [attempted] to use the like behaviour in my chamber, I would not be content till they were down the stairs."* The occasion, however, it must be admitted, was one that might well excuse all this eager crowding to hear and see.

Baillie has left us a very full and graphic account of the proceedings of this Assembly;† but we can only here afford to run rapidly over their principal acts.‡ Of these the first of a distinctly revolutionary character was that condemning the six last assemblies, namely, those of Linlithgow in 1606 and 1608, of Glasgow in 1610, of Aberdeen in 1616, of St. Andrew's in 1617, and of Perth in 1618; and declaring all "and every one of them to have been from the beginning unfree, unlawful, and null assemblies, and never to have had nor hereafter to have any ecclesiastical authority, and their conclusions to have been and to be of no force, vigour, nor efficacy." The reasons for this condemnation in the case of each were at the same time carefully set forth and put upon record. This act was passed on the 4th of December, which was the twelfth session of the Assembly. On the 5th an act was passed, declaring the oaths and subscriptions that had been exacted by the prelates from the entrants into the ministry to be unlawful and in no way obligatory; and on the 6th another, stated to be adopted by the Assembly "all in one voice," rejecting, condemning, and abolishing the use of the service-book, the book of canons, and the book of ordination; and also condemning and disallowing the court of High Commission, "as unlawful in itself, and prejudicial to the liberties of Christ's kirk and kingdom." This was followed on the 8th by a very long act, which was not agreed to till after a protracted discussion, not only declaring that all episcopacy was to be abjured and removed out of the kirk, but endeavouring to maintain, by an elaborate array of facts and reasonings, that the same general and unqualified abjuration of episcopacy was implied in the confession of faith, commonly called the "King's Confession," of 1580. Baillie informs us that he was one of a minority who objected to this latter proposition, than which, indeed, as we have endeavoured to show in a preceding page,§ nothing could be a greater misrepresentation of the truth. At the next sitting, on the 10th, it was voted, in the same spirit, by "the whole assembly, all in one consent, one only excepted," that the five articles of Perth were, in like manner, abjured by the same confession of 1580, and so ought to be removed out of the kirk; and therefore the court prohibited and discharged all disputing for them, or observing of them, or any of them, in all time coming; and ordained presbyteries to proceed with the censures of the church against all transgressors.

But that which consummated the process of purifying the kirk from its recent corruptions, was a series of acts deposing, and in some instances also excommunicating, all the bishops, and several likewise of the inferior clergy who adhered to episcopacy. One act, directed against Spotswood and Patrick Lindsay, the two "pretended" archbishops, David Lindsay, Sydserf, Maxwell, and Whitford "pretended" bishops, of Edinburgh, Galloway, Ross, and Brechin, declared them guilty of the breach of the cautions agreed upon in the assembly held at Montrose in 1600, for restricting the minister voter in parliament;* and for this, and also "for sundry other heinous offences and enormities, at length expressed and clearly proven in their process, and for their refusal to underlie the trial of the reigning slander of sundry other gross transgressions and crimes laid to their charge," ordained them to be deposed, not only from their office of commissioners to vote in parliament, council, or convention in the name of the kirk, but from all functions whether of pretended episcopal or ministerial calling, declared them infamous, and ordained them to be excommunicated and held by all and every one of the faithful as heathens and publicans. A second act passed exactly the same sentence, on the same grounds, against Ballantine, bishop of Aberdeen, and Wedderburn, bishop of Dunblane. By a third, Guthrie, Graham, Fairly, and Campbell, bishops of Murray, Orkney, Lismore (or Argyle), and the Isles, were deposed, but only ordained to be excommunicated in case they should not acknowledge that assembly, reverence the constitution thereof, obey their sentence, and make their repentance. Graham and Fairly in fact both submitted, and became Presbyterian parish ministers. So did Alexander Lindsay, the bishop of Dunkeld, who was deposed by a fourth act. In the two last-mentioned acts, it is to be observed, the clause imputing sundry proved heinous offences and enormities was omitted; as it also was in the fifth and last act of the series, which, in like manner, deposed Abernethy, bishop of Caithness, but declared that the assembly would admit him to the ministry of a particular flock if he would acknowledge its authority and make his repentance. In all the cases, both of the bishops and inferior clergy, the rule seems to have been to be as tender as possible to the characters of any whom it was thought there was a chance of winning over to the new order of things, but to keep no measure in bespattering and blackening those who were likely to stand fast by their old profession. It may be reasonably as well as charitably presumed that, in several instances at least, the real and only proved crime, after all, of the person denounced as guilty of the sundry unspecified enormities, was merely his obstinate attachment to episcopacy, or his being so committed to that side that there was no reason to

* Letters, p. 96. † Ibid., pp. 91—150.
‡ A True Copy of the whole printed Acts of the General Assemblies of the Church of Scotland (from 1638 to 1649). 12mo. 1682. pp. 1—71.
§ See ante, pp. 439, 440.

* See ante, pp. 450, 451.

hope for his accession to the other. A great deal of evidence however was actually brought forward of the scandalous lives of some of those against whom sentence of excommunication was passed. Several of the bishops and others were accused of adultery, drunkenness, and other gross immoralities. "But of all our monstrous fellows," says Baillie, "Mr. Thomas Forster, at Melross, was the first, composed of contraries, superstition and profanity. He was accused of avowing that said service was better than preaching,—that preaching was no part of God's essential worship,—that all prayer should be read out of books. He made his altar and rails himself, stood within, and reached the elements to those who kneeled without. He avowed Christ's presence there, but whether sacramentally, or by way of consubstantiation, or transubstantiation, he wist not, but thought it a curiosity to dispute it. He maintained Christ's universal redemption, and that all that was in our service-book was good. Yet he used to sit at preaching and prayer; baptise in his own house; made a way through the church for his kine and sheep; made a waggon of the old communion-table to load his peats in; [maintained] that to make the Sabbath a moral precept was to judaize; that it was lawful to work on it; he caused lead his oxen on it; that our confession of faith was faithless, only an abjuration of better things than those we swore to; he kept no thanksgiving after communion; affirmed our reformers to have brought more damage to the church in one age than the pope and his faction had done in a thousand years. This monster was justly deposed."

Other acts of this Glasgow assembly restored general assemblies and the other church courts to all their former privileges, liberties, powers, and jurisdictions, and laid down other regulations and arrangements necessary for the complete restoration of the Presbyterian polity. By one act the assembly, "most unanimously with one voice, with the hesitation of two alanerly [only]," declared that it was both inexpedient and contrary to the laws of the kirk, "for pastors separate unto the gospel to brook civil places and offices, as to be justices of peace, sit and discern in council, session, or exchequer, to rede or vote in parliament, to be judges or assessors in any civil judicatory." If this act sounds like a stern rejection of some of the most coveted objects of human ambition in their ordinary form, the next fully vindicates the kirk from the suspicion of having intended to cast from it more than the obnoxious outward show of civil power; a show which, in the circumstances of the present case, would have only impaired or destroyed the substance. It must be confessed that we have here a specimen of Presbyterian arrogance and intolerance, such as never was surpassed either by prelacy or popery—"Considering," the act says, "the great prejudice which God's kirk in this land hath sustained these years by-past by the unwarranted printing of libels, pamphlets, and polemics . . . and remembering the former acts and custom of this kirk, as of all other kirks, made for restraining these and the like abuses; *and that nothing be printed concerning the kirk and religion except it be allowed by those whom the kirk entrusts with that charge;* the assembly unanimously, by virtue of their ecclesiastical authority, dischargeth and inhibiteth all printers within this kingdom to print any act of the former assemblies, any of the acts or proceedings of this assembly, *any confession of faith, any protestations, any reasons,* pro or contra, *anent the present divisions or controversies of this time, or any other treatise whatsoever, which may concern the kirk of Scotland, or God's cause in hand,* without warrant subscribed by Mr. Archibald Johnston, the clerk to the assembly, &c., *or to reprint without his warrant any acts or treatises foresaid, which he hath caused any other to print.*" Here is nothing less than an assumption of the right of controlling all the printing of the kingdom, at least in the departments of theology and ecclesiastical politics; and that too, it may be observed, without any pretence that the claim so put forth is sanctioned by the law of the land, or, indeed, the slightest reference to that law. It is true that the punishment with which presbyteries are directed to visit transgressors is merely the execution against them of ecclesiastical censures; but the church of Rome itself, in its most audacious stretches of power, never went farther than this: its uniform practice was, when it touched life or limb, to hand over its victims to be mutilated or put to death by the fiat of the civil magistrate. And here, too, we have that very principle and mode of procedure indicated and directed: for the assembly conclude their act by declaring themselves to be confident that, to the effective furtherance of its objects, "the honourable judges of this land will contribute their civil authority;"—a hint which, as matters stood, was in no danger of being disregarded.

Before quitting the scene of this sudden re-edification of the Presbyterian polity, we may note an instance of the way in which men's minds were stirred and awakened, and their views and opinions rapidly revolutionized, by the great events that had begun to hurry them onward, making them live a whole lifetime of ordinary experience in a few months. "I was lately," says Baillie, writing a few weeks after the rising of the Glasgow assembly, "of the mind that in no imaginable case any prince might have been opposed. I incline now to think otherwise." "In all our questions," he adds, "I confess no change but of this only." He attributes his conversion mainly to Bilson's work, *De Subjectione;* for the more democratic reasonings and conclusions of Parus, Buchanan, and Junius Brutus, he tells us, he yet loathes at. He admits, however, that the turn his mind had taken had been confirmed by a certain paper lately sent abroad from the court with the approval of Archbishop Laud, the extravagance of which seems indeed to have been enough to

shock a loyalty or credulity of the very largest swallow. "They will have us believe," says Baillie, "that our whole state, were they to be all killed in one day, or to be led to Turkism, to be spoiled of all liberty, goods, life, religion, all; yet they may make no kind of resistance. The conclusion is horrible, and their proofs so weak, for all their diligence and learning, that I like it much worse than I did." In the rush of extraordinary changes in the midst of which he was thrown, Baillie soon got rid of his scruples upon various other points as well as upon this.

From this time the general assembly continued to meet every year down to the year 1652 inclusive, the time and place of each meeting being always appointed by the preceding assembly, without the interference of either king's commissioner, or any other authority in the state. Its acts, and other published proceedings, are our best authority for the history of the kirk, and the manner in which it exercised its power, during this period of its unshackled domination.

In the assembly which met at St. Andrew's in July, 1642, it was resolved, that a supplication should be presented to the council for the due execution of the acts of parliament and council against Papists. For this purpose it was at the same time ordered, that every presbytery should "convene at their first meeting all Papists in their bounds, and require them to put out of their company all friends and servants who are popish within one month; also within that same space to give their children, sons and daughters, who are above seven years old, to be educate, at their charges, by their Protestant friends, as the presbytery shall appoint, and find sufficient caution for bringing home within three months such of their children who are without the kingdom, to be educate in schools and colleges at the presbytery's sight; to find caution likewise of their abstinence from mass, and the company of Jesuits and priests." Ever since the Reformation the laws in Scotland, as well as in England, had altogether prohibited the profession of the Roman Catholic religion, or at least placed it under the severest restrictions; but, much to the grief of the kirk, these laws had never till now been enforced with any strictness. The assembly now issued its commands to the inferior church judicatories, that all, of whatsoever rank or degree, who refused to comply with any one of the above requisitions should be proceeded against without delay. But even those who did consent to recall their children from abroad, and give them up to be educated by those whom they esteemed heretics, and found surety that they would abstain from the actual practice of their own worship, were not for all that to be let alone: they were only to be "dealt with in all meekness;" which was explained as meaning "after this manner,"—namely, that certain members of the presbytery should be appointed to hold conferences with them for the space of three months—that, if after that time they still remained unwilling to go to church, they should be obliged to remove over to the next adjacent university town, and there reside for five months longer, attending all the diets of conference which the professors and ministers of the bounds should appoint to them; "by which," concludes the ordinance, "if they be not converted, their obstinacy shall be declared in the provincial synods of April, *and from thence their process shall go on to the very closure without any further delay.*" The show of "all meekness," therefore, with which they were to be treated, consisted in keeping them eight months under a rigid surveillance, and on the rack of incessant Presbyterian eloquence exerted in abusing whatever they held dearest and most sacred, before they were put to death, or consigned to perpetual imprisonment, or whatever else was intended to be the ultimate punishment of their obstinacy.

A subject which engaged much of the attention of the venerable assembly in divers years was "the abundance and increase of witchcraft," to quote the words of an act of 1643, "in all the sorts and degrees of it, in this time of reformation." The act referred to gives a minute detail, both of the causes of the prevalence of witches and charmers, and of the means that had been found the most effectual for their suppression. "The occasions thereof," it is set down, "are found to be these especially: extremity of grief, malice, passion, and desire of revenge, pinching poverty, solicitation of other witches and charmers; for in such cases the devil assails them, offers aid, and much prevails." To bring them to a confession and judgment, it is proposed that a standing commission for a certain time be had from the lords of secret council, or justice-general, to some understanding gentlemen and magistrates, within the bounds of such presbyteries as should crave it, giving them power to apprehend, try, and execute justice against all persons guilty of witchcraft within the said bounds. The grounds of apprehending them, it is suggested, "may be a reigning bruit of witchcraft, backed with delations of confessing witches, being confronted with them; for it is found that the delations of two or three confessing witches hath ordinarily proved true." After they are apprehended, a caution is given, that they will be apt to destroy themselves if left alone or not carefully watched. The means recommended in order to prevent the growth of the evil, in addition to great diligence on the part of ministers and elders in searching out the practices of witchcraft and charming,—which latter is described to be "a degree of witchcraft, and too ordinary in the land,"—are the careful religious instruction of the people, and the active application of the censures of the kirk against profane persons of all sorts. The persecution of the unhappy persons accused of these imaginary crimes, we thus see, was not likely to slacken under the sway of Presbytery. Baillie, in an account of the proceedings of this assembly, informs us that the consideration

of the subject was taken up "upon the report of the extraordinary multiplying of witches, above thirty being burned in Fife in a few months." *

Among the proceedings of the restored Presbyterian church which do it the most honour, are the solicitude which it evinced and the active measures which it adopted for the encouragement and diffusion of learning, both professional and secular. Several acts were passed by the assembly for the regulation and improvement of the national schools and colleges, which in most respects were marked by sufficiently enlightened views. The Scottish church at this period, indeed, contained its full proportion of individuals distinguished for their eminent acquirements as scholars; and under the influences first communicated by the Knoxes and the Buchanans and the Melvils of the preceding age, it had always stood up for the principle both of a learned priesthood and a well-educated people. At the same time, as might be expected, it strenuously maintained that the entire education of the country should be in the hands of the established clergy; and, accordingly, in all the reforms which were now introduced, the most comprehensive and despotic control over schools and colleges was given or assumed as belonging to the presbyteries and other ecclesiastical courts. In outward exhibition, and certainly also in spirit and temper to a great extent, presbytery and popery may be said to constitute almost the two extreme forms of Christianity; but extremes are proverbially, and from the nature of the case, apt to meet, and these seem to do so curiously enough in several respects. The bare simplicity of the one, as well as the elaborately ornamental character of the other, is combined with a system of polity admirably contrived, though upon very different principles in the two cases, for maintaining the clerical body in the highest possible state of unity and efficient co-operation. Both churches, opposite as may have been the directions in which they have moved in regard to many other things, have, to a remarkable degree, shown the same disposition to throw off all subjection to the general authority of the state, and to put forward the ecclesiastical power as independent of or superior to the civil. Both have, in their avowed principles, and in their practice, as far as they had the opportunity, been of all churches the most intolerant of dissent, or what they have called schism and heresy. And, what is best worth noting of all, Presbytery, with all its popular pretensions, was in its best days scarcely behind popery in the high doctrine it held upon the divine right of the ministers and other ecclesiastical functionaries to be the exclusive managers of the affairs of the church, and in its haughty denial of any right of interference on the part of the people, save merely so much as might have been made over to them in certain cases on grounds of expediency. The assembly of 1641 distinctly explained its views upon this subject in its reply to a letter addressed to it by certain puritan ministers in England: "Our unanimous judgment," said the Scottish church on this occasion, "and uniform practice is, that, according to the order of the reformed kirks, and the ordinance of God in his word, not only the solemn execution of ecclesiastical power and authority, but the whole acts and exercise thereof, do properly belong unto the officers of the kirk:"—it is added, in very cautious and hesitating phraseology, "yet so that in matters of chiefest importance the tacit consent of the congregation be had before their decrees and sentences receive final execution;"—a qualification by which the force of the original statement is rather intensified than abated. Indeed, this was one of the main points on which Presbytery was at issue with Independency, the second and more hated, as more formidable, enemy it had to encounter after it had laid its old foe, Prelacy, in the dust.

But the kirk, with all its lofty claims, and all the freedom and power it had now acquired, was still, according to the confession of the clergy themselves, far from presenting the aspect of a pure and perfect Sion. In 1646, after the new order of things had been eight years in undisturbed operation, we find the assembly putting forth to the world, under the title of "Enormities and Corruptions observed to be in the Ministry," one of the most singular of manifestos. Of the "enormities" enumerated, the first nine are headed "In our Lives," and the list is well worth transcribing. "1. Much fruitless conversing in company, and complying with the sins of all sorts, not behaving ourselves as becomes the men of God. 2. Great worldliness is to be found amongst us, minding and speaking most about things of this life, being busied about many things, but forgetting the main. 3. Slighting of God's worship in their families, and therefore no cordial urging of it upon others; yea, altogether a wanting of it in some, if it be credible. 4. Want of gravity in carriage and apparel, dissoluteness in hair, *and shaking about the knees*, [what can this mean?] lightness in the apparel of their wives and children. 5. Tippling and bearing company in untimeous drinking in taverns and alehouses, or any where else, whereby the ministry is made vile and contemptible. 6. Discountenancing of the godly, speaking ill of them because of some that are unanswerable to their profession. 7. The Sabbath not sanctified after sermons, which maketh people think that the Sabbath is ended with the sermon. 8. There are also to be found amongst us who use small and minced oaths. 9. Some so great strangers to scripture, that, except in their public ministry, though they read many things, yet they are little conversant in the scripture, and in meditation thereof, a duty incumbent to all the preachers thereof." In the next list, entitled "Enormities and Corruptions in our Callings," are enumerated, among other things, "entering into the ministry as to a way of living in the world, and not as to a spiritual calling"—"silence in the public

* Letters and Journals, i. 379.—See also Spalding, ii. 102.

cause," some, it is affirmed, being "so gross herein, that even in public fasts little or nothing is to be heard from them sounding this way"—idleness, sometimes shown in preaching only once on the Lord's day, while "others have but fits of pains, not, like other tradesmen, continually at their work"—"self-seeking in preaching, and a venting rather of their wit and skill than a showing forth of the wisdom and power of God." In all there are twelve descriptions of enormity or corruption set forth under this head. The two lists are followed by another of sixteen "Remedies," from which, however, there is little to be gathered in illustration of our subject, except that in the second it is declared to be a well-known fact that the private trials in presbyteries of candidates for the ministry "are for the most part perfunctorious;" and that in the eleventh, ministers are particularly enjoined to forbear the drinking of healths—"Satan's snare, leading to excess,"—and also to reprove the practice in others.

Some acts of the next assembly, that of 1647, curiously attest the minute inquisition into the most private habits of individuals and families, and the watchful eye over the stealthiest beginnings of defection to the right hand or to the left from the straight line of the prescribed method of Christian profession, by which the kirk sought to preserve its exclusive dominion over the popular mind, and also the high hand with which it was accustomed to put down any disobedience to its authority. One act on the subject of "secret and private worship" requires and appoints "ministers and ruling elders to make diligent search and inquiry in the congregations committed to their charge respectively, whether there be among them any family or families which use to neglect this necessary duty; and if any such family be found, the head of that family is to be first admonished privately to amend this fault; and in case of his continuing therein he is to be gravely and sadly reproved by the session." If he still persist in his neglect, he is ordered to be suspended and debarred from the Lord's Supper. But this practice of private devotion was also to be restrained from running into an excess which might lead to the substitution of irregular conventicles for the stated ministrations of the church; and therefore in another act the assembly laid down a set of very particular directions with regard to it, not only, as it is expressed in the title of the act, for cherishing piety, but "for maintaining unity and avoiding schism and division." Here the greatest pains are taken to confine the private devotions of the laity within proper bounds. A portion of the Bible is directed to be ordinarily read, and those present are even recommended thereupon to converse with one another on what has been read and heard "by way of conference;" but these are, at the same time, warned that "the charge and office of interpreting the holy scriptures is a part of the ministerial calling, which none, howsoever otherwise qualified, should take upon him in any place, but he that is duly called thereunto by God and his kirk." "Let no idler," it is afterwards written, "who hath no particular calling, or vagrant person, under pretence of a calling, be suffered to perform worship in families, to or for the same; seeing persons tainted with errors, or aiming at division, may be ready after that manner to creep into houses and lead captive silly and unstable souls." But, above all things, it is ordered that at family worship a special care be had "that each family keep by themselves; neither requiring, inviting, nor admitting persons from divers families." "Whatsoever," it is added, "hath been the effects and fruits of meetings of persons of divers families in the times of corruption or trouble, (in which cases many things are commendable which otherwise are not tolerable,) yet, when God hath blessed us with peace and the purity of the gospel, such meetings of persons of divers families are to be disapproved, as tending to the hindrance of the religious exercise of each family by itself, to the prejudice of the public ministry, to the rending of the families of particular congregations, and, in progress of time, of the whole kirk; besides many offences which may come thereby, to the hardening of the hearts of carnal men and grief of the godly." And the drift and scope of all the directions is declared in conclusion to be, that, while upon the one part the power and practice of godliness may be advanced, upon the other, "under the name and pretext of religious exercises, no, such meetings or practices be allowed as are apt to breed error, scandal, schism, contempt or misregard of the public ordinances and ministers, or neglect of the duties of particular callings, or such other evils as are the works, not of the spirit, but of the flesh, and are contrary to truth and peace." This act is followed by another, "against such as withdraw themselves from the public worship in their own congregation;" in which the assembly ordains "every member in every congregation to keep their own parish kirk, to communicate there in the word and sacraments;" and directs that "if any person or persons shall hereafter usually absent themselves from their own congregations, except in urgent cases made known to and approven by the presbytery," and if after private admonition by their pastors they do not amend their conduct, "they shall be delated, or informed against, to the session;" who shall cite and censure them as "contemners of the comely order of the kirk;" and if the matter be not taken order with there, it is directed to be brought before the presbytery. But the most arrogant and characteristic act of this assembly is one "discharging the importing, venting, or spreading of erroneous books or papers." "The General Assembly," says this act, almost in the tone and style of an authority claiming to be sovereign in things civil as well as ecclesiastical, "considering how the errors of Independency or separation have in our neighbour kingdom of England spread as a gangrene and do daily eat as a canker, insomuch that exceeding many errors,

heresies, schisms, and blasphemies have issued therefrom, and are sheltered thereby; and how possible it is for the same evils to invade and overspread this kirk and kingdom, (lying within the same island,) by the spreading of their erroneous books, pamphlets, libels, and letters;... do therefore, in the name of God, inhibit and discharge all members of this kirk and kingdom to converse with persons tainted with such errors, or to import, sell, spread, vent, or disperse such erroneous books or papers;... requiring all ministers... to try carefully from time to time if any such books be brought into this country from England, or from beyond seas (which is especially recommended to ministers on sea-coasts, or towns where any stationers are); and, if any shall be found, to present the same to the presbytery, that some course may be taken to hinder the dispersion thereof. And hereby all presbyteries and synods are ordained to try and process such as shall transgress against the premises or any part of the same. And the assembly doth also seriously recommend to civil magistrates, that they may be pleased to be assisting to ministers and presbyteries, in execution of this act, and to concur with their authority in every thing to that effect."

Two or three other notices may be thrown together into a single paragraph. "It will be a good remedy against sabbath-breaking by carriers and travellers," says an act of the assembly of 1648, "that the ministers where they dwell cause them to bring testimonials from the place where they rested on those Lord's days wherein they were from home." "Let all persons," says another clause of the same ordinance, "who flit (remove) from one parish to another have sufficient testimonials. This is to be extended to all gentlemen and persons of quality, and all their followers, who come to reside with their families at Edinburgh or elsewhere; and let the minister from whom they flit advertise the minister to whom they flit, if, to his knowledge, they be lying under any scandal." "For better keeping of the Sabbath," a third clause directs, "let every elder take notice of such as are within his bounds, how they keep the kirk, and how their time is spent before, betwixt, and after the time of public worship." At its next meeting, in 1649, the assembly, "finding the scandal and abuse that arises through promiscuous dancing, do therefore inhibit and discharge the same, and do refer the censure thereof to the several presbyteries, recommending it to their care and diligence." The old subject of witchcraft, also, again this year engaged the attention of the church, and an act was passed appointing a conference of ministers, lawyers, and physicians to consider the most advisable means of detecting and trying that crime, which, it is complained, had still continued to increase, notwithstanding all the methods employed against it. Upon this subject Sir James Balfour has preserved some frightful details. The Lady of Pittardo in Fifeshire, he tells us, was in July this year (which was during the sitting of the assembly) apprehended for witchcraft, and imprisoned in the tolbooth of Edinburgh, and there, a commission having been appointed by parliament for her trial, she remained till the middle of December, when, having been quite well over-night, she was found one morning dead, and all swollen, apparently as if she had been poisoned. "It was thought," says Sir James, "that she either had taken the poison of herself, being guilty of that hellish crime, or that it had been administered to her by the advice of her friends and kindred, whom by her wickedness, if she had been publicly burnt, she had blotted, and stained those families she was descended of, of whom were descended many religious, worshipful, and worthy personages." The annalist adds, "Many witches apprehended, commissions given by parliament and council for their trial, and they execute, in the shires of Fife, Perth, Stirling, Linlithgow, Edinburgh, Haddington, Merse, and Peebles, &c. I myself did see, the 20th of July, this year, in one afternoon, commissions severally directed by the parliament for trying and burning of twenty-seven witches, women, and three men and boys; their depositions were publicly read in face of parliament, before the house would vote to the president's subscribing of the act for the clerk issuing of these commissions. Likewise divers commissions were given by the lords of council, in November and December, this same year, for trying and burning of witches: their depositions were read, amongst the which there was one that confessed that she had been of late at a meeting with the devil, at which there were above five hundred witches present. So far had that wicked enemy of mankind prevailed, by his illusions and practices, over these poor, wretched, miserable souls."* Horrible it is indeed to think of the wide devastation committed under the influence of the sanguinary delusion to which these unhappy persons were sacrificed—of the quantity of blood it caused to be shed, and the much greater quantity of terror and torment, of every kind, it must have spread through the land,—not to speak of the dark, vindictive passions with which it harassed and poisoned the public mind, thus dropping no small part of its curse upon the inflictors as well as upon the victims of the legal murders and massacres with which it was continually feeding its insatiable fury. Was there anything really more shocking in the fires lighted up in Scotland and England by the Roman church, in the sixteenth century, for the consumption of heretics, than in these burnings of persons equally guiltless of any real crime which the Presbyterian church in the seventeenth century thus abetted and urged on?

A matter of great importance, in respect both of the practice and the principle involved in it, and which had occasioned much controversy, was at last settled this year. This was the manner of the election and appointment of ministers to vacant charges. The crown had some years before consented, in the case of benefices in its presentation, to limit its choice to a list of three candidates

* Annals, iii. 437.

nominated by the presbytery; but the other lay patrons could not generally be induced, in the same manner, to surrender their rights into the hands of the church courts. At length, however, in March, 1649, the legislature was prevailed upon to end the difficulty by a very summary measure. "The parliament," says Sir James Balfour, "passed a most strange act this month, abolishing the patronages of kirks which pertained to laymen since ever Christianity was planted in Scotland. Francis, Earl of Buccleugh, and some others, protested against this act as wrangous and altogether derogatory to the just rights of the nobility and gentry of the kingdom of Scotland, and so departed the parliament-house. But current was carried for the presbyteries and church-way, in respect Argyle, the chancellor, and Archibald Johnston, the kirk's minion, durst do no otherwise, lest the leaders of the church should desert them, and leave them to stand on their own feet, which, without the church, none of them could well do." Commenting further upon "this notable prank," as he calls it, the annalist proceeds:—"And this act, to make it the more specious, they coloured with the liberty of the people to choice their own ministers; yet the general assembly, holden at Edinburgh in the months of July and August, this same year, made a very sore mint [attempt] to have snatched this shadow from the people; notwithstanding their former pretences, collationed the sole power on the presbyteries; and out-fooled the people of that right they formerly pretended did only and especially belong to them *jure divino;* as, according to the new divinity of these times, both the leaders and their creature Johnston pleaded, with all the forcible arguments wrested Scripture could produce, to procure their own ends and greatness." The act passed by the assembly, in fact, provided that, when a congregation became vacant, the presbytery should send down certain preachers for the people to hear; that, if the people desired to hear any others, they might apply for that purpose through their elders (that is, the members of the parochial kirk session) to the presbytery, which, however, was not to be bound to grant the application, any more, indeed, than the elders were to make it, unless they chose; that after a competent time, not the people, but the elders or session only, should meet and proceed to the election; that if the people acquiesced, the presbytery, upon finding the person thus elected to be qualified, should admit him to the ministry in the said congregation: "but if it happen," continues the act, "that the major part of the congregation dissent from the person agreed upon by the session, in that case the matter shall be brought unto the presbytery, who shall judge of the same; and, *if they do not find their dissent to be grounded on causeless prejudices*, they are to appoint a new election in manner above specified." The whole right accorded to the people, therefore, was simply to state their objections; the sole right of deciding upon the reasonableness of the said objections being reserved to the presbytery. Such, in the purest times of the Scottish kirk, was the *popular* election of the clergy, of which we still sometimes hear so much! The act concludes with a clause which would no doubt be found convenient in many cases:—"Where the congregation is disaffected and malignant, in that case the presbytery is to provide them with a minister." It is not clear whether this was intended to cure or to punish their disaffection and malignity.

At the memorable date of the assembling of the Long Parliament, in November, 1640, English puritanism had not yet taken the shape of presbyterianism to any considerable extent. Besides the statement of Clarendon, that, with the exception of Fiennes and the younger Vane, and, as he asserts, at a somewhat later stage, Hampden, there were scarcely any members of that parliament, at its opening, who were opposed to the principle of the constitution of the national church, we have the authority of Richard Baxter, in his account of his own Life, for the fact that, although "the younger and less experienced ministers in the country were against amending the bishops and liturgy, apprehending this was but gilding over their danger;" yet "this was not the sense of the parliament, nor of their principal divines." "The matter of bishops or no bishops," he adds, "was not the main thing, except with the Scots, for thousands that wished for good bishops were on the parliament side." And even of those who were altogether opposed to episcopacy,—the Root-and-branch-men, as they were called, to which party Vane, and his friends that have just been mentioned, belonged,—very few were at this time Presbyterians; it was Independency, not Presbytery, which they would have substituted for the government of bishops.

For the present, however, the mere diminution of the episcopal power which was alone derived by the majority of the House of Commons afforded a common object which united all these parties; and the habit they thus acquired of acting in concert, together with the course events took, which naturally tended to heat and exasperate many of those whose feelings and views were at first comparatively moderate, soon enabled the few persons of more extreme opinions to become the leaders of the movement, and to draw the great majority of the others along with them. How the established church fell under this combined attack has been already related.* The first blow struck at the bishops, if we except the impeachment and committal to the Tower of Laud, on the 1st of March, 1641, was the bill brought in to take away their votes in parliament, and to leave them out in all commissions that had relation to any temporal affairs, which, after being passed in the House of Commons with little opposition, was sent up to the Lords on the 1st of May, but thrown out by the Upper House after the second reading. This was

* See ante, p. 227, *et seq.*

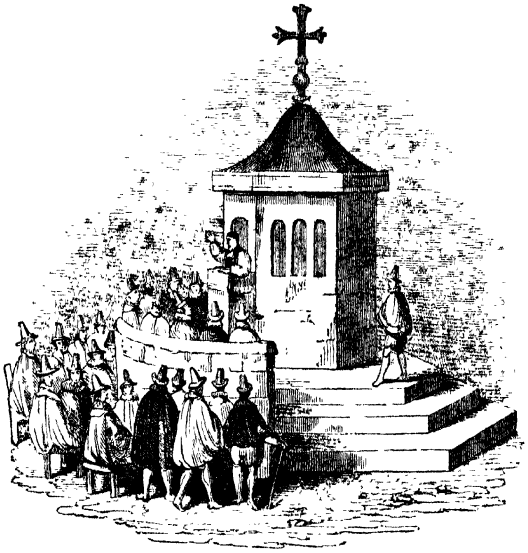
followed in the same session by Sir Edward Deering's bill for the utter eradication of bishops, deans, and chapters, with all officers belonging to them, which also, however, took no effect, having, after it had been read a second time in the House of Commons, been dropped in committee. The first measures that were actually carried against the church were the two bills abolishing the courts of High Commission and Star Chamber, which received the royal assent in the beginning of July. On the last day of that month the Commons appointed their committee for drawing up the charges of impeachment against the thirteen bishops, which were presented at the bar of the House of Lords on the 4th of August following.* On the 30th of December ten of the bishops were sent to the Tower, and two more debarred from their places in parliament, on being impeached of high treason by the Commons for their protestation against the legality of the acts passed in their absence.† On the 14th of February, 1642, a new bill incapacitating the bishops for voting in parliament was at last passed into a law.‡ From this date the church, though not yet actually pulled down, may be considered as a mere ruin.

Only a few days after the opening of the Long Parliament the Commons had appointed a grand committee, consisting of the whole House, to inquire into the scandalous immoralities of the clergy. But the vast number of cases that came pouring in, upon the general invitation that was given to all sorts of persons to get up all sorts of complaints against their ministers, soon made it necessary that the grand committee should divide itself into four or five committees, which were called White's, Corbet's, Harlow's, Deering's committees, after the chairman of each. It is said that, in a short time, above two thousand petitions were brought before them, of which Corbet's committee, which it appears was the favourite tribunal, had for its share no fewer than nine hundred. About two years after, another committee was appointed to consider of "the fittest way," as it was expressed, "for the relief of such godly and well-affected ministers as have been plundered, and what malignant clergymen have benefices in and about the town, which benefices being sequestered may be supplied by others who may receive their profits;" and in July, 1643, the scandalous committee and this other (nicknamed by the royalists the plundering committee) were empowered to carry on their proceedings in concert.* By means of their united powers, and the aid of a succession of ordinances passed by the House to facilitate their operations, these bodies, in course of time, cleared the church pretty effectually both of immoral clergymen and also of those who were not of their own way of thinking. Many of the royalist clergy were besides still more summarily ejected by the parliament soldiers. "Multitudes, of them," to quote the account of the historian of the Puritans, "left their cures and took sanctuary in the king's armies or garrisons, having disposed of their goods and chattels in the best manner they could. Others, who had rendered themselves obnoxious by their sermons, or declarations for the king, were put under confinement in Lambeth, Winchester, Ely, and most of the bishop's houses about London; and, for want of room, about twenty, according to Dr. Walker, were imprisoned on board of ships in the river Thames, and shut down under decks, no friend being allowed to come near them."* It is said that 110 of the clergy of the diocese of London alone were turned out of their livings in the years 1642 and 1643; and that as many more fled, to avoid imprisonment. "It is to be lamented," adds Neal, "that several pious and worthy bishops and other clergymen, who withdrew from the world, and were desirous to live peaceably without joining either side, suffered afterward in common with the rest of their brethren; their estates and livings being sequestered, their houses and goods plundered by ungovernable soldiers, and themselves reduced to live upon the fifths, or a small pension from the parliament, either because they could not take the covenant, or comply with the new directory for public worship. Among these we may reckon the most reverend Archbishop Usher, Bishops Morton and Hall, and many others. When the bishops' lands were seized for the service of the war, which was called *Bellum Episcopale*, or the bishops' war, it was not possible to show favour to any under that character; and though the two houses voted very considerable pensions to some of the bishops, in lieu of their lands that were sequestered, due care was not taken of the payment; nor would several of their lordships so far countenance the votes of the houses as to apply for it." To the names of the eminent sufferers here mentioned may be added one of the most illustrious in English literature, that of Jeremy Taylor, who being driven from his living of Uppingham, which was sequestered, retired into Wales, and, while supporting himself and his family by teaching a school, there composed some of the greatest of his immortal works.

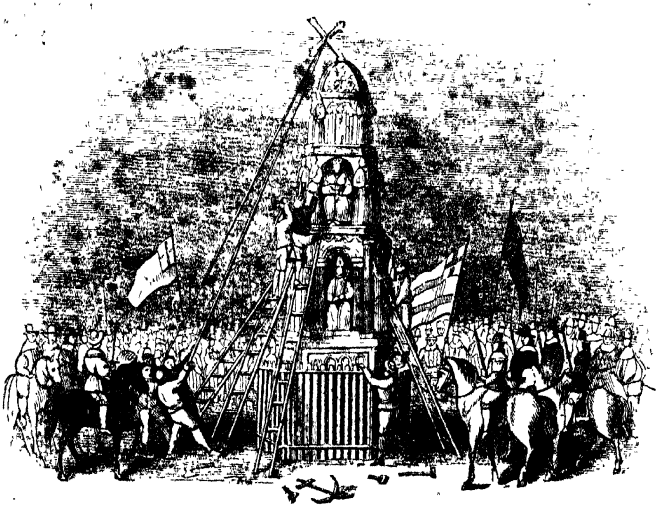
For a space of some two years the country might be said to be without any established form of worship. The clergy were left to read the liturgy or not, as they pleased, and to take their own way, in like manner in all other points: thus, we are told, while some of them continued to wear the canonical habits, others gratified their taste by preaching in a cloak, after the fashion of the Protestant ministers of Geneva and France. The cathedral worship was also everywhere put down; and many of the sacred edifices themselves were lamentably defaced and injured, principally in the process of executing an ordinance, passed by the parliament in the summer of 1643, by which it was directed, that before the 1st of November ensuing all altars and tables of stone, in churches, should be utterly

* See ante, p. 248. † See ante, p. 261. ‡ See ante, p. 272.

* Neal, Hist. Pur. ii. 189.



Sermon at St. Paul's Cross on Good Friday. From a Drawing in the Pepysian Library. This Cross was erected about 1450, and re-modelled in 1595.



Puritans destroying the Cross in Cheapside.
From a contemporary Print in the Pennant Collection, Brit. Mus.

taken away and abolished; all communion tables removed from the east end of the church; all rails about them pulled down; all candlesticks, tapers, and basins standing upon them taken away; and that all crucifixes, crosses, images, and pictures of any one or more persons of the Trinity, or of the Virgin Mary, and all other images and pictures of saints, and all superstitious inscriptions, whether in the church or churchyard, should be obliterated or otherwise destroyed. In the beginning of the preceding May, also, the two Houses, in the fury of their zeal against monuments of superstition, had passed a resolution for the destruction of all crosses throughout the kingdom; and by their order Sir Robert Harlow actually superintended the levelling to the ground of St. Paul's cross, Charing cross, and that in Cheapside, London. The Puritans themselves had been ac-

customed to crowd around St. Paul's cross, to hear their favourite preachers declaim from the same pulpit from which Ridley and Latimer and Cranmer had addressed their forefathers in the first days of the Reformation.

The building up of a new ecclesiastical polity was made the work of the Assembly of Divines, which was called together by an order of the two houses dated 12th June, 1643, and met at Westminster on the 1st of July thereafter. The members of the assembly, selected as they had been by the puritanical parliament, were generally agreed in holding the doctrinal theology of Calvin; but upon the question of church government they were more divided in opinion. A few of them were attached to episcopacy as it had lately existed in the national church; but these, finding themselves in a hopeless minority, soon retired. Of those that remained the great majority appear to have been at first inclined towards a modified episcopacy, or rather some such combination of episcopacy and presbytery as had been established by the original reformers of the Scottish church, in which bishops, without any secular rank or authority, like the district superintendents instituted by Knox, should be associated with a system of diocesan and provincial church courts. This party, however, coalescing with the commissioners from Scotland, and swayed by the great influence which circumstances at the time gave to the church of that country, ultimately became thoroughly Presbyterian, some of them even going the length of adopting the principle of the divine right of presbytery. From them proceeded all the successive creeds and compendiums published in the name of the assembly—the Directory for Public Worship; the Confession of Faith; and the Larger and Shorter Catechisms. All these expositions are thoroughly both Calvinistic and Presbyterian: they constitute indeed the authorised formularies of the church of Scotland at the present day.

But the Presbyterians were to the last vigorously opposed in the Westminster Assembly by a minority consisting of two sections, which, although they generally acted in concert against the common foe, were also sufficiently distinguishable from each other. These were the Independents, and those called Erastians, from their adoption of the tenets of Erastus, a German divine of the preceding century, who reduced the questions of church government, and also of the connexion between the church and the state, to the simplest possible form, by maintaining that the church, or the clergy as such, possessed no inherent legislative power of any kind, and that the national church in its form and discipline was in all respects the mere subject and creature of the civil magistrate. That, however, which in both the Erastians and the Independents more than anything else enraged and alarmed the Presbyterian party was, their advocacy of the principle of a general toleration—a doctrine which Presbytery, as we have seen, had always held in especial abhorrence. As yet, the Independents appear to have generally held this great principle with some limitation; being inclined, for instance, though rather on political than theological grounds, to exclude the adherents of popery from the full liberty which they would have granted to all other Christian sects. But the views of the Erastians were of the most comprehensive amplitude. Baillie, who was one of the commissioners to the Assembly from the church of Scotland, repeatedly notices in his letters the assertion in various quarters of a toleration which should be without any limits whatever. Thus, in one place he speaks of a letter that was given into their clerk, inveighing against the covenant, and exhorting the Assembly to give a full liberty of conscience to all sects. "Here," he says, "rose a quick enough debate; Goodwin, Nye, and their party (the Independents), by all means pressing the neglect, contempt, and suppressing of all such fantastic papers; others were as vehement for the taking notice of them, that the parliament might be acquaint therewith, to see to the remedy of these dangerous sects."* The person mentioned in this passage is Thomas Goodwin: he afterwards speaks of a John Goodwin, of Coleman-street, not a member of the Assembly, who, he says, "is a bitter enemy to Presbytery, and is openly for a full liberty of conscience to all sects, even Turks, Jews, Papists." "This way," he adds, "is very pleasant to many here."† In another place he describes Cromwell and Vane as "both for universal liberty."‡

Although, also, the majority in the Assembly of Divines remained with the Presbyterians till its dissolution, about three weeks after the king's death (on the 22nd of February, 1649), the Independents and other sectaries had long before that date been getting a-head of them both in the parliament and in the army. The Directory of Public Worship, which supplanted the Liturgy, was established by an ordinance of the parliament on the 3rd of January, 1645; but the Confession of Faith, which laid down a Presbyterian system of ecclesiastical polity, although it was at once received by the Scottish church, was never in fact sanctioned by any act of the English legislature. Nor were even the name, style, and dignity of archbishops and bishops formally taken away till the 5th of September, 1646. By an act passed on the 6th of June, 1646, however, the Presbyterian form of church government was partially established by way of experiment, the preamble of the act declaring, "that if upon trial it was not found acceptable, it should be reversed or amended;" and to this law a further effect was afterwards given by several additional ordinances of the House of Commons; till at last, in 1649, it was declared without qualification by the house that presbytery should be the established religion. Yet, many difficulties still stood in the way of the actual extension of the new system of ecclesiastical polity over the whole kingdom; and, in point of fact, it

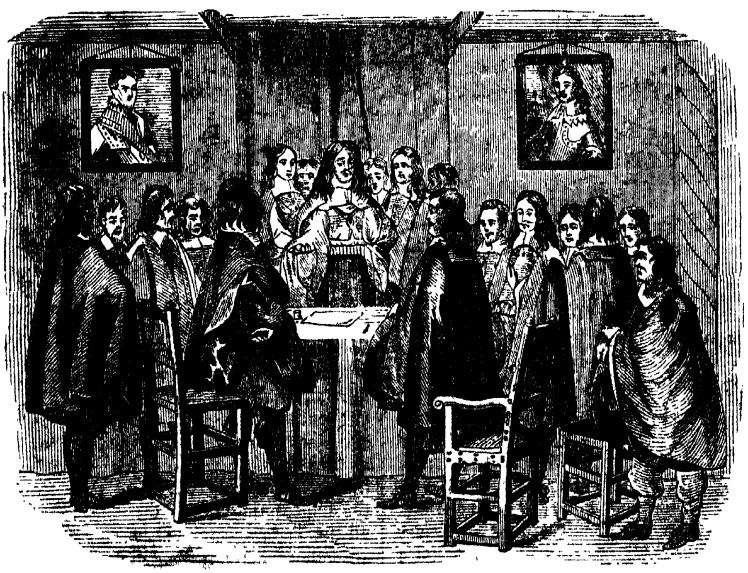
* Letters, i. 412. † Ib. ii. 15.
‡ Ib. ii. 61. See also pp. 18, 43, 49, &c.

never obtained more than a very limited and imperfect establishment.

Accordingly the national church of England, if it might be so called, in the time of the Commonwealth, although the clergy and probably also the people, especially in the towns, were for the greater part Presbyterians, was by no means exclusively composed of the members of that persuasion. Some of the benefices were still retained by their old episcopalian incumbents; a considerable number were held by Independents; and a few were filled even by persons belonging to some of the many minor sects that now swarmed in the sunshine of the Protector's all but universal toleration. For some time, indeed, the pulpits appear to have been opened even to any of the laity who were esteemed to possess an edifying gift of utterance. At last, in March, 1653, Cromwell, by an ordinance of council, appointed a board of triers, as they were called, in all thirty-eight in number, of whom part were Presbyterians, part Independents, and a few Baptists, to which was given, without any instructions or limitations whatever, the power of examining, and approving or rejecting, all persons that might thereafter be presented, nominated, chosen, or appointed to any living in the church. This was tantamount to dividing the church among these different religious bodies, or so liberalizing and extending it as to make it comprehend them all. Cromwell, however, held forth the measure as one, on the contrary, of a restrictive character—as designed to restrain the excessive liberty that had previously existed, when any one who would might set up as a preacher, and so give himself a chance of obtaining a living in the church. The board of triers continued to sit, and to exercise its functions, at Whitehall, till a short time after the death of Cromwell.

Of the numerous sectaries, as they were called, that sprung up in this age, we shall not now enter into any account, further than to mention that those of chiefest note were the Baptists (generally called by others the Anabaptists), the Quakers, or followers of George Fox, and the Fifth-monarchy Men, all of whom will meet us again in the next period.

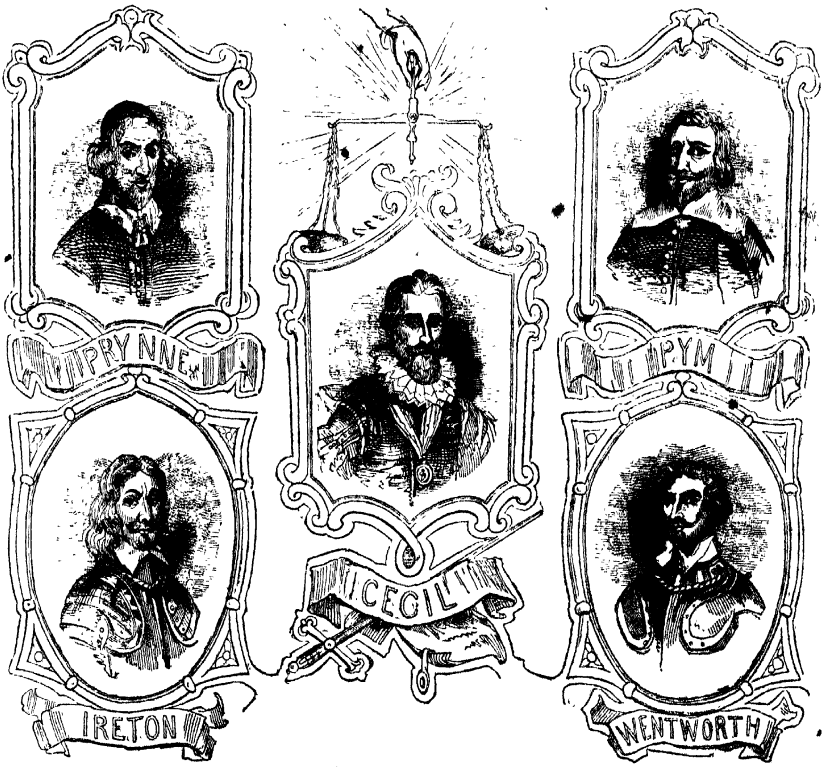
In Scotland, also, Cromwell and his deputy, Monk, enforced, in spite of the teeth of the Presbyterian clergy, the same general toleration that had been established in England. But it soon became manifest that that system could only be maintained, with any chance of an hour's quiet to the country, by putting a gag upon the church. Accordingly, when, after many heats, the general assembly had met as usual at Edinburgh in the summer of 1652, and was about to proceed to business, Lieutenant-colonel Cotterel suddenly came into the church, and, standing up upon one of the benches, informed them that no ecclesiastical judicatories were to sit there but by authority of the parliament of England; and, without giving them leave to reply, commanded them instantly to withdraw themselves, and then conducted the whole of the reverend body out of the city, by one of the gates called the West Port, with a troop of horse and a company of foot. The assembly did not dare to attempt to meet again so long as Cromwell lived.



Charles II. and the English Ambassadors, at the Hague, arranging the terms of his Restoration.
From a Print by Vlieit

CHAPTER III.

HISTORY OF THE CONSTITUTION, GOVERNMENT, AND LAWS.



CECIL, EARL OF SALISBURY. After Zucchero.
PRYNNE. Old Picture of the Prynne Family.
IRETON. Anonymous Print.
PYM. Print by Van der Gucht.
WENTWORTH, EARL OF STRAFFORD. Vandyke.

WE have now arrived at a period of so great importance in the constitutional history of England, that it will be necessary to dwell upon it somewhat longer than we have done on any other period: it will be necessary to pause, and cast a look behind as well as around us.

The struggle between the king and the nobility (in other words, between monarchy and aristocracy) had now been going on in England for more than four hundred years. The very fact of its having continued so long proves that victory could not have invariably declared itself either for one side or the other. Consequently each side would have its successes or their consequences to bring forward as precedents in favour of its pretensions. By far the greater number of these precedents were on the side of the king. The earlier Normans and all the Tudors were very nearly, if not altogether, absolute monarchs; though it was a sort of absolutism differing considerably from that of the Roman emperors or Turkish sultans, inasmuch as, in the community over which the English monarchs

ruled there existed elements of opposition to their power, which had native vigour enough, and only wanted time and circumstances to become exceed- formidable, while the other communities referred to were sunk in a hopeless, irrecoverable torpor. At the same time, the granting of *Magna Charta*, and the numerous confirmations of it between the thirteenth and seventeenth centuries (in one reign alone, that of Edward III., there were no fewer than *fifteen*, and there were *thirty-two** in all), together with the new statutes made to support and develope it, prove incontestably that the other side had precedents in their favour also. The existence of these precedents on both sides accounts for the strangely different views taken of the subject by writers of opposite parties, who, as the manner of partisans is, fix their eyes intently on one object, or one class of objects, and shut them resolutely against all others. The writers of the one party look to one set of precedents, those of the other to the opposite set. For example, the historians David Hume and Mr. Brodie fix their attention on different sets of precedents. And while we must admit, with Hume, that the English government, before the time of the two first Stuarts, cannot be considered as a government in which the liberty of the subject was uniformly and systematically protected in practice, whatever it might have been in theory, and even in the solemn language of the legislature, we are equally ready to concede to Mr. Brodie that the condition of the bulk of the English people was better than the condition of the bulk of the French.

Notwithstanding the circumstances in the situation of England—especially the great power of the earliest Norman kings, obliging the great barons to band together and to call in the aid of the smaller barons, and even of the people at large, to oppose it—which led to the granting and confirming of *Magna Charta*, the Commons of England, up to the period at which we have arrived, could hardly be said to have obtained any share of the sovereign power. The Commons, however, certainly gained some very important steps under Richard II. and the three succeeding kings of the House of Lancaster, if not towards an actual share in the sovereignty, at least towards a power of checking the king's exercise of it. The civil wars of York and Lancaster then intervened, and ended by leaving a cunning, mean-souled Welshman on the throne of the Plantagenets. The civil wars, however, had shivered to pieces the power of the Anglo-Norman barons, once so formidable; so that the cool, cunning, little Welshman, and his hot-headed, blustering bully of a son, did what the mightiest and most victorious of the Plantagenets could not do. They effectually crushed the nobility; and they prevented the Commons from making any further advances, if they did not rather drive them back from some of their more advanced posts. In fact, as we have seen in the preceding Book, Henry VIII., at least, was as nearly as possible absolute. There is an important corroboration of this view of the subject by no mean authority. When Sir Edward Coke was fighting the battles of the Commons against the crown in the House of Commons, under Charles I., it is observable that all his precedents cited are from the Plantagenet reigns. If any had been to be had to serve his purpose from the Tudor times, Sir Edward was not the man to overlook or neglect them.

But along with these circumstances favourable to the power of the prince and unfavourable to the liberty of the subject, there were also some circumstances of a contrary description, which arose from causes set in motion by Henry VII. and his son, with the intention of producing effects very different from those that were produced. The principal of these circumstances were the power of, or at least the additional facilities to, the alienation or sale, and consequent subdivision, of the fiefs or large landed estates of the nobility;* and the reformation in religion. By the former, Henry VII. probably thought that he would only weaken the power of the great nobility, overlooking the fact of the great increase that would be produced in the number of landholders. In the latter, Henry VIII. only saw an instrument for the immediate gratification of his own brutal appetites and passions, overlooking likewise the similar fact, as in the other case, of the still further increase of the holders of land that would arise out of the division of the church property, and being unable to penetrate to the momentous moral and political consequences of the Reformation.

By this subdivision of the large fiefs, or estates, was formed, or at least greatly increased, that numerous, and, when banded together, powerful class, placed between the higher nobility and the citizens or burgesses (for the mass of the people is hardly yet to be taken into the account), known in England by the denomination of "gentry." As we have remarked before, this class, with some of the ancient lineage, the territorial wealth, and the military character, inherited also a large portion of the high, proud, indomitable spirit of that old Norman aristocracy that had once filled Europe and Asia with their victories and their renown. To this class belonged most, if not all, of the parliamentary leaders during the eventful period upon which we are now employed,—men who presented a strange compound of qualities which had probably never before been seen together; being at once cool, sagacious politicians,—brave, high-spirited soldiers,—and enthusiastic, devout, and somewhat ascetic theologians. So that, amid that band, in many a breast, beneath an exterior plain, cold, puritanical, there burned, along with the high, fierce, determined spirit of a republican soldier, the concentrated pride of a nobility of twenty generations.

It was a peculiarity in the destiny of England, that this class, sitting in the same chamber with

* Coke, 2. Inst. prœm.

* By the Statute of Fines, 4 Hen. VII, c. 24. See vol. ii. p. 751.

the citizens and burgesses, who, with whatever firmness they defended the narrow, local interests of their respective townships, were remarkable for a humble and even timid deportment in their transactions with the king and nobility, communicated to them a portion of their own high spirit: so that we shall find the "poor Commons," who before scarcely dared to lift their eyes from the ground in the presence of royalty and nobility, now transformed into the "Commons of England," who deposed lords, bishops, and kings, and bade defiance to the world.*

In this progress of events the Reformation, or revolution in religion, referred to above, played an important part. We agree with M. Guizot in thinking that the fundamental character of the Reformation was not a mere struggle for the redress of ecclesiastical grievances, but a grand insurrection of human intelligence against spiritual domination. This insurrection, then, having been successful,—this rebellion having become a revolution,—a singular phenomenon presents itself throughout Europe,—liberty in spiritual matters and subjection in temporal, free examination and pure monarchy standing face to face. The battle was first joined, the mighty and eventful conflict began in England.

As we have said, the kingly power received a very considerable accession in the reign of the first Tudor. It reached a degree of energy and concentration it had not before known. Not that, as M. Guizot has remarked, the despotism of the Tudors was more violent, more oppressive, than that of their predecessors. There might have been as many or more acts of injustice, of tyranny, perpetrated by the Plantagenets than by the Tudors. But, under the latter, the kingly power became systematic; royalty held a language it had not held before in England. It may be added that a somewhat similar movement, as regarded royalty, was then going on over the greater part of Europe.

The Reformation, though Henry VIII. probably little suspected so, gave a mighty impulse in the other direction. The minds of men, freed in part from the spiritual thraldom which had so long bound them, began to question other things besides matters of religious belief. In England, moreover, the religious revolution had been brought about by the higher orders of the state, the king, and the nobles; not, as in Germany, by the people themselves. Consequently it bore the stamp of its authors. It was a monarchical and aristocratical revolution; royalty, episcopacy, and nobility divided among them the rich spoil of their papal predecessor; and consequently, too, it left many, if not all, of the popular wants unsatisfied. Thence arose a sect, which constantly went on increasing, of dissentients from the form of religion prescribed by the state. In proportion to the difficulties which their dissent threw in their way, and the dangers to which it exposed them, were, as might be expected, these men's enthusiasm, perseverance, energy, and courage. Calm, austere, laborious, temperate, hoping all things, enduring all things, they learned in time to dare all things for that which the very sufferings they underwent for the sake of it taught them implicitly to believe was of paramount importance to themselves and to all men. Such were the English Puritans, who were destined to be the main instruments in bringing about perhaps the most important revolution that has yet been recorded in the annals of human kind.

The fire that burned thus fiercely in the breasts of a large portion of the people of England, continued to burn silently and unseen during the reign of Elizabeth, kept under, though it could not be extinguished, by the wise and firm policy of that illustrious woman. All restraint was relaxed in the next reign, as if the government had fallen into the hands of a rabble of half-drunken dotards. In every relation of human life in which he is viewed, whether uttering drivelling absurdities to his parliaments, and at the same time likening himself to King Solomon in wisdom, or blustering about his courage and power at the very moment when he was giving unequivocal signs of the last degree of cowardice and weakness, or enlivening the privacy of his royal retirement by the amusement of looking at his court fools jousting against each other, mounted upon the shoulders of other fools, or pouring forth the effusions of his obscene, grovelling nature to his worthy minion Buckingham, James is equally an object of aversion or contempt. And yet, of the death of this man, Archbishop Laud says, in his Diary, that "he breathed forth his blessed soul most religiously."* Contempt, disgust, and the bitter feelings engendered by the persecutions they underwent, converted the Puritans generally, before the close of this reign, into zealots for a reformation in the state as well as in the church.

James died, and was succeeded by his son,—a man who, as compared with his father, might be considered as possessing the tastes and habits of a gentleman, though wanting altogether in those higher characteristics of an English gentleman,—a firm, a religious observance of his word,—an unswerving fidelity to duty and to truth,—and, viewed as the ruler of a great nation, absolutely incapable, from ignorance and narrowness of understanding, and from weakness both intellectual and moral. Having, however, very high notions of his power and prerogative, and sufficient courage to act upon those notions, though not sufficient ability to act efficiently, he hurried on the contest, to which we have alluded above, between liberty

* For a full development of this see M. Guizot's admirable 'Histoire Générale de la Civilisation en Europe, depuis la Chute de l'Empire Romain jusqu' à la Révolution Française.' Paris, 1828—1832.—That the more reflecting minds of that age were not insensible to the real changes that had taken place in the constitution of society, is proved by such passages as the following, in Raleigh's Prerogative of Parliament:—"The force by which our kings in former times were troubled is vanished away. But the necessities remain. The people, therefore, in these later ages, are no less to be pleased than the peers before; for, as the latter are become less, so, by reason of the training through England, the Commons have all the weapons in their hands."

* Laud's Diary, p. 15.

of conscience and civil subjection—between the absolute dominion of the One, or the Few, and the insurgent spirit of the Many. This conflict, from the deep and far-spreading character of its effects, will for ever be intensely interesting, not only to Englishmen, but to every nation and tribe of civilized men.

James had carried at least the pretensions of royalty farther than any of his predecessors. What the strongest of the Tudors had left vague and fluctuating in theory, whatever might have been their practice, he endeavoured to render clear and incontrovertible as the revealed laws of the Deity. He attempted to prove from the Holy Scriptures (though the passages he quoted had been long before used by a much abler logician, Sir William Fortescue, to prove the exact converse of the kingly proposition) that kings held their power immediately from God, and to him only were accountable for its exercise; and that monarchy, or the sovereignty of One, was the form of government for which, above all others, God himself had expressed a decided preference.* Charles was not likely to be wanting in respect to the judgment of his father on this point. He had travelled, too, with his father's minion, Buckingham, as a travelling tutor. He had beheld in Spain royalty treated with honours little short of divine. And from France, along with his queen, he received impressions which were all in favour of the supremacy of kings. If he had had somewhat more ability and a better fortune, perhaps Strafford might have done for him what Richelieu did for his royal relative. And yet there were peculiarities in the case of England that might have rendered that impossible even to the firmness and capacity of Strafford. These we have already touched slightly, but they deserve to be more fully examined.

Hobbes† does well, as it appears to us, to place among the very first and chief causes of (as he terms it) the people's being corrupted or seduced from their allegiance to their king, the allowing them the free use of the Scriptures, as was done by the Reformation. If an absolute monarchy, such as absolute monarchies then were, was to be established, the best way to go about it was not to set every man to work to read the Scriptures in his mother tongue, and put his own interpretation upon them. It might be expected that men who were accustomed to attempt to penetrate all the mysteries of their religion, to discuss freely the nature and powers of God and his angels,‡ would not stop short there, and abstain altogether from touching upon the nature of earthly potentates. King James might command them to abstain from such speculations as too high and weighty for their weak and narrow capacities. But, like Canute dictating to the waves, he commanded in vain. He did not know that the human mind was obeying the action of laws as fixed and irresistible as those that made the waves of the ocean deaf to the command of Canute.

The different effect produced at the time by this use of the Scriptures upon different minds, is a curious instance of the degree to which men's conclusions are governed by their interests. The king, the high nobility, and the high clergy, being the principal gainers, were satisfied with the Reformation as it was. They sought to go no farther. They were convinced that everything was pretty much as it should be. "The kingdom," they said, "abounded with wealth, plenty, and all kinds of elegance, more than ever: they did nothing but applaud the happiness of England, and called those ungrateful and factious spirits who complained of the breach of laws and liberties."* On the other hand, the rest of the community, including gentry, burgesses, and people, saw that the Reformation had left them many things still to desire. It had, in truth, made them aware of many wants before unfelt. And they were not slow in finding in Holy Writ abundance of evidence to support their views and prove the reasonableness of their wishes. An instance of the application of the same text of Scripture to prove two things the exact opposite of each other, will strikingly illustrate the above remarks. "Kings," says Heylyn, the churchman, "are God's deputies on earth, and, like him, *love a cheerful giver*."† "Forced consecrations," says Milton, the republican, "out of another man's estate, are no better than forced vows,—hateful to God, *who loves a cheerful giver*."‡

Akin to the preceding is another cause, which is noticed by Lord Bacon as one of the diseases with which learning was afflicted in his time.§ This was the fervor and rhetorical vehemence of language, both in writing and speaking, but especially in preaching, which sprung up (says Bacon) about the time of Luther, and was employed to excite the passions of the people; taking place of the somewhat uncouth but far more accurate and logical diction of the Schoolmen. Though Bacon only viewed this phenomenon as it affected literature and science, it was a sign and forerunner of the greatest social and political changes. For it was the first symptom in modern times that the mass of the community were to be appealed to. And though, when the mass is sunk in ignorance, the appeal is necessarily made to their passions

* Compare King James's 'True Law of Free Monarchies' (King James's Works, p. 191—9, folio, 1616) with Fortescue's work on 'The Difference between *Dominium Regale* and *Dominium Politicum et Regale*,' p. 1—5, 8vo. edit.

† Behemoth, Part I.

‡ The innumerable tracts and pamphlets that have come down to us from those times show the nature of many of these inquiries. The younger Sir Henry Vane appears to have been one of the wildest as well as the subtlest of those "seekers." Among his subjects of discussion were 'The creation, nature, and ministry of angels,' 'The thousand years' reign of Christ,' and the like. See his work entitled 'The Retired Man's Meditations; or the Mysterie and Power of Godliness shining forth in the Living Word, to the unmasking the Mysteris of Iniquity in the most refined and purest Forms. In which Old Light is restored and New Light justified; being the Witness which is given to this Age. By Henry Vane, Knight. 4to. 1655.'

* May, History of the Parliament, Book I. chap. ii. p. 18. edit. 1647.

† Life of Laud, p. 184. folio. 1668.

‡ Considerations Touching the likeliest Means to remove Hirelings out of the Church, p. 110. 1659.

§ De Augm. Scient., Lib. I. p. 40, edit. Lugd. Batav. 1645.

rather than their reason, even this was a point gained, for it was a step that behoved to be made before society could advance beyond; and a step of such importance that, to gain it, we should even be willing that, for a time, the loose, wordy, empty declamation of popular rhetoricians should take the place of the concise, close, apt, and precise language of the Aristotelian logicians, or Schoolmen. This would naturally lead to the diligent study and imitation of the ancient orators; and, along with the admiration of their style, there would be apt to arise an admiration of their sentiments. So that the Reformation would here act in two ways. It would produce a disposition to question constituted authorities—first, on religious grounds; and, secondly, "because (in the words of Hobbes) there were an exceeding great number of men of the better sort that had been so educated, as that, in their youth, having read the books written by famous men of the ancient Grecian and Roman commonwealth, concerning their polity and great actions, in which books the popular government was extolled by that glorious name of liberty, and monarchy disgraced by the name of tyranny, they became thereby in love with their forms of government; and out of these men were chosen the greatest part of the House of Commons, or, if they were not the greatest part, yet, by advantage of their eloquence, were always able to sway the rest."*

But it may be said that these causes of disaffection, with the addition of another,—namely, the increase and diffusion of wealth in consequence of the rising prosperity of the city of London, and other great towns of trade,—were not peculiar to England,—but common to her with other countries, such as Holland and Germany. As we have already remarked, however, there were circumstances peculiar to England which made the above causes efficient there before they were so in any other part of the world. "When we regard," says M. Guizot, "the state of the free institutions of England at the end of the sixteenth century, this is what we find:—1. Maxims: principles of liberty which had been written, which the country and the legislature had never lost sight of.—2. Precedents: examples of liberty, very much mixed up, it is true, with contrary examples and precedents, but sufficient to legitimatise and support the remonstrances.—3. Institutions, special and local, fruitful in germs of liberty: the jury, the right of assembling, of being armed, the independence of municipal administrations and jurisdictions.—4. Lastly, the parliament and its power, of which royalty had more need than ever, for it had dilapidated the greater part of its independent revenues, and could not avoid having recourse, for its subsistence, to the vote of the country."†

Now, the circumstances which were peculiar to England,—and among the very most important of these must be classed that already mentioned, of a portion of the aristocracy being amalgamated with the burgesses by sitting together in the same chamber,—joined to those above specified, which were common to her with other European countries, had, about the commencement of this period of our history, added much boldness not only to the thoughts, but to the bearing of the Commons of England. For we may here remark, in passing, that for a long time after the English Commons had assumed considerable boldness of ideas and firmness of purpose, their demeanour was characterised by an extreme deference and timidity. The bearing, again, of the high aristocracy who sat in the Upper House was marked by a corresponding haughtiness. The following extract from the Commons' Journals exhibits, in a curious and striking manner, the state of the case as regarded the former humility and increasing pretensions of the Commons, and the proportionate pride and insolence of the Lords, so late as the accession of James I. to the throne. The insolence of the servant may generally be taken as the measure, to a certain degree of accuracy, of that of the master. "*Luna, Martii* 19, 1603.—Complaint was made, by Sir Herbert Croft, of Bryan Tassh, a yeoman of his majesty's guard, who, keeping one of the doors in the Upper House, and Sir Herbert himself and some others of the Commons offering to come in, he repulsed them, and shut the door upon them with these uncivil and contemptuous terms,—Goodman burgess, you come not here."* When such was the insolence of the door-keeper, the insolence of those within may be assumed to have been considerable. Mr. Yeoman Tassh, however, even then did not escape without a reprimand from the Commons at the bar of their House. A few years later such insolence might have procured him suspension by the neck.

There is one leading trait in the aspect of this age that we must notice before we quit this part of our subject. We have already alluded to the probable effect of putting the Bible into the hands of the body of the people. They were commanded to be, they professed to be, Christians. They diligently read, and much pondered on, the precepts of the Christian morality. In being ordered to be Christians, they were ordered to take these as their rule of life. They did so take them, to the best (that is to say) of their comprehension and knowledge of them. They then turned their eyes to those who were their worldly superiors—whose power and wealth made them be looked up to as the great ones of the earth. They looked as far as they were permitted, into the palaces of their princes and the halls of their nobles; and they beheld many things there which were hard to reconcile with the commands of that Book which, they believed, was no respecter of persons but which was intended alike for the rich and the poor, for the prince in his palace and the peasant

* Behemoth, p. 5, edit. London, 1682.
† Hist. Gen. de la Civ. en Europe, Leçon xiii. p. 12.

* Journals of the House of Commons, vol. i. p. 142.

in his hut. They were convinced that a court which acted in a manner so contrary to the precepts of their cherished religion, and a church which was the tool of that court, must be bad, and ought to be put down. And they went about the work of putting them down with a mixture of enthusiasm and coolness, of ability, energy, and courage, which has never yet been displayed in an equal degree by any body of men in any age and any country. Yet, for all this, the revolution which we are about to trace must not be regarded merely as a religious one. It was also a political revolution, but accomplished in the midst of a religious people, in a religious age. We have already said that it was the commencement in Europe of the struggle between free examination in spiritual matters, as established by the Reformation, and pure monarchy. This is M. Guizot's statement of the question, but it is not strictly accurate: for, in England, monarchy was not quite pure, nor examination quite free. There was, however, enough of freedom of examination to produce a desire for more, and *not* enough of pure monarchy to render that desire unattainable. During the whole struggle, then, religious and political ideas, passions, and interests mingled, and constantly influenced, and supported each other.*

When Charles I. succeeded to the throne of England, being supposed to possess many more good qualities than his father, the nation, tired of the government of a pedant, an imbecile, and a coward, hailed his succession with unfeigned delight; for they had not forgotten that they had once been governed by men, or by a woman who possessed some of the noblest qualities of manhood. Their joy, however, was not destined to be of long continuance; nor had they reason to expect that it would, if they considered attentively what had been the education which the king who was now to rule over them had received.

Among the many vices of the court of James I., if there were others more loathsome, there was none more universal, more habitual in it, than insincerity. Insincerity is, indeed, the characteristic of all barbarous and semi-barbarous nations, and pre-eminently of all barbarous and semi-barbarous courts. Thus we meet with it in the court of Elizabeth as well as in that of James. But, nevertheless, we are less likely to meet with it in abundance at the court of a virtuous and manly prince than of a vicious and effeminate one. At the court of James, from the king on his throne to the court jester, all had alike discarded truth and sincerity as qualities they had no use and no regard for. He who could not lie, and look in the face of him to whom he lied as if he were speaking the truth, was unfit to breathe in such an atmosphere. But in that atmosphere Charles Stuart first drew the breath of life,—in that atmosphere he passed his boyhood and his youth,—in that atmosphere he attained to manhood, at least to all of manhood he ever knew. Knowing, then, what his father was, and knowing what were the instructors of the son, the English people do not seem to have had much ground for entertaining any high expectations from that son. But drowning men, says the proverb, are glad to catch at a straw.

Such was the state of the national mind when Charles called together his first parliament. Even of that the proceedings soon showed that, if pure monarchy could at this time be said to exist in England, its seat was over an awakening volcano. It manifested from first to last a spirit of distrust and even of resistance; and, after sitting somewhat less than two months, was dissolved by the king in a fit of spleen at what he considered its contumacy.

In about six months a new parliament was called, and the Commons do not appear to have grown in the interval a whit more compliant with the king's wishes. They almost commenced their proceedings with an inquiry into the conduct of the Duke of Buckingham. This man had enjoyed the extraordinary fortune of being the favourite and prime minister of two successive kings, James I. and his son Charles. His recommendation to this high office was simply beauty of person. Of the qualities belonging to a statesman he possessed not one. It would be, then, only what the laws of human nature would lead us to expect if his administration was one uninterrupted series of failures and disasters. In his negotiations he was constantly outwitted by men who, though they might be as great knaves, were not quite so great fools as himself; and his military enterprises rendered the name of Englishman the laughing-stock of Europe,* till it was redeemed by the capacity and valour of Cromwell and Blake. His private life, too, was profligate to the last degree; and he offended all with whom he came in contact by the insolence of his demeanour. In the full enjoyment of almost every object of human desire,—power only short of absolute—unbounded wealth—pleasure in every material form in which it is known to mortals, without having expended one particle of the labour, the courage, and the skill which the lot of man upon earth has ordained to be the price of such things; and, naturally of a frivolous character, he was necessarily ignorant of all which, as prime minister of England, it was

* M. Guizot thinks that the English Revolution was essentially political, though religious ideas and passions served as instruments to it. Civilis. en Europe, Leçon 13. May (History of the Parliament, lib. i. p. 115) goes farther, and says that mixing up religion in the dispute about laws and liberties rather injured the cause of the parliament. However, in this we think him wrong; and the result proved it, for the parliament forces were beaten till Cromwell adopted the plan of having plenty of religious fanatics among his soldiers; and then they were invincible.

* At Paris, Madrid, and the Hague, the English ambassadors were repeatedly insulted. One case, mentioned in Howell's Letters, p. 210 (8vo. London, 1678), will serve as a specimen. When Sir Thomas Edmunds went as ambassador to France, the Frenchman sent to meet him at St. Denis pretended to excuse the smallness of the attendance on the ambassador by saying that "his excellency should not think it strange that he had so few French gentlemen to attend in this service and to accompany him to the court, in regard there were so many killed at the Isle of Rhé."

at once his interest and his duty to know. To all this must be superadded the circumstance of his not being born to this high and prosperous fortune, which he thus acquired without desert or exertion, and consequently feeling less easy in his position, and therefore exhibiting, in addition to all his other bad qualities, those of a *parvenu*. If we can conceive a creature to the last degree weak, ignorant, vicious,—knowing no higher impulse than the low, sordid passions of a savage or a brute,—intrusted with all that concerns the happiness of millions of beings, of whom the lowest are considerably above it in the scale of existence,—we shall obtain some idea of the administration and the statesmanship of Buckingham. A fitter instrument than such a minister the wit of man could hardly have devised to accelerate the fate of a falling dynasty.

As might have been expected, the impeachment of the Duke of Buckingham was ineffective. "His majesty's poor Commons" were not yet a match for the favourite of his majesty. But the fact of the impeachment at least showed the spirit of discontent that had arisen and the spirit of resistance that was rising among the Commons of England.

The king, finding the Commons more disposed to attack his favourite than to grant him supplies of money, dissolved his refractory parliament after it had sat only four months. After an interval of a year and nine months, a third parliament was called. Soon after its meeting a debate took place upon public grievances, in which Sir John Elliot, Sir Thomas Wentworth, and Sir Edward Coke joined.* Wentworth, after vehemently complaining of the illegal acts committed, said, "This hath not been done by the king but by projectors; these have extended the prerogative of the king beyond its just limits." He concluded with moving two resolutions; the "1st. For our persons, the freedom of them from imprisonment, and from employment abroad against our own consents, contrary to the ancient customs of this kingdom. The 2nd, for our goods, that no levies may be made but by parliament; and no billeting of soldiers."† But this parliament is chiefly memorable for preparing the petition to the king, founded upon Magna Charta and other statutes, for ascertaining what is called in England the rights and liberties of the subject, which afterwards received the name of the "Petition of Right."‡ To this petition it was the object of the Commons to obtain the king's assent in parliament that it might have the force of a special enactment, and, as such, be enrolled among the statutes.§ In one of the debates on this subject Pym made an observation which shows that he was aware of the ambiguity and confusion produced by applying the term "sovereign" to the king of England. "I know," he said, "how to add sovereign to the king's person, but not to his power; and we cannot leave to him a 'sovereign power,' for we never were possessed of it."* Charles at first attempted to evade answering this petition in the usual form, in the mode to which precedent had given the stamp of legality, by the subterfuge of *appearing* to assent to it in vague, general terms. But finding that this would not satisfy the Commons, he at length gave them an answer in the technical words, "Soit droit fait comme il est désiré."† But, this notwithstanding, the Commons having presented a remonstrance to the king on the subject of tonnage and poundage, Charles prorogued the parliament in disgust, after a session of little more than three months.‡

During the prorogation a circumstance occurred which shows that Charles was beginning to suspect that something like a crisis in his affairs had arrived which, for its management, demanded abilities of a somewhat different order from those possessed by the minion Buckingham. Sir Thomas Wentworth obtained title and place, being created a baron and privy counsellor; and, in Michaelmas following, he was made a viscount, and lord president of the council of the north. The assassination of Buckingham, which also took place during this prorogation, made way for Wentworth and Laud to be the king's principal advisers.

On the re-assembling of parliament in January, 1629, the first inquiry of the Commons regarded the infringement of the Petition of Right since the end of the preceding session.§ Religious grievances also occupied a good deal of their attention, and many long-winded and vehement harangues were delivered, in which each speaker seemed to imagine that he had peculiar means of fathoming the designs and will of the Deity, and, to borrow the words of one of the most eloquent of those long-winded men, Sir John Elliot, of "laying down what was truth."‖ It was on these matters, as has been noticed in a former chapter,¶ that Oliver Cromwell first appeared as a speaker. And certainly it must be said for Oliver, that when he first made his appearance in public life, so far from evincing any seditious designs upon the crown of these realms, he appeared to be much more occupied with the world to come than with this. Meanwhile the breach between the king and the House of Commons was every day becoming wider; and, after a debate of unusual violence on the great question of tonnage and poundage, this third parliament also was hastily dissolved, like its two predecessors, on the 10th of March, 1629, Elliot, Hollis, Selden, and the other principal members of the opposition, being at the same time thrown into the Tower.**

* See ante, p. 130.
† Parl. Hist. vol. ii. p. 236.
‡ See ante, pp. 131—134.
§ In fact anciently all acts of parliament were in form of petitions. See Coke, 4 Inst. 25.

* Parl. Hist. vol. ii. p. 357.
† Ibid. p. 409. Yet it is to be remarked that this was the usual mode of the king's giving his assent to a *private* bill, that to a *public* bill being "*le roy le veut.*" Did Charles seek for a subterfuge to his tender conscience in this?—Commons' Journals, vol. i. p. 1057; Blackstone, Comm. B. I. c. ii. p. 184.
‡ Ibid. p. 435.
§ See ante, p. 138.
‖ Parl. Hist. vol. ii. p. 450.
¶ See ante, p. 140.
** See ante, pp. 141, 142.—We may here note a curious instance o the danger of mistake any man, however able, runs in writing the

Henceforth Charles resolved to try what could be done without parliaments.

For some time things went on smoothly enough; and to a superficial observer, such as Charles's foreign wife and her frivolous and foolish courtiers, or to a short-sighted bigot such as Laud, Charles's principal adviser next to the queen, the smooth surface of society which they beheld gave no indications of the tornado that was gathering around and the earthquake that was sleeping below.

The wife of Charles, Henrietta Maria, a daughter of Henry IV. of France, had not been long in England before she discovered that her husband was a weak man; and, though herself a more than ordinarily weak and shallow woman, she felt herself in duty bound at least to make the attempt to govern him, and, through him, the kingdom of England. She wished to know and regulate everything; and if she was not consulted upon every occasion, she treated her royal consort as a spoiled child does those who have submitted to the yoke of its weak, capricious tyranny. She was surrounded on the one hand by Roman Catholic priests, on the other by frivolous, intriguing young courtiers, and by one or two women, such as the Countess of Carlisle, who, like their royal mistress, fancied that they had talents for empire as well as gallantry. To this coterie the termination of parliaments seemed the commencement of an Elysium upon earth.

We may well question whether this section of Charles's council would amalgamate well with the other directed by two such men as Laud and Wentworth.

The son of a country tradesman, to whatever cause William Laud owed his high place in the church and state, he did not owe it to his birth, any more than Wolsey and most of his brethren, for, in fact, it was in Laud's time, and mainly through his instrumentality, that the Church of England commenced its close alliance with the aristocracy. Up to the age of fifty Laud had lived secluded in a college in Oxford, distinguished, however, for a busy, meddling spirit, and the sort of learning and acuteness which was at that time in demand at the Universities.* First, Bishop of St. David's, then of Bath and Wells, afterwards of London, and, lastly, Archbishop of Canterbury, and, in truth, prime minister of England (for though he himself held no ostensible political office except his seat at the council-board, at the great committee of Trade and of the king's revenue, and as one of the commissioners of the Treasury during the time the lord high treasurership was in commission, a lord high treasurer, a clerk of the closet, and one of the principal secretaries of state were appointed on his recommendation), he carried into these high functions the petty, meddling, squabbling spirit of a university proctor. His rise was mainly owing to those low and base arts to which spirits at once servile and insolent are so prone, and to which so many men in all ages and countries, laymen as well as churchmen, have owed their rise. No sooner had he attained a certain elevation than he kicked down those who had helped him up; and while, like the pampered dog or menial of a great man's household, he was obsequious and fawning to his master and his master's minion Buckingham, he was unmannerly and overbearing to all besides. At the same time laborious, austere, headstrong, choleric, uncourteous even to harshness towards all but those he considered his superiors,† he was as little likely to render himself agreeable to a circle of gay, frivolous, and licentious courtiers, as towards the austere, grim puritans whom he persecuted wtih such unrelenting cruelty. The church was the one idea of Laud's mind, and its aggrandizement the one object of his existence; and he developed that idea and pursued that object, not indeed with the genius of a philosopher and the spirit of a statesman, but with the microscopic and perverted acuteness of a theological schoolman, the unrelaxing energy of a zealot, and the stern, inflexible courage of a martyr.

Wentworth was sprung from that class to which we have already alluded, as known by the name of gentry, being the eldest son of Sir William Wentworth, a gentleman of large estate and ancient family in the county of York, holding a manor which had descended to him from the time of the Conquest, and claiming consanguinity with a long list of ancient and noble families, that, in those days of respect to high birth and long descent, might comport well with his son's aspiring fortunes.† It has been usual to consider Wentworth as an apostate from the principles of his youth; and, indeed, he was so designated by Pym in the speech in which he introduced the motion for his impeachment at the commencement of the Long Parliament. But, without quarrelling about the meaning of a word, it may be sufficient here to observe that we have evidence from Wentworth's own pen that he was, from the first, solicitous of royal favour; and he appears to have been driven into opposition to the

history of a foreign nation; in the mis-translation M. Guizot (*Hist. de la Rév. d'Angleterre*. i. 57) has given of the exclamation of Finch, the Speaker, in the debate of the 2nd of March, "I will not say *I will not*, but *I dare not*,"—which he turns into, "*Je ne veux pas*, je ne puis pas, je n'ose pas."

* See Heylyn's Life of Laud,—Laud's Diary,—his Conference with Fisher the Jesuit,—and the History of his Troubles and Trial.

* Clarendon, though the apologist of Laud, relates a striking instance of this; and to show that it was not an isolated instance, he adds, "and this kind of behaviour of his was the discourse of all companies of persons of quality, every man continuing any such story with another like it, very much to his disadvantage."—Clarendon's *Life*, vol. i. p. 62. Oxford, 1759.

† An Essay towards the Life of my Lord Strafforde, in a Letter to the late Earl. By Sir George Radcliffe: forming Appendix No. I. of Strafforde's Letters and Dispatches. 2 vols. folio, London, 1739.—Also Biog. Brit., art. Wentworth; the compilers of which article, however, it ought to be observed, although they have added from other sources some new matter, have in some instances unwarrantably departed from the account of Radcliffe, who, as Strafford's confidential friend, was likely to be, and was, well informed. For instance, in regard to the time of his first marriage, where the account of Radcliffe is proved by a letter in page 1, vol. i. of the Letters and Dispatches, and of his first entering parliament, where Radcliffe's date is confirmed by Browne Willis's Notitia Parliamentaria, vol. iii. p. 169. Since writing the above we have been gratified to find that the accuracy of Radcliffe has also been noticed by Mr. Forster in his interesting and graphic, and at the same time elaborate, Life of Strafford, published in Dr. Lardner's Cabinet Cyclopædia.

court rather from disgust at the reception his advances had met with from the king, or, to speak more correctly, from the Duke of Buckingham, than from a thorough conviction of the badness of the government, and a sincere desire to amend it.* However that may be, he rendered himself sufficiently formidable, by his energy and eloquence, as an enemy, to make the court think it worth while to have him for a friend. But, in the capacity of Charles's minister, he found that the cup which he had coveted was not one of unmixed sweetness. Both nature and fortune had contributed to render Wentworth imperious and haughty; and his bold and aspiring spirit might be expected to rebel against so weak and contemptible a dictation as that of Charles and his miserable wife. His views were too large, and his pride was too lofty, to permit him to mix himself up with the domestic intrigues, or give way before the convenience, of the palace. And yet it is curious, in reading the letters and dispatches of Strafford, to observe how his vigorous administration, and comprehensive, coherent, and, *pro tanto*, statesmanlike views, were thwarted by whims and follies worthy of a spoiled child, or a weak, violent, capricious woman. The good or bad humour of the queen, the etiquette of the court, the prerogatives of the officers of the household, appeared to Charles considerations almost if not altogether of equal importance with the mightiest interests of the empire. There is a passage in one of his letters so characteristic of the man and his position, that we shall give it in his own words:—"I am none," he writes to the Lord Treasurer, "of those soft-tempered spirits; but I cannot endure to be mistaken, or suffer my purer and more entire affections to be soiled or in the least degree prejudiced with the loathsome and odious attributes of covetousness and ambitious falsehood. Do me but right in this; judge my watches to issue (as in faith they do) from those clearer cisterns; I lay my hand under your foot; I despise danger, I laugh at labour. Command me in all difficulties, in all confidence, in all readiness."† Of the difficulties of Wentworth's situation it was not one of the least, that he had to spend a large portion of his time in writing an explanation and defence of almost every one of his measures to a pack of ignorant incapables, such as composed the English court at that time. It is astonishing what labour he must have gone through in this way. Besides the two large folio volumes of his Dispatches, that were published about a century ago, there exists at Wentworth House, in the possession of Earl Fitzwilliam, an immense mass of papers, in his own handwriting, still unpublished.

But, notwithstanding all these difficulties with which he had to contend, Wentworth had not been long in his government of Ireland before the good effects of his vigorous administration began to be felt. The debts of the crown were discharged; the revenue, before unequal to the expenditure, was raised above it; the army, which he found feeble and ill-disciplined, was recruited, well-disciplined, and well-paid; and, though Wentworth tyrannized over all, he would permit no other tyrants but himself: consequently the religious and aristocratical factions were kept in check, and the poor were protected from the oppression of the rich and powerful, which, in Ireland, except when checked by an iron hand like that of Wentworth and Cromwell, has at all times ground them down to the very dust.* The consequence was, that commerce prospered, manufactures were established, agriculture made some progress: in a word, Ireland was under an arbitrary and iron rule, indeed, but less a prey than, perhaps, it has ever been before or since, to the wasting domination of a selfish and ignorant oligarchy.

In England, Laud, possessed of less ability as well as invested with less ample power than Wentworth exercised in Ireland, though he could not go quite so far or quite so fast as his friend, yet went as fast as he was able in the same path. He set to work with his characteristic violence. He put down all liberty of speaking and writing; and he would fain have put down all liberty of thinking in the same manner; but that was not quite easy.† He imprisoned, he fined, he cut off ears, he slit noses, he scourged, he set in the pillory, he branded with red-hot iron; and, to render the thing complete, those who sought to escape from this intolerable tyranny to the wilds of America were stopped. Such were the means that Laud employed to the professed end of propagating the true religion.

But, whether or not by such measures Laud advanced true religion, it is certain that, at least for a time, he advanced something which was probably much nearer the real end he had in view, and that was the Church of England. Never was that church in a more palmy state. In 1635 the star of the Church of England might be said to be in its zenith. Laud, Archbishop of Canterbury, was prime minister of England; Juxon,

* See particularly his Letters and Dispatches, vol. i. pp. 34, 35. But there is evidence to the same effect scattered all through those papers, which, besides furnishing materials for forming a judgment of the character of Strafford, such as are seldom possessed for estimating public men, afford a more complete picture than can be found elsewhere of the social as well as political condition of England during the early part of the seventeenth century. Hume, probably well aware how much it would tell against his views, has scarcely alluded to these papers, perhaps the most valuable record that has come down to us of that momentous time.

† Strafford's Letters and Dispatches, vol. i. p. 80.

* Strafford's Letters and Dispatches, vol. i. pp. 287, 371. In the latter place the expression of Sir John Finch, Lord Chief Justice of the Common Pleas, is remarkable. "Your lordship's wisdom," he says, "hath now brought the affairs of Ireland to such a pass as we here cannot determine whether those that have need of justice love you more, or those that have not justice (how great soever, and that would willingly be above it) fear you."

† Heylyn's Life of Laud, p. 362, folio, London, 1688. He got decree passed in the Star Chamber on July 1, 1637, by which it was ordered "That the master-printers from thenceforth should be reduced to a certain number; and that if any other should secretly or openly pursue that trade, he should be set in the pillory, or whipped through the streets, and suffer such other punishment as that court should inflict upon him." The rest of the decree, prohibiting the printing of any book without the *imprimatur* of the archbishop or the bishop of London, has already been given at p. 166.

Bishop of London, was lord high treasurer, the first churchman who had been so since the time of Henry VII.* Wren, Bishop of Norwich, and Bancroft, Bishop of Oxford, were talked of among the young clergy, who "swarmed mightily about the court," and, after the joining of the "white sleeves with the white staff," seemed to think everything their own, as secretary of state and chancellor of the exchequer.† Moreover, by enforcing conformity in the English regiments and factories beyond seas, and by sending bishops to the colonies and "backing them with forces," it was hoped that the Church of England might be rendered "as diffused and catholic as the Church of Rome."‡ So that Laud might well exclaim, after so much exertion, "And, now, if the church will not hold up themselves under God, I can do no more."§

The characteristic of the English church, as distinguishing it from most other aristocratical hierarchies, was its strict subordination to the state, while at the same time it had distinctly separate ministers and functions. In the latter quality it differed from the hierarchy of aristocratical, or, as it is commonly called, republican Rome, of which the ministers were at the same time statesmen and soldiers,—the ministers, in short, of the ruling oligarchy; in the former from the papal hierarchy, which owned subordination to none, but claimed dominion over all. The English church, moreover, like the reformed churches of Germany, Holland, Switzerland, and Scotland, owed its origin solely to the individual will of the temporal sovereign, and by that lost all independence. It had, indeed, early felt the irksomeness of this yoke, and desired to shake it off; but the perils which beset it at once from the Catholics and Nonconformists, and the formidable hand of Henry VIII. and Elizabeth, rendered that desire a vain one. When the Stuarts came to the throne the clergy became bolder, soon finding out, as well as the people, that they had got a very different sort of master to deal with. Every time the king paraded his prerogative, and talked of his divine right, the clergy bowed respectfully; but, by-and-by, they began to slip in a word or two at times of *their* divine right also. By way of excuse, however, for these pretensions with the king, they became vehement against the people, calling them "the rude, rascal commons," "rascal rioters," "rascal rabble," "that underfoot of people," and the like;‖ apparently forgetting that they had souls to be saved; much more, that they were formed "after the image of their Maker," as well as their betters. When Charles I. got embroiled with his parliament, and was looking about him for the means of governing without parliaments, the English clergy thought that the time for asserting their independence had arrived. In so thinking, however, they were mistaken.

The monopoly by the clergy of the confidence of the king and of the high offices of the state, to which we have adverted, naturally excited the jealousy and disgust of the higher aristocracy, who were accustomed to consider that confidence and those offices as their birthright. But, as if *they* were not a sufficiently formidable adversary, Laud contrived to add to theirs the enmity of another powerful order of men—the lawyers. He complains bitterly in some of his letters to his confidant and coadjutor, Wentworth, of the obstacles opposed to the aggrandisement of the church by the "forms of the common law." "The Church of England," he writes on one occasion, "is so bound up in the forms of the common law, that it is not possible for me or for any man to do that good which he would, or is bound to do. For your lordship sees, no man clearer, that they which have gotten so much power in and over the church, will not let go their hold; they have, indeed, fangs with a witness, whatsoever I was once said in passion to have."* We will quote an extract on this subject from his History of his Troubles and Trial, as a curious contrast to the preceding, and as showing the great value of the Strafford Papers in unmasking the statesmen of those times:—"Ever since I had the honour to sit at the council-table, I kept myself as much to the law as I could, and followed the judgment of those great lawyers which then sat at the board. And upon all references which came from his majesty, if I were one, I left those freely to the law, who were not willing to have their business ended any other way. And this the lord keeper, the lord privy seal, and the counsel learned, which attended their clients' causes, can plentifully witness."† Now, there is one case which, from its importance and the misrepresentation it has received from historians, we shall give here, in which one of the "counsel learned" does not witness much in favour of the archbishop, but, on the contrary, bears as strong witness to the meddling, irritating, intolerable character of his tyranny, as some of his most atrocious acts of persecution and cruelty.

Bagshaw, a barrister of the Middle Temple, of some standing and considerable reputation in his profession, having been chosen reader for the Lent vacation, began his readings February 24th, 1639, selecting for his subject the statute *pro Clero*, 25 Edw. III. c. 7. Before we enter farther into this subject it may be well to give, in Bagshaw's own words, his account of his real sentiments with regard to episcopacy; and that the more on this account, that those sentiments may be considered as exhibiting some view of the opinions entertained on the same subject by several of the most influ-

* Laud's Diary, p. 53.

† Strafford's Letters and Dispatches, vol. ii. p. 2, in a letter from the Rev. George Garrard, Master of the Charterhouse, a correspondent of Strafford's.

‡ Heylyn's Life of Laud, pp. 276 and 369.

§ Laud's Diary, p. 53.

‖ See the Book of Homilies of the Church of England, Laud's Diary and his History of his Troubles and Trial, and Heylyn's Life of Laud, *passim*. See also Bishop Bramhall's Works.

* Strafford's Letters and Dispatches, vol. i. p. 111.

† History of Laud's Troubles and Trial, p. 150.

ential and remarkable men of that time, such as Lord Falkland, Clarendon, Colpepper: M. Guizot even thinks that some of the popular leaders, for example, Hampden and Hollis, would have preferred, to a Presbyterian organization of the church, a moderate episcopacy, with functions purely ecclesiastical and more liberty of conscience than Laud and his friends approved of.

"I was then," says Bagshaw, in the Vindication of himself, which he afterwards published, "and am still of opinion, that the crown of England, being a monarchy bound up by such apt laws, for the benefit and peace of prince and people, is so apted for the order and jurisdiction of bishops, that I hold it the fittest for this nation of any in the Christian world. And I think I am able, within my sphere and profession, to maintain it against any adversary: *et cedo mihi quemvis arbitrum.* And here I have just occasion to profess to all the world, as in truth I do, that I was so far from the very thoughts of destroying bishops, that, observing at the time of my reading, and divers years before, the great invasions that were made by them upon the common law of England, and the courts of Westminster Hall, and the scorn and contempt at that time cast abroad upon professors and the very profession of the law,* I knew no other way how to hold them (the bishops) up in their functions and just jurisdictions, and in esteem and honour amongst the people (which once they had), as by reading upon that law which gave them their just bounds and limits, which, if once they should break down, I ever feared their ruin and destruction."† That Bagshaw was sincere in these sentiments his subsequent conduct fully proved. For, observing that the members of the Long Parliament were going beyond the bounds of what he considered temperate reformation, he joined the king at Oxford,‡ and sat in the parliament called there. Having been taken prisoner and sent to London, he was committed by the House of Commons to the King's Bench, and he afterwards suffered in his estate in Northamptonshire. The opinion of such men as Bagshaw, Falkland, and many others equally moderate, speaks volumes with respect to episcopacy as modelled by Laud.

Bagshaw having shown that a relation published of these proceedings during his lifetime, and from which Heylyn appears to have taken his account, contains several mistakes, we shall follow his own statement in the Vindication above quoted. After having expounded the whole statute, he made ten divisions of it, according, he says, to the then manner of readers. Upon every division he put ten cases. His first case upon his first division consisted of fourteen points, the first of which was this:—"Whether an act of parliament may pass and be good by the assent of the king, his temporal lords and commons (all the spiritual being absent, or, if present, wholly dissenting)?" And he held that it might. Another point of his first case upon the first division was this:—"Whether a beneficed clerk may by that statute exercise civil jurisdiction, and be a justice of peace?" "In the argument of which point," he says, "I did not at all speak against their being justices of peace, so that they might be so by law, by virtue of the king's commission. Only by way of caution, in that they might refuse, in respect of their orders; and I only declared how the law of the land and the law of the church stood heretofore in that point." The fourth point of his third case upon the third division was this:—"Whether a clerk that is an heretic may, at this day, be convicted and condemned for heresy by his own ordinary alone?" "And," he says, "I thought he could not."

Bagshaw read three lectures on three several days, the 25th, 27th, and 29th of March, without any interruption. But, on the 30th, the Lord Keeper Finch sent to speak with him, and in a friendly manner told him what reports were abroad touching the above-mentioned points. Bagshaw replied that he would give him the arguments of those points, and attest them under his hand. Finch, having read these arguments, said:—"Mr. Reader, I see you have been misreported, and have had wrong; and seeing you have dealt so freely and fairly with me, I will do you right to the king and council." Finch accordingly showed the council the notes, which were examined by them and approved. Whereupon Bagshaw prepared to read on Monday following upon the fifth case of his fourth division.

This case was likewise carried to the archbishop, in which there was this point:—"That a beneficed clerk imprisoned, deprived, and excommunicated by the high commission for enormous offences (not naming the particular offence), that this clerk, notwithstanding, was such a possessor of a church, as might plead, counter-plead, and defend his right within my law." Upon this, Laud made it his most earnest suit to the king that Bagshaw might be suspended from reading. He was accordingly told by the lord-keeper, the same day, to desist: Finch advising him, at the same time, as from himself, to go to the archbishop and give him satisfaction.

Heylin and other historians having made some gross mis-statements in their relation of Bagshaw's interview with Laud, we shall give an account of that interview in the former's own

* The following passage, in a letter from Whitgift to Burleigh, conveys a good idea of the light in which the lawyers were viewed by the proud churchmen of former days:—"The temporal lawyer, whose learning is no learning anywhere but here at home, being born to nothing, doth by his labour and travail in that barbarous knowledge purchase to himself and his heirs for ever a thousand pounds per annum, and oftentimes much more, whereof there are at this day many examples." (Strype's Whitgift, p. 215.) It was natural for men to talk thus whose learning and whose law, though they were but corruptions, were yet corruptions of a noble and classic original, that learning, moreover, and that law, being almost universal; at least if an extent nearly equal to that of the Roman empire might be so called.

† A Just Vindication of the Questioned Part of the Reading of Edward Bagshaw, Esq., had in the Middle Temple Hall, February 24th, 1639, upon the Statute of 25 Edw. III., called *Statutum pro Clero.* With a True Narrative of the Cause of Silencing the Reader by the then Archbishop of Canterbury, &c. London, 1660.

‡ Wood's Athenæ Oxon., vol. ii.

words, which are well calculated to call up a scene that carries us back full two centuries:—"On Tuesday, the 4th of March (the natural course of my reading not ending till Friday following), I sent two of my men to the archbishop, to know his pleasure when I should wait on him: he sent me word by Mr. Dell, his secretary, on Thursday, the 6th of March; that he did appoint eight o'clock in the morning; according to which hour I took Mr. Rog. Pepys (late chief justice in Ireland), the next summer reader, and other my cubbard-men,* with my servants, and went with them in a barge to Lambeth. And so far was the archbishop from making me dance attendance, that, as soon as the archbishop had notice I was come, he presently came out of his chamber, with his hat off, and met me in the great chamber there, and walked with me in that posture from thence almost to Lambeth stairs. The first question he asked me was this—*Quest.* Mr. Reader, had you nothing else to do but read against the clergy? I answered, My Lord, my statute was *pro Clero*, and I read not at all against them, but for them. Well, saith the archbishop, you shall answer it in the High Commission Court. My answer was this—That I knew the utmost power and jurisdiction of that court by law, and that I had neither spake or done anything that that court had jurisdiction to punish. But had you no other time, saith he, to do it but in such a time? *Ans.* My reading was made long before the troubles in Scotland, and was not made for them, but for England; and I was confident there was nothing in it that could have offended him, if his lordship had been rightly informed. After this speech he was very silent, and walked with me without speaking a word until he came near Lambeth stairs, and then I spake thus to him:—My Lord, if you have anything else to say to me, I am ready to give you satisfaction, for I was sent to you by some of my honourable friends for that purpose. His answer to me was this:—Farewell, Mr. Reader; and much good do it you with your honourable friends. And so we parted, and never spake together afterward; he taking water in his barge to Whitehall, and I in mine to the Middle Temple."

We do not know that any of Bagshaw's positions would be disputed at the present day; but, at any rate, if Laud imagined that the Reader meant to call in question the bishops' right to their seats in parliament, he altogether misunderstood him; the object of Bagshaw's argument being to show that "the bishops sit in parliament, not as they are spiritual men, but by reason of their temporal baronies annexed to their dignities; and, therefore, that if the voices of the greater number of temporal lords exceed theirs, the act shall pass as the act of the whole Lords' House, and their voices shall be involved in the greater number of the temporal lords; and so shall be the act of all the lords, as well temporal as spiritual."† If Laud, from the evidence that was before him, was unable to comprehend Bagshaw's meaning, it evinced an obtuseness of understanding that proved him unfit for his station; and if, comprehending him, he acted as he did, his conduct proved him equally unfit on other grounds.*

There was one lawyer, however, whose *viginti annorum lucubrationes* found favour in the sight of Laud and his royal master. This was William Noy, who had the honour of exhuming from the accumulated dust of centuries the tax of ship-money, which was designed as an inexhaustible supply of what the king then most wanted—money In 1634, Noy, then attorney-general,—his, it is said sudden and unexpected, appointment to which office, a few years before, had at once converted him from a strenuous opponent of the measures of the court into a headlong zealot of the prerogative,—first hit upon this brilliant idea, so worthy of the precedent-haunted brain of a lawyer, from which it sprung. A writ was drawn in form of law, and directed to the sheriff of every county in England, "to provide a ship of war for the king's service, and to send it, amply stored and fitted up, by such a day, to such a place." And with the writ were sent instructions to each sheriff, "that, instead of a ship, he should levy upon his county such a sum of money, and return the same to the treasurer of the navy, for his majesty's use;" with direction in what manner he should proceed against such as refused.† Noy, looking abroad upon the world with the microscopic, purblind vision of a mere lawyer, imagined that, to do anything he listed, he had only to show a *form* of law for it, although the public opinion of his age, if not the legislature, had repealed that law, and had rendered a writ proceeding upon it worth little more than the parchment on which it was written. If, instead of such a definition of a law as he could have found in Bracton and Fleta, he had known that a law is "*the command of him or them that* HAVE THE SOVEREIGN POWER, *given to those that be his or their subjects*,"‡ he would have known, too, that that law which was a substantial reality in the hands of a Henry Plantagenet, was a shadow, less than nothing, in those of a Charles Stuart. But, in truth, even the precedents hunted up by Noy did not go the length of supporting the claim now put forward on the part of the crown. The tax of ship-money, as

* See vol. ii. p. 763.

† Vindication, p. 19.

* The following passage from a letter of the Rev. G. Garrard to Wentworth throws further light on the designs of Laud with respect to depressing the common law, and rendering the ecclesiastical jurisdiction supreme in England. "Also, I hear," says Wentworth's correspondent, "that the Archbishop of Canterbury, for the good of scholars professing the civil law, hath obtained of his majesty that the Masters of Requests for the future shall be all doctors of the civil law, as also that eight Masters of the Chancery shall be always of that profession." (Strafford's Lett. and Disp. vol. i. p. 176.) And yet all this time the lawyers were going to enormous expense to entertain the court in the ostentatious and childish fashion of the time. Thus we have the following passage in the letter just quoted:—"There are two masques at hand; the first of the Inns of Court, which is to be presented on Candlemas-day; the other, the king presents the queen with on Shrove Tuesday at night. High expenses; they speak of 20,000*l.* that it will cost the men of the law." (Ibid. p. 177.)

† Parl. Hist., vol. ii. p. 527.—Strafford's Lett. and Disp., vol. p. 438.—Rushworth, vol. ii. p. 259, et seq.

‡ Hobbes, Dialogues between a Philosopher and a Student of the Common Laws of England, p. 32, edit. London, 1681.

attempted to be levied and used by Charles, was an open and flagrant usurpation—an impost unknown to the constitution in any previous age.

However, this device for raising money succeeded for three or four years, although with so little effect in regard to its avowed object,—to wit, providing ships of war for the king's service; therein, of course, including the protection of his subjects in their commerce by sea, much more in their persons and property on shore;—that the English flag was insulted by every maritime power of Europe; and that the Barbary corsairs not only scoured the English and St. George's Channel, but even disembarked, pillaged the villages, and carried the inhabitants into slavery, to the number of several thousands.* That these outrages occurred *after* the raising of ship-money is acknowledged by Laud himself, in one of his letters to Wentworth, during the year 1636. "The mischief," he says, "which the most Christian Turks did about Plymouth is most true; and I pray God it do no mischief about our shipping business this ensuing year."†

Besides the tax of ship-money, various obsolete laws, with a view to raise money, were revived and rigorously executed; for example, the ancient law of knighthood and the old forest laws. This last burden fell mostly on the higher aristocracy, who, considering themselves exempt from ordinary oppressions, felt proportionally aggrieved thereby.‡ At the same time, the vast distance between the commonalty and the high aristocracy was marked by preposterous fines imposed by the Star Chamber for anything that could be construed into a mark of disrespect, however slight, for the latter.

Wentworth declared the opinion procured from the judges by promises and threats on the subject of ship-money,—namely, "that, in a case of necessity, the king might impose this tax, and that he was the sole judge of the necessity,"—to be the greatest service that profession had done the crown in his time.§ "But," adds he, "unless his majesty hath the like power declared to raise a land army upon the same exigent of state, the crown seems to me to stand but upon one leg at home,—to be considerable but by halves to foreign princes abroad: yet since this, methinks, convinces a power for the sovereign to raise payments for land forces, and consequently submits to his wisdom and ordinance the transporting of the money or men into foreign states, so to carry, by way of prevention, the fire from ourselves into the dwellings of our enemies (an art which Edward III. and Henry V. full well understood); and if, by degrees, Scotland and Ireland be drawn to contribute their proportions to these levies for the public, *omne tulit punctum.*" What follows affords a direct refutation of the assertion that Charles and his ministers merely aimed at retaining the ancient prerogative of the crown, and goes far to show that Strafford contemplated doing for the crown of England what Richelieu was at that very time doing for that of France. "Seeing, then, that this piece, well fortified, for ever vindicates the royalty at home *from under the conditions and restraints of subjects*, renders us also abroad, even to the greatest kings, the most considerable monarchy in Christendom, ... I beseech you, what piety to alliances is there that should divert a great and wise king forth of a path which leads so manifestly, so directly to the establishing his own throne, and the secure and independent seating of himself and posterity in wealth, strength, and glory, FAR ABOVE ANY THEIR PROGENITORS?"*

But of the designs of Wentworth and his masters we have still further proof in the manner in which he speaks of the common law and of parliaments. Some passages of his Dispatches relating to these subjects are so curious and characteristic that we shall here extract them. In a letter to Laud, of December, 1633, he says:—"I know no reason, then, but you may as well rule the common lawyers in England, as I, poor beagle, do here; and yet that I do, and will do, in all that concerns my master's service, *upon the peril of my head.* I am confident that the king, being pleased to set himself in the business, is able, by his wisdom and ministers, to carry any just and honourable action through all imaginary opposition, for real there can be none; that to start aside for such panic fears, phantastic apparitions as a Prynne or an Eliot shall set up, were the meanest folly in the whole world; that, the debts of the crown taken off, you may govern as you please; and most resolute I am that work may be done, without borrowing any help forth of the king's lodgings; and that is as downright a *Peccatum ex te, Israel*, as ever was, if all this be not effected with speed and ease."†

The two following extracts respecting the Irish parliament, from a dispatch of the 18th of August, 1634, to Mr. Secretary Coke, are very significant both in regard to the arts of despotism and the means of guarding against them. "The rest of this session we have entertained, *and spun them out in discourses, but kept them nevertheless from concluding anything.*"‡ Again,—"There fell a breach betwixt the two Houses, which kept them asunder all this session: the Commons would not confer with the Lords unless they might sit and be covered as well as their lordships, which the other would by no means admit: for my part, I did not lay it very near my heart to agree them, as having heretofore seen the effects which follow when they are in strict understanding, or at differ-

* Strafford's Letters and Dispatches, vol. i. pp. 68, 90, 461; vol. ii. pp. 86, 115, 116, 118, &c. See also vol. i. p. 302, where Wentworth draws a vivid picture of the negligence and *lachete* that seem to have pervaded every department of Charles's government.

† Strafford's Lett. and Disp., vol. ii. p. 2.

‡ Parl. Hist., vol. ii. p. 526.

§ See ante, p. 175.

* Strafford's Lett. and Disp., vol. ii. pp. 61, 62.

† Strafford's Lett. and Disp., vol. i. p. 173. See also vol. i. p 201, and compare both these passages with the conduct of King James in the dispute between the courts of law and equity, set on foot by Sir Edward Coke.—Blackstone, Com., B. iii. p. 53.

‡ Strafford's Lett. and Disp., i. 278.

ence amongst themselves. Besides, I saw plainly that, keeping them at a distance, I did avoid their joining in a petition for the graces, which infallibly they would have done; which now comes only singly from the Commons. I conceive it will be very easy, the next sessions, either to agree or keep them still asunder; I desire there may be a thought bestowed upon it at some leisure, and let me have my directions, which I shall readily conform myself unto either way."*

From all this, and much more to the same effect, it appears how confident were Charles and his ministers that they could with ease establish a despotism in England, and with what sovereign contempt they viewed any obstacles that their adversaries—such adversaries "as a Prynne and an Eliot"—could oppose to their progress towards their object. We have now to take a view of the other side of the picture, on which are portrayed, in characters that are indelible, the firm, stern features of a Prynne and an Eliot, a Pym and a Hampden.

The first occasion on which a resistance to the king's encroachments was made, sufficient to rouse the nation from its lethargy, was the stand made by John Hampden against the payment of the tax of ship-money.† This tax might have been levied with impunity by some of the earlier and more powerful of the Plantagenets. But even they were liable to be interrupted in such an exercise of their prerogative by some powerful and daring baron starting up and bluntly refusing to comply, as Roger Bigod did to Edward I. The times had greatly changed since then. The king's prerogative had been curtailed by solemn and repeated statutes, to the enacting of which the kings themselves had been principal parties. But, as we have had occasion to remark more than once before, the kings were not very scrupulous about the observance of statutes which were against themselves, provided they could break them with impunity. Many English kings had done this before Charles Stuart. But few or none had done it with so bad a calculation of the chances of success which their position afforded them. Charles or his ministers seemed to imagine that if they could obtain the sanction of timid or servile judges, at least judges who were not sufficiently their own masters to give an impartial, an unbiassed opinion, they might do anything. They knew that the English people had an habitual respect for the laws, and for the judges who were the administrators of the laws; and, as is evident from the language of Strafford just quoted, they thought that, under the colour of law, they might perpetrate acts however oppressive, however tyrannical, however *illegal*. But they were egregiously out in their reckoning. For the very cause which they fancied led the most surely to the end they had in view was that which led in the very opposite direction. The time, as we have said, was past when a mail-clad baron could brave the king to his face; but the time was arrived when any Englishman who was rich enough to bear the costs of a trial in an English court, and resolute enough to brave the consequences, might oppose a more effectual opposition to tyranny than the armed defiance of a Bigod or a De Bohun. John Hampden was such an Englishman. He refused to pay the sum at which his land was assessed under this tax, and he resolved to stand a prosecution for it. He employed the most eminent counsel. The case was argued during twelve days in the Exchequer Chamber before the twelve judges. As may be anticipated, judgment was given for the crown. Five of the judges—Brampston, Hutton, Davenport, Croke, and Denham—dissented from their brethren.*

It is somewhat singular that Mr. Justice Hutton was a correspondent of Wentworth's, and gives him the following summary of his argument, which we extract because it contains the law of the case in a very short compass. He says,—"The substance of my argument was, that this power of raising ship-money, and such charge or taxes, was taken away by the statute of 25 Edw. I. and the statute of *Tallagio non concedendo*,† and the statute of 14 Edw. III. cap. 1, and 1 Ric. III. c. 42, and by the statute 3 Car. I.—the *Petition of Right*. And, *secondly*, that prerogatives of like nature, inherent to the crown, had, by statutes proceeding from the king's bounty, been granted to his subjects from all times, as I showed by many statutes of old and latter time, as you may see, amongst others, by the statutes made 21 Jac. c. 2, and by another statute the same year, c. 14. I insisted that there was not matter in the writ to manifest that there was a danger of the whole realm, but of pirates and hindrance of coming in of merchants and trading."‡ Although Strafford, as we have seen in a letter to Laud, expresses his wish that Hampden, and others like him, were "well whipt into their right senses,"§ he does not pretend to despise (as he does most men's) Hampden's abilities. He says,—"As well as I think of Mr. Hampden's abilities, I take his will and peevishness to be full as great."‖

* Strafford's Lett. and Disp., i. 279. † See ante, pp. 175—181.

* State Trials, vol. iii.—Whitelock says, "All of them (except Hutton and Croke) argued and gave their judgments for the king." —p. 25, Lond. fol. 1732. Mr. Hallam thus explains the apparent incongruity:—"Brampston, chief justice of the King's Bench, and Davenport, chief baron of the Exchequer, pronounced for Hampden, but on technical reasons, and adhering to the majority on the principal question. Denham, another judge of the same court, being extremely ill, gave a short written judgment in favour of Hampden. But justices Croke and Hutton, men of considerable [illegible] without [illegible] and the lawfulness of the writ for ship-money."—*Constit. History*, i. 476, 4to.

† We ought to observe that Blackstone, in reference to this opinion of the judges in the cause of ship-money respecting the *Statutum de Tallagio non concedendo*,—namely, that it was a separate act of parliament, principally because it was recited as such, about nine years before, in the preamble to the *Petition of Right*—gives it as his opinion (Tracts, p. 344, Oxf., 4to. 1771) that, "upon the whole, there is great reason to question the authority of this dubious act of parliament otherwise than as a cotemporary Latin abstract of the two French charters (of Edw. I.), intended (however imperfectly executed) to express the self-same meaning in another language." However, that does not affect Judge Hutton's argument. He quotes statutes enough without it.

‡ Strafford's Lett. and Disp., ii. 177.

§ See ante, p. 181.

‖ Lett. and Disp., ii. p. 158.

The effect of the sentence in favour of ship-money, which was given in the Exchequer Chamber, 12th June, 1638, upon the minds not merely of the more violent opponents of the court, but of the nation at large, may be learned from the following passage of Clarendon, who can hardly be considered a partial witness on the popular side. Men submitted to the imposition before, "pleasing themselves," he says, "with doing somewhat for the king's service, as a testimony of their affection, which they were not bound to do; many really believing the necessity, and therefore thinking the burthen reasonable; others observing that the advantage to the king was of importance, when the damage to them was not considerable; and all assuring themselves that, when they should be weary or unwilling to continue the payment, they might resort to the law for relief, and find it. But when they heard this demanded in a court of law as a right, and found it, by sworn judges of the law, adjudged so, upon such grounds and reasons as every stander-by was able to swear was not law,—by a logic that left no man anything which he might call his own,—they no longer looked upon it as the case of one man, but as the case of the kingdom, which they thought themselves bound in public justice not to submit to."*

Notwithstanding this judgment in favour of ship-money, so far was the money from being applied effectually to its professed end, that the Algerines took many English vessels, one of them valued at 260,000*l.*, and carried off between four and five thousand British subjects into captivity; the Dutch resumed their fishing without a license, and captured with impunity two East Indiamen, valued at more than 300,000*l.* France, Spain, and Holland violated the neutrality, and insulted the English flag; and even the high-admiral complained that such was the mismanagement of the fleet that he could neither do service to the state, gain honour to himself, nor do courtesies to his friends.† And, with all this, the exchequer was so completely exhausted that the servants of government could not obtain their wages; and Laud, Hamilton, and Wentworth, the ministers for England, Scotland, and Ireland, respectively, at length advised the king to summon a parliament. Their advice was approved of by the whole council, and the writs were issued accordingly. On the 13th of April, 1640, the parliament was opened by Charles in person, but was dissolved, in the circumstances that have been already related,‡ after it had sat about twenty days. Charles now conceived the idea of convoking, at York, the great council of peers of the realm,—the old feudal *magnum concilium*,—an assembly whose power was as much a phantom of the past as his own prerogative in the matter of levying ship-money,—probably with some vague notion that it might be possible for this council to vote the supplies without the aid of the Commons. But having received two petitions, one from the city of London, the other from twelve peers, praying him to call a parliament, he announced to the council of peers, when they assembled, that he was about to call a parliament, and that he only asked their counsels to treat with the Scots, who were in open rebellion. The elections proceeded accordingly, and the court candidates were everywhere defeated in them.

THE LONG PARLIAMENT met on the 3rd of November, 1640. And here we may stop to take a view of the state of the popular party.

M. Guizot, in one of his Lectures on European Civilisation, which he devotes to the subject of the English Revolution, says that three great parties successively appeared on the stage. The first of these he calls the party of Legal Reform; the second, the party of Political Revolution; the third, the party of Social Revolution. It is necessary always to bear in mind that each of these parties had a double aspect—a political and a religious. To borrow the words of M. Guizot,—"Three principal parties manifest themselves in this mighty crisis; three revolutions are in some sort contained in it, and appear in succession on the scene. In each part, in each revolution, two parties are united and march together—a political and a religious party; the first in the van, the second in the rear, but necessary to one another; so that the double character of the event is imprinted on all its phases." It has been sometimes doubted whether the character of this revolution was more religious or political. But we agree with M. Guizot in thinking that it was essentially political. It was accomplished, indeed, in the midst of a religious people and age; religious ideas and passions served as instruments to it; but its first intention and its definitive end were political. That intention, that end, was liberty—the abolition of all absolute power.

Of the first party M. Guizot names as the principal chiefs, Clarendon, Colpepper, Lord Capel, Lord Falkland. This party disapproved of and wished to prevent illegal raising of money, arbitrary imprisonment, and the like; but they believed that the ancient laws and customs of the country contained the means of remedying all abuses. At the same time they were at bottom devout worshippers of the divinity of kingship; and though they would perhaps rather have avoided the subject, from a secret instinct that there was something false and dangerous in the position, yet, when pressed, they maintained that there was in royalty a power superior alike to human origin and human control.

Behind this advanced a second party, which M. Guizot calls the political revolution party. This party maintained that the ancient legal barriers for protecting the nation against the king had been proved to be insufficient; that, therefore, a great change must be made, though not in the form of government, in the substance; that it was necessary to withdraw from the king and his

* Hist., i. 107, 8vo. edit. Oxford, 1807.
† Brodie's Hist. of the British Empire ii. 401, 402.
‡ See ante, pp. 210, *et seq.*

council the independence of their power, and place the political preponderance in the House of Commons; that the sovereignty, properly so called, ought to belong to that assembly and its leaders. To this party were closely united the Presbyterians, who desired to effect a revolution in the church analogous to that which their allies meditated in the state, only more complete in this respect, that their church was to be republican in *form* as well as *substance*, while the government of those with whom they were allied was to be monarchical in form though republican in substance. The leaders of the political party, however, were not all in favour of the Presbyterian organization of the church. Several of them, as Hampden and Hollis, would seem, as has been already observed, to have preferred a moderate episcopacy, with functions purely ecclesiastical, and more liberty of conscience.

From this party M. Guizot endeavours to distinguish a third party, which demanded much more, maintaining that it was necessary to change not only the substance but the form of the government. Like the others, this party was composed of a political and a religious section. In the political M. Guizot classes the republicans, properly so called, such as Ludlow, Harrington, Milton, &c.; and along with them those whom he terms republicans by circumstance, by interest,—the principal chiefs of the army, Cromwell, Ireton, Lambert, who, he thinks, were more or less sincere at first, but were soon turned aside by personal views and the necessities of their position. The religious section of this third party, or division, consisted of the wild religious enthusiasts who abounded in that age, particularly the sect denominated Fifth-Monarchy men, one of the greatest lights of which was Sir Henry Vane; the wildness of whose religious speculations strangely contrasted with his coolness, clear-headedness, and penetration in the ordinary routine of parliamentary and political business. To these M. Guizot adds a considerable body of what he calls "*libertins subalternes et rêveurs fantastiques;*" who, according to M. Guizot, promised themselves, the first, universal license; and the others, community of goods and universal suffrage. We think the accuracy of this last part of M. Guizot's classification is very questionable. In the English revolution there was very little, if any, of that spirit of universal license, of that hope to profit by a general scramble, which constituted so prominent a feature in the French revolution; the English revolution being, in fact, an armed insurrection by those who had some property and some rights, both civil and religious, to defend, in defence of those rights; not a *jacquerie*, or rising of beings as blind, reckless, and ferocious as unfed wild beasts. This character was stamped on it throughout, from the first stage to the last. "The judges had gone their circuits, passing with flags of truce through the districts held by opposite armies, and holding their courts with sheriffs, who, at other times, headed the levies of their respective counties in the field. And it is remarkable and memorable to all posterity, and glorious to the character of our country, that, throughout this great struggle, from first to last, there is no instance on record of private assassination or popular massacre; nor of plunder, except under the orders of war. *Non internecinum inter cives fuisse bellum; de dignitate atque imperio certasse.* . . . . . The instances of sanguinary cruelty which find their place among the stories of these wars were of acts done in military execution: no secret murder; no bands of freebooters assembling for spoil between the quarters of the armies, or among the villages deserted by their fighting men; no savage outbreak of a licentious rabble, disfigured the grave severity of this mighty conflict. An honourable memorial of the comportment of the English people in those unhappy times."* There is, moreover, an objection to M. Guizot's theory, inasmuch as it would be more correct to consider the two latter branches of his tripartite division as the same party in different stages of its progress, than as two perfectly distinct parties. For there is no evidence that Cromwell went further than Hampden and Pym did at the time they were removed from the struggle by death. And, on the other hand, there is evidence—the testimony of Clarendon himself†—that those whom M. Guizot would make out to be a sort of English Long Parliament *juste milieu* men, were prepared, almost from the first, to carry out their opinions to their utmost consequences. However the same party, in different stages of its progress, may alter its professed views so much under the force of circumstances, as to bear the appearance of forming, not one party, but two parties. And, undoubtedly, there is no evidence, in any published speech or writing of Pym's or Hampden's, that they had ever entertained an idea of an English Republic.

At the opening of the Long Parliament the most prominent person, at once from his eloquence and his knowledge of the rules and orders of the House (the latter quality being the more rare, from the long intermission of parliaments), was John Pym. Pym was vehement and unremitting in his exposure of the grievances which had been inflicted on the nation since the dissolution of the last parliament. The first great constitutional question brought forward by Pym was the impeachment of the Earl of Strafford.

The articles of impeachment against Strafford were twenty-eight in number; and they may be, when brought together, all summed up in this charge—*an endeavour to subvert the fundamental laws of the kingdom.* In the enumeration of treasons contained in the Statute of Treasons, the 25 Edw. III. st. 5, c. 2 (which then constituted the English law of treason, those of Henry VIII. having, as we have seen, been repealed by 1 Mary,

* Lord Nugent's Memorials of Hampden, ii. 401—403.

† See particularly the conversations which he had with Marten and Fiennes.—Life, i. 67, 68. Oxford edit. 1817.

cap 1),* there is no mention of such a treason as this; nor is it to be expected that there should be any. The laws against treason in England were made to protect the king, not the subject. And it were, therefore, idle to suppose that any law could be found to include under its provisions that of which Strafford was undoubtedly guilty—an attempt to increase the power of the king, and to depress that of the subject. Pym said on the trial, with more eloquence than either law or logic —"The forfeitures inflicted for treason by our law, are of life, honour, and estate,—even all that can be forfeited; and this prisoner, having committed so many treasons, although he should pay all these forfeitures, will be still a debtor to the commonwealth: nothing can be more equal than that he should perish by the justice of that law which he would have subverted. Neither will this be a new way of blood. There are marks enough to trace this law to the very original of this kingdom: and if it hath not been put in execution, as he allegeth, these two hundred and forty years, it was not for want of law, but that all that time hath not been bred a man bold enough to commit such crimes as these; which is a circumstance much aggravating his offence, and making him no whit less liable to punishment, because he is the only man that in so long a time hath ventured upon such a treason as this."†

Strafford had said, in his defence, "It is now full two hundred and forty years since treason was defined;" (alluding, no doubt, to the statute of Edw. III., though, if he had said two hundred and ninety, he would have been nearer the truth,) and he averred, truly, that in that definition of treason nothing which he had done was contained. If the sovereignty of England were in the people at large, or even in the House of Commons, and if for the word "king," in the statute of treasons, we read "sovereign," and give to it that meaning, Strafford might have been justly charged with treason. But at that time none pretended to give such an interpretation to the statute; and that being the case, it was a manifest absurdity to attempt to fix the charge of treason upon Strafford, as is done in the above quoted speech of Pym. We do not say that the Commons of England were wrong in attempting, by the most strenuous efforts, to destroy Strafford. On the contrary, we think that the first of all laws, and which is above all other human laws,—the law of self-preservation,—imperatively directed them at least effectually to disable him from doing further mischief. But, to do this—still more, to put him to death—by legal form, was, for the reason stated above, impossible. And their attempting to destroy him under the form of law was quite as palpable a fraud upon the laws of England as Charles's attempt to levy ship-money under the colour of law. If Charles had done that by the Star Chamber, and not by the sworn judges of the land, whatever other name the proceeding might have merited, it would have been at least a bold, and, *pro tanto* honest proceeding. Similarly, if the Commons had said, "Here is a man who has used every effort in his power to make our king absolute, and to make us all slaves, us and our children's children, to all generations. There is no law in England to punish a man for such deeds. But we are resolved not to let this man escape with impunity for his design against us and our children. Therefore, we will make a law for the occasion. *Ex post facto* laws are, generally speaking, bad, and to be avoided. But there must be exceptions to this general rule, otherwise we could never, we will not say punish, that being a term correlative to law, and here there is no law, but protect ourselves and our children against such a delinquent as this." If the Commons, we say, had said this, their enemies, whatever other vices they might have charged them with, could not have laid to their charge chicanery and subterfuge. This view of the subject the Commons at length adopted, changing the impeachment of Strafford into a bill of attainder,—in other words, an *ex post facto* law for his destruction. Some time after they proceeded in a similar manner against Archbishop Laud: for when his judges gave it to be understood, notwithstanding the degree of intimidation under which they acted, that the charges against the archbishop contained no legal treason,* the Commons changed the impeachment into an ordinance for his execution, to which the Lords, in a very thin House, added their assent.† There can be little doubt, and indeed it is proved by the correspondence between him and Strafford, that Laud's designs against the "fundamental liberties" of England went as far—were, to use his own favourite word in his correspondence with Strafford, as "*thorough*" as Strafford's;—but the only argument which can be used to justify such acts at all,—the argument of their being necessary to self-preservation,—was not so strong in Laud's case as in Strafford's. Laud was an infirm old man, who was not very likely to be any longer formidable to them, and might have been left with, it would seem, perfect safety to live out quietly the remains of his peevish, "cankered" existence. But though his capacity and years did not render him so formidable, his bigotry, cruelty, and insolence, in the high place he had occupied, had rendered him not less,—if possible, perhaps, even more,—odious to his opponents than Strafford: and that was not a time in which a spirit of very remarkable forbearance and moderation could be expected to predomi-

* See vol. ii. p. 764.

† Pym's Speeches, MS. in Brit. Mus.

* Laud says that Pym, before his death, had thrown up the management of his impeachment, because he considered it an impracticable business.

† It appears (Lords' Journals, 4th January, 1644) that there were twenty peers present at the time of prayers; but that does not prove that they all voted in passing the ordinance. Some of the twenty may have left the House, and others entered it, as appears to have been the fact, by comparing the names given by Heylyn with those in Laud's Journal. Heylyn says—"They wrought so far on some weak spirits, the rest withdrawing themselves (as formerly, in the case of the Earl of Strafford), that, in a thin and slender House, not above six or seven in number, it was passed at last." (*Life of Laud*, p. 527.) Heylyn's veracity is far from unimpeachable, but there appears no particular reason to call it in question here.

nate in the councils of the parliament of England. For every successive month, instead of repairing, was widening the breach between the king and the parliament; one main cause, perhaps, of which was, that every new negotiation they entered into with Charles only afforded them fresh evidence of the king's insincerity, and of his secret designs to resort to violence against them, and to be satisfied with nothing short of their utter destruction.

And, here, it is necessary again to look at the state of parties, to which we have already shortly alluded. The party which has been designated by Guizot the party of legal reform began to get alarmed at the vehement and decided tone assumed in the House by Pym and those who acted with him, or, rather, those who directed him (of which circumstance we shall say a few words presently). The proceedings which led to the execution of Strafford may be considered as having fully effected a separation between that section of the reformers and those who were more determined and thoroughgoing. It is mentioned by Clarendon,* that, although at the first opening of the Long Parliament, Pym seemed of all men to have the greatest influence upon the House of Commons, and was at that time, and for some months after, "the most popular man, and the most able to do hurt, that hath lived in any time," yet "he was much governed in private designing by Mr. Hampden and Mr. St. John." These are Clarendon's words, and there seems little doubt but they exhibit the true state of the case. It is seldom that men who are powerful as popular speakers are also gifted with the deeper and more solid qualities of statesmen. Cromwell was, notoriously, at the least a very indifferent speaker. Hampden was an apt and "weighty speaker," but not a full and fluent one. The man who thinks deeply and clearly is naturally averse to that flood, to that waste of words, to that long stringing together of sentences, to those periphrastic involutions of what meaning they have, which form the weapons of the professed speaker, of the rhetorical declaimer. On the contrary, he who, like Hampden, lays his "designs the deepest," will be like him, as he is described by one who had no intention to paint a favourable portrait of him:† he will be not a man of many words, and will rarely begin the discourse, or make the first entrance upon any business that is taken up; but he will be a "very weighty speaker;" and after he has heard a first debate, and observed how the House is like to be inclined, will take up the argument, and shortly, and clearly, and skilfully so state it, that he will commonly conduct it to the conclusion he desires; and if he find he cannot do that, he will strive to divert the debate to another time, and to prevent the determining anything in the negative which might prove inconvenient in the future. When to the above qualities, which Clarendon ascribes to Hampden, are added that rare affability and temper in debate, and that seeming humility and submission of judgment, as if he brought no opinion with him, but a desire of information and instruction, and yet so subtle a way of interrogating, and, under the notion of doubt, insinuating his objections, that he left his opinions with those from whom he pretended to learn and receive them,—and an industry and vigilance not to be tired out by the most laborious, and parts not to be imposed on by the most subtle or sharp, and a personal courage equal to his best parts, and, withal, the most absolute spirit of popularity,—that is, the most absolute faculties to govern the people,—we have a man with qualifications for a ruler which have rarely indeed met in the same individual. Had this man lived, the ultimate course of events might probably have been different. At all events, he seems to have been the only man fitted to dispute the first place with Cromwell,—to have come in competition with that daring soldier and profound and sagacious statesman for the staff of empire. His eulogists and his detractors, his friends and his enemies, have, as usual, gone to the opposite extremes, in assigning to him *intentions*. But when engaged in such a struggle as that in which Hampden and his party were engaged, it is difficult, perhaps it is impossible, for any man, however pure and single his intentions, and however firm and inflexible his will, to shape his own course. He is drifted along by the irresistible tide of the circumstances around him; and though, by the vigilant and unremitting exertion of courage and of mind, he may save himself and many others from being overwhelmed by it, he must nevertheless yield to its force as to the stern law of fate and necessity.

Hampden and Pym both died early in the struggle,—the former in June, 1643, the latter in December of the same year.

We now come to those who were both witnesses and actors in the later stages of the struggle, and who may be said to have passed the Rubicon of modern political daring. For there is no evidence in any speech or writing, authenticated as their's, of either Pym or Hampden having ever thought a thought, or seen a vision, or even so much as dreamt a dream, of an English republic. On the contrary, both seem to have cherished to the last hopes of a reconciliation between the king and the parliament.* How they would have acted, had they lived, has been matter of much and fruitless speculation. But of this we are certain, that of their friends who survived them, while some had devout imaginations, and saw beatific visions of kingless commonwealths, others not only thought the thought of, but enacted to the life the sublime drama of, supreme, though unhereditary empire. To the former class belonged Vane and Haselrig; to the latter, Cromwell.

* Hist., iv. 437, edit. Oxford, 1826.

† Clarendon, Hist., i. 286, 287.

* See Hampden's death scene, in Lord Nugent's Memorials, ii. 435, 436; and Pym's 'Declaration and Justification,' in Rushworth, Part III. vol. ii. p. 376.

There are three men who stand out pre-eminent from among the rest of mankind for the vast political power to which they raised themselves by their abilities,—men who, in the words which a modern poet has applied to one of them, might be said, almost without the aid of metaphor, to have, "though born no kings, made monarchs draw their car;" men who, though not born kings, exercised a dominion more than kingly,—a sway more absolute than all the magic of forty generations of royalty could ever confer upon the representative of a line of kings. These men were Caius Julius Cæsar, Napoleon Buonaparte, and Oliver Cromwell. The first belonged to one of the noblest families of the most powerful aristocracy which the world has ever beheld. His path to the absolute power which he acquired was therefore, in some degree at least, prepared for him.* One of the ruling body of the state to which he belonged, and, besides the more solid and profound attributes of his character, which escaped common and superficial observers, endowed with all the lighter and more graceful qualities that, on common occasions, stand men in more stead than the former,—and, from the circumstances of his life, early called into action and the paths of ambition,—he was from his boyhood familiar with the idea of empire; and when, still young, he wept over what he viewed as his wasted youth, he did so with the resolution to signalize his early manhood by deeds which other men would have considered more than sufficient to fill up the circle of a long and glorious life. But Oliver Cromwell had none of these advantages to help him in mounting the first steps, proverbially so, difficult, of the arduous ascent to empire. Though by birth a gentleman, in a country where that distinction was not without its value and importance, he could not be said to belong to the higher class of gentry,—the aristocracy, properly so called. In early life, too, he is represented as being somewhat of a clown and a sloven in manners and dress; and his monarchical and aristocratic enemies, who naturally hated, with no ordinary rancour, the man who had so often vanquished them in battle and baffled them in policy, while they attempted to prove his birth mean, have also, no doubt, exaggerated his want of attention to the cultivation of personal graces in early life; at which time Oliver appears to have been far too much absorbed in inward and spiritual to attend much to outward and personal grace. The harsh, untuneable voice; the careless, ungraceful mien; the neglected apparel; the unornamented sword-hilt; the coat made by an "ill country tailor;"—all these were objects of scorn and derision to the gay and gorgeous courtiers of Charles and his foreign queen. But whatever Oliver Cromwell might have been in youth and early life, when he first made his appearance as a member of parliament,—when we look at him again, a few years after, as he appears in the portrait by Walker, now in the British Museum,*—we discern no signs of the person they describe. All traces of the sloven and the clown have passed away. We behold a countenance to which a well-opened, hard eye; a not very symmetrical, but boldly cut, sagacious-looking nose; and the resolution and thought depicted in the full, broad forehead; and the firm, strongly-marked lines of the mouth, give a noble, intellectual, and even refined expression. There is diffused over the whole figure an air of quiet, natural, self-collected majesty, which you might look for in vain among the portraitures of a hundred born-kings. Whatever, as to mere outward form, aspect, and bearing, Oliver Cromwell might have been in youth, such was he in the maturity of a manhood such as is seldom witnessed in this world of men.

In ordinary times Oliver Cromwell might have passed through manhood, as he had done through youth, into old age, and onward to the grave, unnoticed and unknown; or, among the fine gentlemen and fine speakers of the House of Commons, noticed only as a bad speaker, and somewhat uncouth and rustic gentleman,—perhaps one of those whom Mrs. Hutchinson somewhat petulantly terms the "worsted-stocking" members. But for Oliver Cromwell was reserved a far other doom. For he had fallen upon times in which work was to be done which neither princes, nor nobles, nor fine gentlemen, nor fine spouters, could do: and,

> —— When the hollow image
> Is found to be an image, and no more,
> The power returns into the mighty hands
> Of Nature,—of the Spirit giant-born.
>
> *Wallenstein*—Coleridge's translation.

Beneath that unprepossessing exterior, his cousin Hampden is said to have discerned, and pointed out to others, the elements of that character which was destined to cut his way to victory and empire.

His genius first began to develop itself in military affairs. As a member of parliament he had been nothing. But, though he was forty-three years of age when he first took up the military profession, such was his genius, that he soon not only far outstript the old soldiers (men who had been trained to that profession from their boyhood), but changed the whole aspect of affairs; for the forces of the parliament were at first hardly a match for those of the king, and were repeatedly, if not invariably, defeated. Cromwell saw this, and, with that clear, practical instinct of his, he also saw the cause of it. "Your troops," said he to Hampden, "are, most of them, old, decayed serving-men and tapsters, and such kind of fellows: the king's forces are composed of gentlemen's younger sons and persons of good quality; and do you think that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen, that have honour, and courage, and resolution in them? You must get men of spirit; and take it not ill that I say, of a spirit that is

* This portrait was presented by Cromwell to Colonel Rich, and bequeathed by his great-grandson, Sir Robert Rich, Bart., to the British Museum. See it engraved, ante p. 413 (where it is erroneously attributed to Vandyke).

likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter." This was, in fact, the *rationale* of the whole matter; and on this Oliver acted. He began with a troop of horse, enlisting the sons of farmers and freeholders, and incorporating among these all the most zealous fanatics he could find. And yet so admirably did he combine the encouragement of the fanaticism which he considered necessary with the discipline which was an essential of victory, that he would not allow his soldiers to perplex their heads with the subtleties that might lead them away from the purpose he had in hand,—such as fighting, by the king's authority, against his person; telling them, plainly, that, if he met the king in battle, he would fire a pistol in his face as readily as against any other man. He soon augmented his troop of horse to a regiment; and he spared no pains to increase to the highest pitch the fervour of their enthusiasm, the natural bent of his own character combining with his policy in the work. "He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valour and discipline, still propagated itself; and all men cast their eyes on so pious and so successful a leader."* Thus was formed that iron band whom we have seen charging with such resistless fury at Marston and Naseby, at Dunbar and Worcester; "that unconquered and unconquerable soldiery, for discipline and self-government as yet unrivalled upon earth, to whom, though absolutely free from all the brutal vices that usually disgrace successful soldiers,—religious, sober, temperate,—'the dust of the most desperate battle was as the breath of life,' and before whom their fiercest and proudest enemies were scattered like chaff before the wind."†

Such was Oliver Cromwell, and such the men he led. In order to understand fully the nature of the event that occurred in the sequel, it is necessary always to bear in mind that Cromwell had fifty thousand of these invincible veteran soldiers at his back, and completely subservient to his will, —bound to him by the devotion they felt for a commander whom they had followed during ten years of unclouded success,—through field after field of uninterrupted victory.

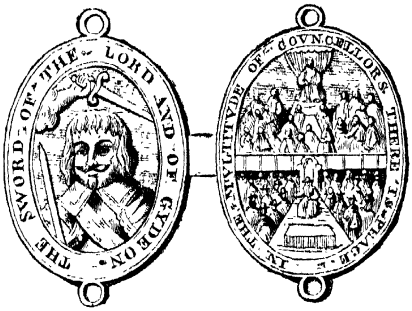
The next great constitutional question that occurs for consideration is the trial of King Charles;—a transaction, to borrow the words of Hume, of which the pomp and dignity "corresponded to the greatest conception that is suggested in the annals of human kind,—the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust."

On the 1st of January, 1648-9, it was adjudged by the Commons that, by the fundamental laws of the land, it is treason in the King of England, for the time being, to levy war against the parliament and kingdom. On the 4th of the same month an ordinance was passed for erecting a high court of justice for the trial of the king. The commissioners appointed for the trial elected Serjeant Bradshaw, a lawyer of eminence in his profession, and of a courageous and independent mind, their president. The reasoning which we have made use of in the case of the trial of the Earl of Strafford applies, *à fortiori*, to the case before us. If there was no law of the land under which Strafford could be convicted on the charge of high treason, still less was there one by which the king could be condemned. Yet the principle upon which the Commons of England acted deserves consideration. They desired that the thing they were about to do should not, as Harrison, one of the judges, afterwards said on his trial, be "done in a corner." They felt that the eyes of the world were on them, and they were determined to proceed at least boldly and openly,—to destroy their enemy like manly and avowed foes, in the face of day; not to poignard him in the dark, like secret and midnight assassins.

The Commons of England now ruled by precisely the same power by which the King of England had ruled before, and by which every government, whether of one or a number, has ever ruled. As a government, therefore, *independent* and *supreme*, they had the same right to try Charles, which Charles, as an independent sovereign, had to try them. It is true their vote, purporting that they did so by the fundamental laws of the kingdom, was nonsense as well as falsehood,—the consequence partly of their position, partly of their ignorance of political science. Seeing that the English government, from the Conquest to the time of their vote, had been always in form, and for the most part in substance, strictly monarchical, or a government of *one* man called king, and that the laws were made by the sovereign, and necessarily for the protection of the maker of them, it was clearly impossible that there could be any such law in England as they spoke of. On the contrary, the English laws of treason were, and necessarily so, all made to protect the sovereign—that is, the king; not the subject—that is, *all but* the king. The parliament, however, being sovereign, and having the former sovereign in their power, had a right (the right, namely, created by the first of all human laws—self-preservation) to treat him as a man has a right to treat an enemy whom he has subdued; that is, to take such measures regarding him as, according to the best of their judgment, their own safety demanded. Men who act otherwise are convicted of the most undoubted folly by their own act, and, along with their own destruction, bring upon themselves not the respect, but the universal scorn of mankind. The court which tried Charles Stuart seem to have been aware that this was the true ground on which the question was to be tried. Ludlow tells us, that to Charles's repeated assertion that he was responsible only to God, Bradshaw answered that, "seeing God had, by his providence, overruled

* Hume. † Westminster Review, xvi. 518.

that plea, the court was determined to do so likewise." This, we apprehend, was the true way of dealing with the question. While Charles was the sovereign, it would have been a contradiction in terms to say that he could be tried by his subjects. But the God of battles—the same God by whose fiat Charles's ancestors had received their sovereignty—had decided that Charles was no longer sovereign.



MEDAL struck in honour of the EARL OF ESSEX, bearing on one side a Portrait of the Earl, and on the other the two Houses of Parliament; the King presiding in the Lords, and the Speaker in the Commons. Engraved from the Parliamentary series executed by Simon, the celebrated Medallist of the period.

The field was now open (the king being removed, and the House of Lords having been soon after voted useless and dangerous, and therefore to be abolished) for the thorough-going republicans to make their experiment in. Now was the time for the schemes to work—whether of the fanatical Fifth-Monarchy men, who were "to destroy and pull down Babylon, and bind kings in chains and nobles in fetters of iron;" or of the more subtle and profound politicians like St. John and Vane, who might lay their plot so deep as to think to circumvent God, perhaps; or, finally, of the more sober and practical, such as the brave, blunt, honest soldier, Ludlow, or the no less stout, sturdy, honest lawyer, Bradshaw, who stood firm to the last, and died, as they had lived, true to the faith and the hope of their beloved, though futile, republic. But all was in vain. They spoke and voted, and voted and spoke. They made long, dreary, tedious speeches, and still longer and darker prayers; and squabbled between whiles among themselves, and got suspicious of one another, and still more suspicious (at last, when it was too late) of the army, through which they had done those mighty deeds that rung from sea to sea and from shore to shore, and filled Europe with wonder and with awe, and were to make their names immortal. And, then, that strange, bold, wary, inscrutable man,—the veteran general who had achieved so much in their name,—stepped in; and, as if by a mere wafture of his conquering right-hand, dispelled them as it were into annihilation, and to-day concentrated in his single person all those powers of sovereignty which yesterday had been theirs.

"There happened to Cromwell," says M. Guizot, "what perhaps never happened to any other man of his sort. He was sufficient for all the phases of the revolution; he was the man of the first and of the last times: at first the leader of the insurrection, the abettor of anarchy, the most violent revolutionist in England; afterwards the man of the anti-revolutionary re-action, the man of the re-establishment of order, of social re-organization: thus, himself alone playing all the parts that, in the course of revolutions, the greatest actors divide amongst them. It cannot be said that Cromwell was Mirabeau: he wanted eloquence; and did not obtain any distinction in the first years of the Long Parliament. But he was successively Danton and Buonaparte."* "And yet," M. Guizot continues, "he never reigned over the hearts of his subjects,—his government was never more than a *pis aller*—a necessity of the moment. The protector, the absolute master of England, was all his life obliged to employ force in order to retain his power; no party could govern like him, but none liked him: he was constantly attacked by all at once."†

The case of Bradshaw affords an example of the manner in which Cromwell was regarded by the party with which he had once acted. When Cromwell seized the government Bradshaw offered all the opposition in his power, and continued boldly and sturdily to do so to the last. When Cromwell insisted upon every one's taking out a commission from him, if they chose to retain their places under his government, Bradshaw absolutely refused, alleging that he had received his commission as Chief Justice of Chester, to continue *quamdiu se bene gesserit*, and that he should retain it without any other, unless he could be proved to have justly forfeited it by want of integrity; and that, if there were any doubts about the matter, he should submit it to trial by twelve Englishmen. He soon after set out on his circuit, without waiting further orders; nor did Cromwell deem it prudent to prevent or recall him, as he declared nothing but force would make him desist from his duty. Cromwell again attempted to oppose Bradshaw's election for Cheshire; and though Bradshaw was returned by the sheriff, as another was returned by those in the interest of Cromwell, neither sat, it having been so decided in the case of double returns. Bradshaw was, however, at last deprived of his office of Chief Justice of Chester. "The two former friends watched each other with the vigilance of two crouching tigers, each waiting for the exact moment to make the decisive spring that was to destroy the other. And we may give some credit to the observation of certain of the royalist writers, that Bradshaw would have had no objection to perform for Oliver, the *un*hereditary tyrant, the same

* History of European Civilization, Lecture 13, pp. 26, 27.
† Ibid.

office he had performed for Charles, the hereditary one; and that he would not have been sorry to have had an opportunity to convince the world that he was no respecter of persons."*

And yet, for all this, Cromwell possessed some of the finest points of the English character. Notwithstanding the deep, and even dark and somewhat oblique policy, by which he pursued some of his ends, there was about the man much of the bluff, bold, hearty character, set off with a dash of the rough, rather coarse humour, which has long been characteristic of *John Bull*. And though he knew how, as Hume has well observed, to employ, when he judged it necessary, the most profound dissimulation, the most oblique and refined artifice, his natural temper was prone to nothing paltry, mean, or truckling,—seemed to delight in no vulgar ostentation, but rather led him to magnanimity, to simplicity, and to an imperious and domineering policy. This signally appeared in his relation with foreign states. Never had England been so feared and so respected over the world as when the sceptre which swayed it was the leading truncheon of Oliver Cromwell.

The legislative views of Cromwell undoubtedly were neither so profound nor so comprehensive as they might have been expected to be had he been a man of a better education, and a more philosophical and cultivated intellect. Yet, with the sagacity which was natural to him, he saw and sought to reform much that was vicious or defective in the laws of the country, both civil and criminal. And though it was the fashion of the monarchical lawyers of the succeeding times to depreciate or disown any good done by such a hand, yet, even by their own confession, some of the greatest legal reforms which were made in the succeeding period of our history (such as the establishment of new trials, the abolition of feudal tenures, and some others†) were adopted from what they termed the "crude and abortive legislation of the Commonwealth."

The following passage of Ludlow is strongly characteristic of Cromwell in this line, displaying him at once in his weakness and his strength, as a wild fanatic and a rational reformer:—"He professed to desire nothing more than that the government of the nation might be settled in a free and equal commonwealth, acknowledging that there was no other probable means to keep out the old family and government from returning upon us; declaring that he looked upon the design of the Lord in this day to be the freeing of his people from every burden, and that he was now accomplishing what was prophesied in the 110th Psalm; from the consideration of which he was often encouraged to attend the affecting those ends, spending at least an hour in the exposition of that Psalm: adding to this, that it was his intention to contribute the utmost of his endeavours to make a thorough reformation of the clergy and law: but, said he, the sons of Zeruiah are yet too strong for us; and we cannot mention the reformation of the law, but they presently cry out, we design to destroy propriety; whereas the law, as it is now constituted, serves only to maintain the lawyers, and to encourage the rich to oppress the poor."*

We are indebted to the kindness of a learned friend for the following short account of certain law reforms, instituted during the protectorate, in Ireland:—

The administration of Ireton was distinguished by an important legal reform, which produced the establishment of the local courts in Ireland, known by the name of the Civil Bill Courts. He was aided in this by the ability of John Cook, the Chief Justice of Munster, who had acted as solicitor-general for the commonwealth upon the trial of Charles I.; a person of considerable talent and eloquence. The provincial courts, which sat but rarely, were changed into county courts, and suits were permitted to relate to matters either of law or of equity. "My Lord Deputy," says Cook,† "who is a blessed instrument, and indefatigable in the works of holiness and righteousness, for the ease and safety of the people, hath altered the provincial courts into county courts; and whereas the people travelled forty or fifty miles, now their differences are ended at home. . . . . It is a mixed court, and the bill may contain both law and equity, whereby half the suits in the province are ended or prevented. The cause is ended as soon as it is ripe for hearing. . . . . Precipitancy, indeed, is the step-mother of justice, and must be carefully avoided as falling from a rock; but that is to hear and to determine before both parties are ready, or have had time to be so. Otherwise, when the cause is ripe, why should not the court put in the sickle? A speedy trial is the plaintiff's joy, and just judgment delayed may prove worse than an unrighteous sentence speedily pronounced." Upon the Restoration these courts ceased to sit. They were re-established‡ at the beginning of the last century; and so great have been their utility and advantage, that they have mitigated to a great extent many political evils. Their jurisdiction has from time to time been much enlarged, and they are the only courts in the three divisions of the United Kingdom which have been established with the object of amending the ancient processes of courts of justice, and of erecting a general system of local judicature.

Oliver Cromwell died, and his son Richard quietly succeeded him, and reigned in his stead; and, if he had possessed any considerable portion of his father's force and energy of character, possibly at this day the blood of Oliver Cromwell might have been the blood-royal of England. But the son of Oliver Cromwell was a meek, unam-

* Penny Cyclopædia, article *Bradshaw*.
† Blackstone's Com., iv. 438.

* Ludlow's Memoirs, p. 123, folio, London, 1751.
† Monarchy no Creature of God's Making. By John Cook, Chief Justice of Munster. Waterford, 1652.
‡ By Irish Acts of 9 Wm. III. c. 15 (A.D. 1697); 2 Anne, c. 18 (A.D. 1703); 6 Anne, c. 5, &c.

bitious man, to whom the heavy sceptre, which even his father's iron hand had found it no light task to wield, was a burden insupportable. He resigned it, and retired to live and to die in obscurity and peace; and the republicans had once more the field open for their darling projects. At the death of Oliver Cromwell, "the republicans alone," observes M. Guizot, "were in a condition to lay hands on power; they did so, and succeeded no better than they had done before. It was not for want of confidence—at least in the fanatics of the party. A pamphlet of Milton's, published at this time, and full of talent and spirit, is entitled 'The Ready and Easy Way to establish a Free Commonwealth.' You see what was the infatuation of these men. They soon relapsed into that impossibility of governing (*impossibilité de gouverner*) which they had before laboured under. Monk took the management of the event which all England looked for—the Restoration was accomplished."*

The contrivance of appointing trustees to preserve contingent remainders, in whom there is vested an estate in remainder for the life of the tenant for life, to commence when his estate determines otherwise than by his death, is said to have been invented by Sir Orlando Bridgman, Sir Geoffrey Palmer, and other eminent counsel, who betook themselves to conveyancing during the time of the civil wars, in order thereby to secure, in family settlements, a provision for the future children of an intended marriage, who before were usually left at the mercy of the particular tenant for life. When, after the Restoration, these lawyers came to fill the first judicial offices, they supported this invention within reasonable bounds, and introduced it into general use.†

We may here likewise mention a species of conveyance founded on the Statute of Uses, which by this time had come into general use, and is now the most common of any,—namely, *Lease and Release*. This conveyance is said by Fabian Philips to have been first contrived by Serjeant Moore, at the request of Lord Norris, to the end that some of his kindred should not know, by any search of public records, what settlement he should make of his estate. The validity of it was formerly doubted. Mr. Noy, attorney-general to Charles I., thought that it could not be supported without an actual entry by the bargainee. But it was resolved in 18 Jas. I., by the Chief Justices Montague and Howard, and Chief Baron Tanfield, that upon a deed of bargain and sale for years of land, though the bargainee never entered, if afterwards the bargainor makes a grant of the reversion, reciting the lease to divers uses, it was a good conveyance of the reversion.‡

To the Great Rebellion, as it has been called, we are indebted for some great improvements in the administration of the criminal law, of which the most remarkable and important is the discontinuance of the application of torture. A late investigation of this subject by Mr. Jardine has not only cleared away the doubts that had perplexed all previous inquirers as to the state both of the law and of the fact in relation to it, but has brought to light a principle of our ancient constitution, the operation of which had never before been understood, nor indeed its existence as a recognized principle of the constitution suspected.* The fact, in the first place, stands thus:—The highest legal authorities, from Sir John Fortescue down to Lord Coke, declare unanimously and in the most distinct terms that the application of torture was not allowed by the common law of England; and yet, on the other hand, an unbroken series of instances exist, from the earliest date at which the registers of the privy council begin to record such acts down to the commencement of the Civil War, of orders issued by the king in council to torture prisoners for the purpose of extracting evidence from them against themselves or others, many of them accompanied by the most satisfactory proof that they were actually carried into execution.

Coke says that "there is no law to warrant tortures in this land," and declares the practice to be expressly prohibited by the 29th chapter of Magna Charta. Sir Thomas Smith, a most eminent lawyer of the time of Elizabeth, says,—"Torment, or question, which is used by the order of the civil law, and custom of other countries, to put a malefactor to excessive pain to make him confess of himself or of his fellows or complices, is not used in England. It is taken for servile." Further, we are told by Rushworth that, in the case of Felton, who stabbed the Duke of Buckingham in 1628, the twelve judges, upon the question being proposed to them by the king, "Whether by the law he (Felton) might not be racked? and whether there were any law against it?" unanimously answered that "he ought not by the law to be tortured by the rack, for no such punishment is known or allowed by our law." "Here, then," says Mr. Jardine, after quoting these and other testimonies, "is a practice repugnant to reason, justice, and humanity,—censured and condemned upon principle by philosophers and statesmen,—denounced by the most eminent authorities on municipal law,—and finally declared by the twelve judges, not only to be illegal, but to be altogether unknown as a punishment to the law of England. As far as authority goes, therefore, the crimes of murder and robbery are not more distinctly forbidden by our criminal code than the application of the torture to witnesses or accused persons is condemned by the oracles of the common law. And yet it is an historical fact that, anterior to the Commonwealth,

* Lectures on European Civilization, Lecture 13, p. 27.
† Blackstone's Com., ii. 171.
‡ Cruise's Digest, iv. 114.

* A Reading on the Use of Torture in the Criminal Law of England previously to the Commonwealth; delivered at New-Inn Hall in Michaelmas Term, 1836, by appointment of the Honourable Society of the Middle Temple. By David Jardine, Esq., of the Middle Temple, Barrister-at-Law. 8vo. Lond. 1837.

torture was always used as a matter of course in all grave accusations, at the mere discretion of the king and the privy council, and uncontrolled by any law besides the prerogative of the sovereign."

Mr. Jardine's proofs of this last position consist of a series of royal warrants for the application of torture extracted from the council books, and extending from the beginning of the reign of Edward VI. to the commencement of the Civil War. He has printed fifty-five of these warrants, including several issued by each of the five sovereigns who reigned in the period gone over,—Edward VI., Mary, Elizabeth, James I., and Charles I. Some of them are very curious, in reference to their bearing upon the point which Mr. Jardine's researches are directed to elucidate, the apparent contradiction between the actual practice as to this matter and the law as laid down by the most eminent authorities. One, for example, issued by Elizabeth in 1571, ordering the torture to be applied to two servants of the Duke of Norfolk in the case of the treasonable conspiracy of the duke respecting the Queen of Scots, is directed to, and was actually executed under the personal superintendence of, the same Sir Thomas Smith, whose distinct assertion that torture was not in use in England has just been quoted. Others, in the reigns both of Elizabeth and James, are directed, among other persons, to Sir Edward Coke, while he held the office of attorney-general; and there is conclusive evidence that this great lawyer also personally conducted several examinations by that method of torture which he has nevertheless declared so emphatically to be directly contrary at once to an express provision of Magna Charta and to the whole tenor of the common law. One warrant, issued the 19th of February, 1620, ordering the lord chief justice and others to examine Samuel Peacock, committed to the Tower upon vehement suspicion of high treason, and "to put him, as there shall be cause, for the better manifestation of the truth, to the torture either of the manacles or the rack," is signed, among other members of the council, both by Coke, attorney-general, and Bacon, then holding the office of lord chancellor. This warrant is further remarkable as being one of only two on record directed to a common law judge. Down to the end of the reign of Elizabeth torture seems to have been thus applied, by royal warrant, in the investigation of all kinds of offences, the instances that have been discovered include cases of murder, embezzlement, horse-stealing, and various other felonies; afterwards it seems to have been confined chiefly, if not entirely, to state offences. The last instance of the application of torture in England, of which Mr. Jardine has found any trace, occurred in the year 1640. On the 21st of May, in that year, a warrant was issued under the king's signet, directing the lieutenant of the Tower and two of the king's sergeants to examine one John Archer, who was charged with having been concerned in the tumultuous attack upon Archbishop Laud's palace at Lambeth;* and "if upon sight of the rack he does not make a clear answer, then they are to cause him to be racked as in their discretions shall be thought fit." "This," says Mr. Jardine, "is the last recorded instance of the infliction of torture in England; and, as far as I have been able to discover, the last instance of its occurrence. It is not probable that, during the troubles of the eight remaining years of his life and reign, Charles I. had ever again recourse to it: there is not a trace of it during the Commonwealth; and in the reigns of Charles II. and James II., when the revival of high prerogative doctrines and the profligacy of the judges might have led us to expect it, there is not a single authentic instance of the application of the torture." This, it may be added, is the more remarkable inasmuch as, in Scotland, torture still continued in common use.

The continuity of the practice as thus traced through five successive reigns, Mr. Jardine justly thinks, sufficiently refutes the common notion that the instances of the application of torture usually adduced are merely so many exceptions and irregularities, and that the general practice was consistent with what is contended to have been the general rule, namely, the absolute illegality of torture at all periods of the English law. "It appears to me, I confess," he says, "that the facts I have enumerated clearly establish an uniform practice the other way. They seem to me to show, not the casual, capricious, or unjust acts of particular kings or councillors, but a practice handed down and justified by a constant course of precedents as an unquestionable prerogative of the crown, though directly opposed to the fundamental principles of reason and law, and condemned and denounced by the opinions of the wisest statesmen and lawyers at the very time they were compelled to act upon it. No doubt the assertion of the illegality of torture is in one sense strictly true. It was *not* lawful by the common law; it was contrary to Magna Charta and many statutes, and therefore the judges could not inflict it as a punishment in the ordinary course of administering justice. But it *was* lawful as an act of prerogative,—as an act of that power to which, according to the doctrines of those days, the laws belonged as a kind of property,—a power which was superior to the laws, and was able to suspend the laws,—and which was the only and uncontrolled tribunal to judge of the necessity of such suspension."

This distinction between prerogative and law, strange as it sounds to us at the present day, Mr. Jardine does not doubt, was sufficiently plain and familiar to all lawyers and others conversant with the constitution two centuries ago. It is very distinctly indicated in an expression used, according to Rushworth, by Charles I., in stating the case of Felton to the judges: he observed that if the rack might be applied to the prisoner by *law*, "he

* See ante, p. 219.

would not use his *prerogative* in this point." The judges resolved that he could not be tortured *by the law;* but "that torture was known and allowed as an act of *prerogative*, the judges," as Mr. Jardine remarks, "must have been fully aware; for, besides the notoriety of the practice, several of the individuals who joined in this resolution, before they were raised to the bench, were not unfrequently employed in examinations by the rack."

The notion which thus appears to have been generally prevalent, and in particular to have possessed Charles himself, of the subjection of the law, both common and statute, to the prerogative, probably extended much farther than to the single point Mr. Jardine has here taken up. Within what limitations, if any, the doctrine was held would be an interesting inquiry. The conduct pursued, and the pretensions put forward, by Charles I., and not less, indeed, by James I. and by Elizabeth, would seem to be in some respects explicable only on the supposition that all these sovereigns held it to be a principle of the constitution that the prerogative was universally, and without qualification, supreme over the law. The puzzle is to understand what, with this creed, they thought the law to be as distinct from the prerogative, or what use they thought there was in having any such thing as law at all.

Mr. Jardine, in conclusion, alludes generally to other ways in which, in former times, the practical operation of the prerogative interfered injuriously with the administration of criminal justice, and observes that by far the greater part of these evils were abolished during the Commonwealth. "How and by whom," he says, "and at what precise point of time this great reform was effected, is a question of extremely difficult solution; but there is no doubt that the practice of questioning juries for their verdicts, the exclusion of oral testimony, and the use of the torture—all of which continued to disfigure the proceedings of courts of justice immediately before the death of Charles I.—were wholly swept away during the ten years which succeeded that event, and were never afterwards revived. Just and rational principles of evidence, sound views of the object of penal laws, and of the proper means of enforcing them, first sprung up during the early years of the Commonwealth; and I confess I think that the merits of those great men whom Cromwell found it his interest to raise to the judicial station have never been sufficiently appreciated by their posterity. Under the wise and moderate superintendence of such minds as Hales, Whitelock, Windham, and Rolle, our judicial institutions underwent a total revision and reform. The law then for the first time became a protection to the subject against the power of the crown; and so well considered and substantial were the improvements then introduced that they continued after the Restoration and through the tumultuous and sanguinary reign which succeeded it." In regard, however, to the discontinuance of the practice of torture, that is hardly to be considered as one of the reforms for which we are indebted to the judges, but rather as a consequence of the spirit of freedom that was now awakened, and of the prostration of the prerogative in all its parts before the might of the popular rights.

Mr. Jardine has collected some curious particulars respecting the principal modes and instruments of torture that were in use in England in former times. The nature of the most common and most ancient engine of all, the rack, will be best understood from the delineation of it that has been given in a former page.* The rack, or break, as it was otherwise called, is traditionally said to have been introduced in the reign of Henry VI., by John Holland, Duke of Exeter, then constable of the Tower, whence it was known by the name of The Duke of Exeter's Daughter. Besides the exquisite pain it inflicted at the moment, this torture frequently left its victim permanently disabled. The Jesuit Campion, who was racked in 1581, is said to have had the joints and muscles of his arm so injured that some months after, on his trial, when he was called upon to hold up his hand at his arraignment, he was incapable of doing so; and one of the priests, who stood near him, raised it for him. Tanner, in his History of the Jesuits, asserts that the rack sometimes produced laceration of the entrails, and that Campion's natural stature was actually lengthened more than a hand-breadth by the violent stretching to which he was subjected. We have in a former chapter had occasion to describe the opposite torture of compression as effected by the instrument called Skevington's Daughter, or Skevington's Irons, or Gives, or, by corruption, the Scavenger's Daughter.† This was accounted a comparatively mild torture. One of Mr. Jardine's cases is that of Thomas Myagh, an Irishman, charged with treason, with respect to whom the report of the persons appointed to examine him, dated 10th of March, 1581, states that they had forborne to put him in Skevington's Irons, because they had been charged to examine him with secrecy, "which in that sort they could not do, that manner of dealing requiring the presence and aid of one of the jailors all the time that he should be in those irons," and also because they "found the man so resolute as, in their opinion, little would be wrung out of him but by some sharper torture." Myagh was afterwards subjected both to the irons and the rack; and he has left a record of his sufferings in some rude verses which may still be read on the wall of his dungeon.‡ Another torture, first mentioned in 1588, and often afterwards, is that of the manacles. This instrument, which after its introduction became the most usual kind of torture, "seems," says Mr. Jardine, "to have been kept at Bridewell until about the year 1598, after which time it is mentioned in warrants as one of the

* See vol. ii. p. 736. † See vol. ii. p. 735, note.
‡ Jardine, p. 30.

kinds of torture used at the Tower. I cannot discover from any credible authority of what it consisted. It is perhaps worthy of remark that, at the present day, a variety of instruments of torture are shown in the Tower, and visitors are assured that they were taken in the Spanish Armada in 1588, the precise period at which the manacles were introduced at Bridewell." Mr. Jardine suggests that one of these engines now at the Tower, which compressed the neck of the sufferer down towards his feet, might be the manacles; and, if so, that Shakspeare probably alludes to it when he makes Prospero say in the Tempest,—

> —— "He is a traitor!
> I'll *manacle* thy neck and feet together."

Other forms of torture were also sometimes employed besides these mechanical instruments. A seminary priest, Alexander Briant, who was apprehended and thrown into the Tower in 1581, on a charge of high treason, in addition to the ordinary torture, is stated by Anthony Wood to have been "specially punished for two whole days and nights by famine, by which he was reduced to such extremities that he ate the clay out of the walls of his prison, and drank the droppings of the roof." There were two dungeons in particular in the Tower incarceration in which was a frightful aggravation of the pains even of the rack or the manacles;—that called Little Ease and that called the Rats' Dungeon. Of the former we have a description in the report of a committee of the House of Commons, appointed to inquire into its state in 1604. The committee reported that "they found in Little Ease, in the Tower, an engine of torture, devised by Mr. Skevington, some time lieutenant of the Tower, called Skevington's Daughters; and that the place itself was very loathsome and unclean, and not used for a long time either for a prison or other cleanly purpose." The Rats' Dungeon, or "Dungeon among the Rats," is often mentioned by the Catholic writers who have related the sufferings of persons of their religion in the reign of Elizabeth. "It is described," says Mr. Jardine, "as a cell below high-water mark and totally dark; and, as the tide flowed, innumerable rats, which infest the muddy banks of the Thames, were driven through the orifices of the walls into the dungeon. The alarm excited by the irruption of these loathsome creatures in the dark was the least part of the torture which the unfortunate captives had to undergo; instances are related which humanity would gladly believe to be the exaggerations of Catholic partisans, where the flesh has been torn from the arms and legs of prisoners during sleep by the well-known voracity of these animals."

From such detestable barbarities as these there is little cause to wonder that prisoners sometimes attempted to make their escape even at the cost of life itself. Mr. Jardine relates one well authenticated case of an unhappy man having destroyed himself in a peculiarly revolting way, but the only one at his command, to avoid the more horrible agonies of the rack. This was Nicholas Owen, who had been for several years a confidential servant of Garnet, the Jesuit, and who was taken up when Garnet was accused of being one of the contrivers of the gunpowder plot. The man obstinately refused to give evidence against his old master, and was at first tried by one of "the gentler tortures," namely, by having his thumbs tied together, and suspended by them from a beam. But as this was found to extract nothing from him of any importance, he was informed that, on the morrow, he must expect the severer discipline of the rack. "The next day he complained of illness to his keeper, who humanely carried him a chair to use at his dinner, and with his food a blunt-pointed knife was as usual brought for the purpose of cutting his meat. Owen pretended to find fault with the coolness of his broth, and besought the keeper to put it on the fire for him in an adjoining apartment; and as soon as the man had left the cell for this purpose, he seized the opportunity of ripping up his belly in a frightful manner with the knife. The keeper, on his return, observing the pale and ghastly countenance of the prisoner, and perceiving blood sprinkled on the floor, threw off the straw which the unfortunate man had drawn over him, and discovered what had happened. He then ran to inform the lieutenant, who immediately hastened to the cell with several guests who happened to be at dinner with him. In answer to their questions the dying man declared that he had committed the act of self-destruction entirely from the apprehension of severer torture than he had suffered the day before. He expired soon afterwards, and, an inquest being held upon his body in the Tower, a verdict of *felo de se* was returned." This is the circumstantial statement made by Dr. Robert Abbott, one of the king's chaplains, and afterwards bishop of Salisbury, in a book which he wrote to prove Garnet's connexion with the plot, and to refute what he calls "the calumnies of the Jesuits" as to the mode of Owen's death, who was said to have expired in the actual endurance of some dreadful species of torture. Our readers will agree with Mr. Jardine, "that there is no great difference in reason or morality between the guilt of homicide by actual torture, and that of driving a man to self-destruction by the threat of bodily agony from which the sufferer sees no refuge but in death.

If the victory obtained by the parliament over the king in the seventeenth century had done nothing more than doom the rack, and the gives, and the manacles to go to rest and rust, and torment no more for ever—converting these once terrible engines of cruelty into the curiosities of a museum—it would have well repaid all the blood and confusion it cost. Nor let us be sure that the practice of torture would have speedily fallen into disuse among us at any rate, in the ordinary, undisturbed advance of political amelioration, or general civilization, humanity, and knowledge. Torture ceased in England in 1641; but, even with the

aid of that example, it was not abolished in Scotland till 1708, nor in France till 1789, nor in Russia till 1801, nor in Bavaria and Wurtemburg till 1806, nor in the kingdom of Hanover till 1822, nor in the Grand Duchy of Baden till 1831!*

Of the habits and course of education of the lawyers of this period we have an account in one of the most singular and characteristic pieces of biography existing in any language—The Life of the Lord-Keeper Guilford, by his younger brother, the Hon. Roger North.†

The Lord-Keeper Guilford was the second son of Dudley Lord North: yet his allowance was but 60*l.* a-year. His brother gives the following account of it, which is characteristic of the times in more ways than one:—"The exhibition allowed his lordship by his father was, at first, 60*l.* per annum. But the family being hard pinched for supplies towards educating and disposing of many younger children, and his parents observing him to pick up some pence by court-keeping,‡ besides an allowance of 20*l.* per annum from his grandfather, and a little by practice, they thought fit to reduce him to 50*l.* This sat hard upon his spirits, and produced divers notable-penned letters, post after post, complaining upon all the topics of an hard case that could be thought of. He never pleaded so earnestly for the best fee that ever he had. At length there comes a letter from his father, which he opened with precipitous haste, in hopes of a favourable answer, and there he found—'Frank, I suppose, by this time, having vented all your discontent, you are satisfied with what I have done,' &c. There sunk all his hopes upon that point. But, to do right to his good father, he paid him that 50*l.* a-year as long as he lived, saying he would not discourage industry by rewarding it, when successful, with loss."§

The following passage is so characteristic of the times, that, though not particularly applicable to the lawyers, we quote it:—"His lordship was very young when he was first put to school, and then had but indifferent tutorage, for his first master was one Mr. Willis, that kept a school at Isleworth. That man was a rigid Presbyterian, and his wife a furious Independent. These two sects, at that time, contended for pre-eminence in tyranny; reaping the fruits of a too successful rebellion, which conjured up a spirit of opposition betwixt them, so that they hated each other more than either the bishops or even papists themselves."‖

Along with the law, Mr. North studied arts and languages (he had previously been at St. John's College, Cambridge). "I have heard him say," observes his brother, "that if he had not enabled himself by these studies, and particularly his practice of music upon his base, or lyra viol (which he used to touch lute-fashion, upon his knees), to divert himself alone, he had never been a lawyer. Without acquiring a capacity of making a solitary life agreeable, let no man pretend to success in the law. I have heard his lordship often remember a lesson the citizens used to their apprentices—*Keep your shop, and your shop will keep you*—as being no less true of a lawyer with respect to his chamber."*

Mr. North used commons and putting cases. "He used constantly the commons in the Hall (he was a member of the Inner Temple) at noons and nights, and fell into the way of putting cases (as they call it), which much improved him; and he was very good at it, being of a ready apprehension, a nice distinguisher, and prompt speaker. He used to say that no man could be a good lawyer that was not a put-case. Reading goes off with some cloud, but discourse makes all notions limpid and just; for, in speaking, a man is his own auditor (if he had no others at hand) to correct himself. Besides, there are diversities of opinion, and contentions in reasoning, which excite thoughts that otherwise would never have risen. And mistakes, almost incredible to the mistaker, being observed, cause a recurrence, for surety, to the authorities, where an inspection convinceth, and, withal, corrects the faulty assurance some will have in a mere memory."†

Of common-placing, in the study of the law, he says:—"It was his lordship's constant practice to common-place as he read. He had no bad memory, but was diffident, and would not trust it. He acquired a very small, but legible hand; for, where contracting is the main business, it is not well to write, as the fashion now is, uncial and semi-uncial letters, to look like pigs' ribs. His writing in his common-places was not by way of index, but epitome; because, as he used to say, the looking over the common-place-book on any occasion, gave him a sort of survey of what he had read about matters not then inquisited, which refreshed them somewhat in his memory: and that had not been obtained in a way of mere what and where, as the style of most indexes run. When this manner of writing is comprehensive or pregnant, it is called abridgment, of which there are divers large ones of the common law in print—as Fitzherbert, Brook, &c.; and are like those the civilians call summists, which, with them, are not allowed as authority. Certainly it is an error for a student to peruse such, it being like reading over a dictionary, which never teacheth a language.‡ . . . He used to say

* Jardine, pp. 3 and 4.

† It is to be observed that though the greater portion of this memoir relates to the period *after* the Restoration, the part of it which concerns Lord-Keeper Guilford's life as a *student* relates to the period *preceding;* for Francis North was admitted at St. John's College, Cambridge, 8th June, 1653 (Life, &c., p 12), and, "after two or three years spent at the University, removed to the Middle Temple." (Ibid. p. 13.) We shall give some of Roger North's most graphic and characteristic portraits of lawyers,—such as Hale, Jefferies, Saunders, &c.—in the period to which they belong, viz., the reigns of Charles II. and James II.

‡ Acting as steward to his grandfather, and some of his neighbours, in the customary courts (*i. e.* the copyholders' courts) of their several manors.

§ The Life of the Right Hon. Francis North, Baron of Guilford, Lord-Keeper of the Great Seal under King Charles II. and James II. &c. By the Hon. Roger North. 3rd edit. 1819, vol. i. p. 49.

‖ Ibid. vol. i. p. 10.

* The Life of the Right Hon. Francis North, vol. i. p. 15.

† Ibid. vol. i. p. 19.

‡ "And for that reason," he adds, we think with great truth, Coke's comment upon Littleton ought not to be read by students to whom it is, at least, unprofitable; for it is but a common-place, and

that the advantage of his common-place was not, as a parson's concordance, to help him to cases, but, when he remembered he had read of a case, to help him to find it; and then his little note, there, brought into his mind the agitation of the matter at large in the book; and, for this reason, the common-place-book is of little use to any but to him that made it. For the law is inculcated by reading the long arguments to be found in the books, where reasons are given *pro* and *con*, and not by any extracts, however curiously made. And the great art of common-placing lying in the judicious, but very contracted, note of the matter, a stranger may pass it by, and not know whether it concerns his inquiry or not."*

Of the employment of discourse he says:—"And he was most sensible of the benefit of discourse, which I mentioned before; for I have observed him often say that, after his day's reading at his night's congress with his friends, either at commons or over a chop, whatever the subject was, he made it the subject of his discourse in the company; for, said he, I read many things which I am sensible I forgot, but I found withal, that, if I had once talked over what I had read, I never forgot that. This agrees with a direction to a student, said to have come from the Earl of Nottingham, *that he should study all the morning, and talk all the afternoon;* because a ready speech (if it be not Nature's gift) is acquirable only by practice, and is very necessary for a bar practiser." He then relates an anecdote which throws light on the habits of the law students of that time:—"I remember that, after the fire of the Temple, it was considered whether the old cloister walks should be rebuilt, or rather improved into chambers; which latter had been for the benefit of the Middle Temple. But in regard it could not be done without the consent of the Inner House, the master of the Middle House waited upon the then Mr. Attorney Finch, to desire the concurrence of his society, upon a proposition of some benefit to be thrown in on that side. But Mr. Attorney would by no means give way to it, and reproved the Middle Templers very wittily and eloquently upon the subject of students walking in the evenings there and putting cases, which, he said, *was done in his time, as mean and low as the buildings were then, however it comes*, said he, *that such a benefit to students is now made so little account of;* and, therefore, the cloisters, by the order and disposition of Sir Christopher Wren, were built as they now stand. And, agreeable to this, Serjeant Maynard, the best old-book-lawyer of his time, used to say that the law was *ars bablativa*, which, humoursomely enough declares the advantage that discoursing brings to the students of the law."*

Soon after Mr. North's being called to the bar, "he began," says his brother, "to feel himself in business; and, as a fresh young man of good character, had the favour of diverse persons that, out of a good-will, went to him, and some near relations." We believe "fresh young men of good character," at the bar, are apt at all times, by the favour of near relations, as well as diverse other persons, to "feel themselves" *in more business than fees.* They should all follow the Lord-Keeper North's plan, who, being once asked if he took fees of such, naïvely and wittily replied:—*Yes, they come to do me a kindness; and what kindness have I if I refuse their money?*"†

At that time it does not seem to have been the practice for eminent counsel to take pupils, as it is now. But the sages of the law used sometimes to take upon them voluntarily the instruction of the young lawyer. Thus, in the case of Lord Keeper North, "his admission," says his brother, "into the conversation of Mr. Attorney-General Palmer proved of great use to him in the direction of his reading. For Mr. Attorney's good-nature and affability were such, that a young gentleman might demand anything of him that tended to the advancement of his studies; and he would answer fully and friendly to it."‡ And Roger North informs us, also, that while he himself was yet a student, the Lord Keeper, who was then rapidly rising into notice, "caused his clerk to put into his hands all his draughts, such as he himself had corrected, and after which conveyances had been engrossed, that, by a perusal of them, he might put some light into the formal skill of conveyancing. And that young gentleman instantly went to work, and first numbered the draughts, and then made an index of all the clauses, referring to that number and folio: so that, in this strict perusal and digestion of the various matters, he acquired not only a formal style, but also apt precedents, and a competent notion of instruments of all kinds."§

We shall conclude with two very amusing and characteristic anecdotes of his lordship's adventures on the circuit. The first relates to Serjeant Earl, who then had much of the business of the Norfolk circuit. "He (North) was exceeding careful," says Roger, "to keep fair with the cocks of the circuit, and particularly Serjeant Earl, who had almost a monopoly. The serjeant was a very covetous man, and, when none would starve with him in journeys, this young gentleman kept him company. Once, at Cambridge, the serjeant's man brought his lordship a cake, telling him *he would want it, for he knew his master would not draw bit till he came to Norwich.* And it proved so. They jogged on, and at Barton Mills his lordship asked the serjeant if he would not take a mouthful there? *No, boy*, said he, *we'll light at*

much more obscure than the bare text without it. And, to say truth, that text needs it not; for it is so plain of itself that a comment, properly so called, doth but obscure it." The original MS. of Coke's Comment on Littleton, which is now in the British Museum (Harl. MSS. No. 6687), proves that Roger North is quite correct in the above remarks. Coke seems to have taken a 12mo. copy of Littleton's Tenures, one of those which are still to be met with in old book shops, with a very broad margin and interleaved, and made notes on the margin and blank leaves in a very small hand. He then seems to have added a great many blank leaves at the beginning and end, and written on them in the same small, crowded, rather illegible character. The whole now forms four thick 12mo. vols.

* Ibid. i. 20.

* Coke upon Littleton, i. 25.

† Ibid. i. 57.

‡ Ibid. i. 23.

§ Ibid. i. 136.

every ten miles' end, and get to Norwich as soon as we can. And there was no remedy. Once he asked the serjeant in what method he kept his accounts; *for you have*, said he, *lands, securities, and great comings-in of all kinds? Accounts, boy*, said he; *I get as much as I can, and I spend as little as I can; and there is all the account I keep.*"*

The other anecdote relates to some of the circuit habits of that time; and is thus told by Roger North, in his quaint, racy manner:—"Before I mention the farther steps of his lordship's rising, I must get rid of a scurvy downfal he had, which had well nigh cost him his life. That he was what was called a sober person was well known; but, withal, that he loved a merry glass with a friend. But once, in the circuit, being invited, with the rest of the counsel, to dine at Colchester with the recorder, Sir John Shaw, who was well-known to be one of the greatest kill-cows at drinking in the nation, he, with the rest of his brethren, by methods too well known, got very drunk. They were obliged to go on, and in that condition mounted, but some dropped and others proceeded. His lordship had a clerk, one Lucas, a very drunken fellow, but at that time not far gone. He thought it his duty to have a tender care of his master, who, having had one fall, (contrary to the sound advice of his experienced clerk) would needs get up again, calling him all to nought for his pains. His lordship was got upon a very sprightly nag, that trotted on very hard, and Lucas came near to persuade him not to go so fast; but that put the horse upon the run, and away he went with his master full speed, so as none could follow him. The horse, when he found himself clear of pursuers, stopped his course by degrees, and went with his rider (fast asleep upon his back) into a pond to drink; and there sat his lordship upon the sally. But, before he fell, Mr. Andrew Card, now an eminent practiser of conveyancing in Gray's Inn, and then Mr. Coleman's clerk, came up time enough to get the horse out of the pond before he fell off, else he had been lost; for which service his lordship ever had a value for Mr. Card. They took him into a public-house nigh at hand, and left him to the care of his man, but so dead drunk that he knew nothing that happened to him. He was put into a bed, and the rest of the company went on, for fear of losing their market. Next morning, when his lordship awaked, he found he was in a strange place, and that, at a fire-side in that room, there were some women talking softly (for talk they must); he sent out all his senses to spy, if he could, what the matter was. He could just perceive they talked of him. Then he called for Lucas, and bid all go out of the room but him; and, then, *Lucas*, said he, *where am I?* He was glad the danger (of which Lucas gave him a sensible account) was over, and got him up to go after his fellows. I remember, when his lordship told this story of himself, he said the image he had, when his horse first trotted, and so faster and faster, was as if his head knocked against a large sheet of lead, as a ceiling over him; and, after that, he remembered nothing at all of what happened till he awoke."*

* Coke upon Littleton, i. 69.

The amount of the national revenue was very considerably augmented in the course of the present period, partly from certain new modes of taxation being brought into action, partly from the greater productiveness of several of the old sources, although of these some also began to yield less plentiful supplies than formerly, and others were altogether abandoned.

At the accession of James, the most ancient revenue of the crown, that arising from its landed estates, amounted only to 32,000*l.* a-year; but before the end of the reign it rose to about 80,000*l.*; and that notwithstanding sales by which was realized no less a sum than 775,000*l.* The annoying and oppressive feudal prerogatives of purveyance, wardship, &c., also still continued to be regularly exercised; and their ordinary produce may be estimated from the offer of the parliament in 1609 to compound with the king for the whole by a yearly allowance of 200,000*l.* In 1609 James raised 21,800*l.* by a tax of 20*s.* on every knight's fee, and on every 20*l.* of annual rent from lands held immediately of the crown, on the occasion of his eldest son, Prince Henry, being made a knight; and, in 1612, he obtained, in like manner, 20,500*l.* on the marriage of his daughter Elizabeth to the Elector Palatine; the occasions in question being the last on which these extraordinary aids were ever levied. At the commencement of the reign the customs of tonnage and poundage were as usual granted for the king's life; and, not satisfied with this act of bounty and confidence, James, a few years afterwards, proceeded to raise the rates of these duties by his own authority—an exertion of the prerogative which, although not altogether unprecedented,—for both Mary and Elizabeth had done the same thing,—occasioned at the time much alarm and outcry, and may be regarded as having had a main share in awakening those feelings of suspicion and alienation which, on the accession of James's son, manifested themselves in the refusal of the parliament to grant the tonnage and poundage for more than a year, and ultimately drove on the two parties from a war of words to a war of swords. When James came to the throne the customs yielded a revenue of 127,000*l.* a-year; in 1613 they produced about 148,000*l.*; and, at the close of the reign, about 190,000*l.* All the parliamentary supplies granted during this reign were nine subsidies and ten fifteenths, a subsidy yielding about 70,000*l.* and a fifteenth about 36,500*l.*, so that from this source James scarcely derived, on the whole, 1,100,000*l.*, or not quite 50,000*l.* a-year. Eleven subsidies from the clergy at the rate of 4*s.*, and one at the

* Coke upon Littleton, i. 88.

rate of 6*s.* in the pound, produced him in all about 250,000*l.* more. Other schemes to which he had recourse for raising a revenue may be classed under the head of irregular, if not illegal, expedients. Titles of nobility were sold for certain specific sums: that of a baron for 10,000*l.*, that of a viscount for 20,000*l.*, that of an earl for 30,000*l.* About 225,000*l.* in all was obtained by the sale of patents of the new dignity of baronet, instituted in 1611, each baronet paying 1095*l.*, under the name of maintenance for thirty foot soldiers, at the rate of 8*d.* a-day, to assist in the reduction of the province of Ulster, in Ireland, and the entire number of creations before the end of the reign being 205. James also made a great deal of money by the sale of patents for monopolies, till the abuse, after having repeatedly excited the indignation of parliament and the public, at last produced the decisive proceedings in 1621 against Sir Giles Mompesson and Sir Thomas Michell,* and the statute of 1623, (21 Jas. I. c. 3,) which declared all monopolies to be contrary to the laws of the realm, and enacted that they should henceforth be utterly void and of none effect. Considerable sums were exacted from the subjects at different times in the course of this reign under the old false names of loans and benevolences, the so called lending and voluntary contribution being both alike compulsory. The heavy fines which it was the custom for the Star Chamber and other courts to impose upon delinquents, also yielded something—though not a great deal, if it be true, as is asserted, that fines nominally amounting to 184,000*l.* were actually compounded for about 16,000*l.* To this sum may be added about 4000*l.*, realized from fines for the violation of the several proclamations against additional buildings in and about London. James, finally, received back from France 60,000*l.* of the debt which Henry IV. had incurred to Elizabeth; and he got 250,000*l.* from the Dutch on surrendering to them the cautionary towns of Flushing, Brille, and Ramekins, besides a tribute which they afterwards consented to pay for the liberty of fishing on the coasts of Britain. On the whole, according to a published official account, going over the first fourteen years of this reign,† James's ordinary income for that period had averaged about 450,000*l.*; besides which he had received in the course of the fourteen years about 2,000,000*l.* in extraordinary or occasional payments, making the entire annual revenue of the crown somewhat under 600,000*l.* The expenditure, however, exceeded this sum at first by about 80,000*l.*, afterwards by between 30,000*l.* and 40,000*l.* a-year; so that by the year 1610 James is said to have incurred a debt of 300,000*l.*

All the supplies granted by the House of Commons to Charles I. in the fifteen years of his reign that elapsed before the meeting of the Long Parliament are calculated to have amounted to no more than about 372,000*l.*, to which is to be added about 160,000*l.* from the clergy. The revenue derived from the crown lands, however, probably continued to improve; and it is known that some money was obtained from compositions entered into with holders of parts of the ancient royal domain whose titles were defective. The customs of tonnage and poundage, also, though not sanctioned by parliament, continued to be exacted by Charles as usual; and it is affirmed that the increase of commerce had raised their annual produce, before the breaking out of the civil wars, to 500,000*l.*.* A sum of 400,000 crowns was obtained from France, as the marriage portion of Henrietta Maria. The ship-money tax, during the four years it was raised after 1635, is calculated to have produced 200,000*l.* a-year; and, besides this, a fleet had been previously raised, in 1626, by the exaction of a certain number of ships from each maritime town in the kingdom. Along with the proceeds of the ship-money tax, too, may be reckoned a sum of 30,000*l.*, which, by means of the naval armament thus fitted out, the Dutch were for one year compelled to pay for the liberty of fishing in the British seas. But ship-money was only one of many illegal or unconstitutional ways of supplying his exchequer to which Charles had recourse. He derived a regular revenue from compositions for dispensing with the penal laws against the profession of popery. Notwithstanding the late act against monopolies, he kept up the old grievance by issuing numerous exclusive patents under the colour of the exception that had been made in the act in favour of new inventi[illegible] To such an extent had this practice been carried that, as already mentioned,† he had above thirty patents to recal when he found it necessary to make a show of redressing the grievances of his English subjects on the breaking out of the war with Scotland in 1639. Yet, if we may believe Lord Clarendon, of 200,000*l.* paid for these illegal grants, scarcely 1500*l.* actually reached the royal coffers,—a filtration, certainly, thirsty and absorbent beyond any other example in the annals of finance. About 200,000*l.* was raised, in 1626, by forced loans; and after the sudden dissolution of the second parliament of the reign in that same year, a supply of four subsidies and three fifteenths which had been voted by the Commons, but the bill for granting which had never passed into a law, was extorted from the country under the name of a loan by every method of oppressive violence. About 100,000*l.* was exacted by reviving and bringing again into action the obsolete law by which all persons, having an income of 40*l.*, were obliged to receive the expensive honour of knighthood,—a law wholly unsuited to the state of society that had now grown up, and only remaining unrepealed because, from having been

* See ante, p. 82.

† An Abstract, or Brief Declaration of the Present State of his Majesty's Revenue; first printed in 1651, and inserted in the 2nd vol. of Somers's Tracts.

* Such is the estimate of Lewes Roberts, in his 'Treasure of Traffic,' published in 1641.

† See ante, p. 203.

long allowed to sleep, it had been all but forgotten. The following summary of Charles's other arbitrary measures employed to extort money from his subjects is given by a modern historian of the public revenue: "Large fees were annexed to new-invented offices. Every county was obliged to maintain a muster-master, appointed by the crown, for exercising the militia. The vintners were driven, by the terrors of fines and prosecutions, to submit to an illegal imposition upon all the wine they retailed. An ancient duty for furnishing the soldiery with coat-and-conduct money, which had long been abolished, was revived. It was intended to coin base money, and to circulate it by proclamation. Heavy fines were imposed in the Star Chamber and High Commission courts. Sir David Fowles was fined 5000*l.* for dissuading a friend from compounding with the commissioners of knighthood. Thirty thousand pounds were exacted from those who had trespassed upon an obsolete law against converting arable lands into pasture. Encroachments on the king's forests were punished in a similar manner. Proclamations were issued commanding the nobility and gentry to retire to their country seats, and not to spend their time idly in London: if convicted of transgressing this arbitrary regulation, they were severely mulcted by the Star Chamber. It was contended that proclamations had equal authority with laws; and such as ventured to disobey them were heavily fined, and, in some instances, condemned to the pillory. In short, more tyrannical steps would hardly be taken by the greatest despot on earth."* It was calculated that, from 1637 to 1641 inclusive, Charles's entire annual revenue had amounted, on an average, to not less than 895,000*l.*, of which about 210,000*l.* arose from ship-money and other illegal exactions.

After the dispute between the king and the parliament came to a contest of arms, both parties of course sought to raise money for carrying on the war by any means that could be made available. Besides what he received from the private contributions of his adherents, and from pawning the jewels of the crown, Charles made use of his military power in levying assessments in those parts of the country where his authority was established. The financial operations on the other side, however, were on a much more extensive scale. The Long Parliament began by voting supplies of six subsidies and a poll-tax (estimated as equivalent, in all, to twelve subsidies, or about 600,000*l.*), the produce of which, though nominally granted, after the usual form, to the crown, was paid into the hands of a board of parliamentary commissioners, by whom it was actually in great part expended in the support of the war against the royal cause. Large sums were also obtained from the voluntary contributions of the people, who eagerly brought in both money and plate, and every article, down to the thimbles and bodkins of the women, that could be melted and turned into coin.* All persons, indeed, were called upon to furnish what aid they could in money, in men, in horses, in arms, in victuals, and other warlike stores, to the public necessities, on a pledge that the value should be repaid to them on the restoration of peace, and that the debt should in the mean time bear an interest of eight per cent. These first voluntary contributions, and those that were some time after raised for the relief of the Irish Protestants, are estimated to have amounted to about 480,000*l.* Recourse, however, was soon had, when it became evident that the war would not be brought to an end in a single campaign, to a regular system of taxation, which, under the name of the monthly assessment for the maintenance of the army, produced alone a much larger revenue than had ever before been collected in the kingdom from all other sources together. This assessment varied from about 35,000*l.* to 120,000*l.* per week in the first year of the war; it was continued under the name of a land-tax throughout the protectorate, and its entire produce in the nineteen years from November, 1640, to November, 1659, is stated to have been not less than 32,172,321*l.* Another new species of tax, first imposed in 1643, under the name of the excise, being originally a duty upon beer, ale, wine, tobacco, raisins, sugar, and a few other articles of luxury, to which, however, were afterwards added bread, meat, salt, and other necessaries, is calculated to have produced 500,000*l.* a-year. The tonnage and poundage duties, together with other customs upon the export and import of commodities, yielded probably nearly as much. A tax of 4*s.* a chaldron upon all coals that left the port of Newcastle brought in about 50,000*l.* a year. From the Post-office, first established in 1635, about 10,000*l.* a-year was derived. A singular impost, called the weekly meal, being the price of a meal a week, which every person was commanded to pay into the Treasury, produced 608,400*l.* in the six years during which it was exacted. The profits, also, of wardship and all the other old feudal prerogatives of the crown, with the exception only of purveyance, which was given up, continued to be rigorously exacted until the courts of wards and liveries were abolished by the Rump parliament, in 1656. To these and a few other regular sources of revenue are to be added various occasional supplies, of which the principal were 1,850,000*l.* from the sale of the crown lands, houses, and forests; about 3,500,000*l.* from the sequestration for four years of the revenues of the bishops, deans, and inferior clergy; above 10,000,000*l.*, it is said, but surely with much exaggeration, from the subsequent sale of church-lands; 850,000*l.* from the incomes of offices sequestered for the public service; above 4,500,000*l.* from sequestrations of, or compositions for, the estates of private individuals in England; 1,000,000*l.*

* Sinclair's History of the Public Revenue, i. 269.

* See ante, p. 290

from compositions with delinquents in Ireland; about 3,500,000*l.* from the sale of forfeited estates in England and Ireland; besides other large sums derived from compulsory loans, the decimation tax, or tenth penny, exacted from all malignants, as they were called, by Cromwell's major-generals, and the military plunder of the royalists. In all these various ways the parliament is asserted, but the account is drawn up by the opposite party, and may be strongly suspected of great exaggeration, to have, in the course of the nineteen years, drawn from the people the vast amount, for that time, of above 83,000,000*l.*, being at the rate of nearly 4,400,000*l.* per annum.* Of this, however, only a part went to defray the proper expenses of the state. Cromwell's income is stated to have been about 1,500,000*l.* from England, 143,000*l.* from Scotland, and 208,000*l.* from Ireland, making in all an annual revenue of nearly 1,900,000*l.* An extraordinary expenditure was, of course, incurred so long as the war lasted; but neither the cost nor the waste of that state of things is supposed to have swallowed up the larger portion of the large sums that came into the hands of the government. If we may believe the representations both of the Royalists and of the Presbyterians, the parliament itself was the great deep into which the ever-flowing stream of confiscation and plunder chiefly poured itself. There may be some tendency to over-statement in these allegations of partisans bitterly hostile to those whom they accuse, and themselves excluded by circumstances from all share in the good fortune which they affirm their enemies to have enjoyed; but what they say is very probably, to a considerable extent, true. When the parliament became the dominant, or rather sole, authority in the state, the members voted wages to themselves, at the rate of 4*l.* a-week for each, to be paid out of the public revenue; and it is affirmed that they afterwards came to distribute among themselves about 300,000*l.* a-year under this name. Large sums of money, lucrative offices, and valuable estates were also bestowed upon many of the leading members. According to Walker, the Presbyterian historian, Lenthall, the Speaker, held offices which yielded him between 7000*l.* and 8000*l.* a-year; Bradshaw had the royal palace of Eltham and an estate worth 1000*l.* a-year for the part he took in the trial of the king; and a sum of very nearly 800,000*l.* was publicly expended in other free gifts to the saints.* There can be no doubt, also, that much peculation was practised by many members of the various parliamentary committees, which, with scarcely any real responsibility, were appointed to manage the different branches of the public revenue; and, indeed, in a time of such confusion and dislocation of the whole frame of government it was impossible that advantage should not often have been taken by private individuals of the public calamities.

* See the account in Sinclair's Hist. of Rev. i. 284—286.

* History of Independency.

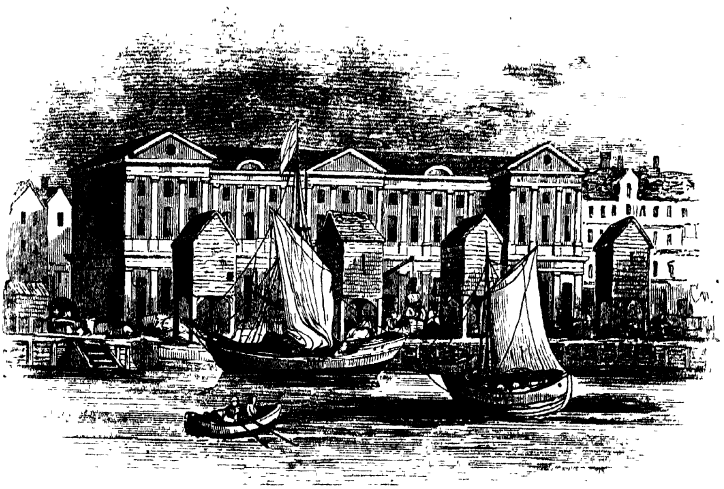
CHAPTER IV.

HISTORY OF THE NATIONAL INDUSTRY.

THE most authentic and comprehensive account we have of the foreign commerce of England at the commencement of the present period is contained in a discourse, or essay, drawn up by Sir Walter Raleigh, and originally presented by him, in manuscript, to James I. soon after his accession.* The main object of this small treatise is to point out the circumstances to which the Dutch owed their commercial superiority, and to urge upon the English government the adoption of the same methods; but in pursuing this argument the author takes occasion to give a very full and minute delineation of the trade carried on by each country in all its branches. Some little allowance is perhaps to be made here and there for the bias of a mind occupied with and pleading for a particular object; but in general there is no reason to suppose that Raleigh's statements, the substance of which, in so far as they relate to his own country, we shall now proceed to extract and condense, are, to any material extent, overcharged.

The ordinary trade carried on at this time by the Dutch with England employed not fewer than five or six hundred Dutch ships, but not a tenth of that number of English. But, besides, whenever there was in England a dearth of wine, fish, or corn, it was the custom of the Dutch immediately to load fifty or a hundred vessels with the particular commodity in request, and to dispatch them to all the ports of this kingdom, to reap the harvest of the high prices. In a recent dearth of corn Raleigh affirms that the merchants of Embden, Hamburgh, and Holland had in this way carried away, in a year and a half, from the ports of Southampton, Exeter, and Bristol alone, nearly 200,000*l.*; and he thinks that, from the whole of the kingdom, they could not have obtained less than ten times that sum. The practice of these thoroughly commercial states was to monopolize, as far as they could, the transport of the produce of all other countries,—of Turkey and the East and West Indies, as well as of France, Spain, Portugal, and Italy; and, carrying this merchandise to Denmark, Sweden, Poland, and other northern parts, to bring back thence corn and other bulky

* Observations concerning the Trade and Commerce of England with the Dutch and other Foreign Nations.



THE CUSTOM-HOUSE, LONDON, as it appeared before the great Fire. From a Print by Hollar.

commodities, which they stored up to supply the wants of England and the rest of the world. Amsterdam was never without a store of 700,000 quarters of corn, none of it of home growth; and it was remarked that a dearth of one year in England, France, Spain, Portugal, or Italy sufficed to enrich Holland for seven years after. Raleigh contends, nevertheless, that, if the proper methods were taken, England was much better situated than Holland for a general store-house.

He next proceeds to compare the trade in fish of the Low Countries and the adjacent petty states with that carried on by England. The most productive fisheries in the world were upon the coasts of the British islands; yet at this time, while the Hollanders sent to the four great towns on the Baltic, Koningsberg, Elbing, Stettin, and Dantzic, 620,000*l.* worth of herrings every year, England exported to those places none at all; nor any to Denmark, Norway, Sweden, and the ports of Riga, Revel, Narva, and other parts of Livonia, to which the Dutch sent yearly to the value of 170,000*l.*; and scarcely 500*l.* worth to Russia, to which the Dutch sent 27,000*l.* worth; and none at all to Staden, Hamburgh, Bremen, and Embden, to which the Dutch sent, of herrings and other fish, to the annual value of 100,000*l.*; nor any up the Rhine to Germany, the people of which bought, every year, 440,000*l.* worth of herrings and other fish from the Dutch; nor any up the Meuse to Maestricht, Liege, &c., to which places the Dutch sold herrings every year to the value of 140,000*l.*; nor any to Guelderland, Flanders, and up the Scheldt, all over the dominions of the Archduke of Austria, in which direction the Dutch sent annually 162,000*l.* worth; and not 2000*l.* worth to France, which took 100,000*l.* worth from the Dutch. In short, while, according to this account, the trade of the Dutch in fish brought them in annually not much under 2,000,000*l.*, the English could hardly be said to have any trade in that article at all,—except only, Raleigh omits to notice, to the countries washed by the Mediterranean,—the great Catholic and fish-eating countries of Spain and Italy; but thither, also, the Dutch, he tells us, sent large quantities, although he does not specify to what exact amount.

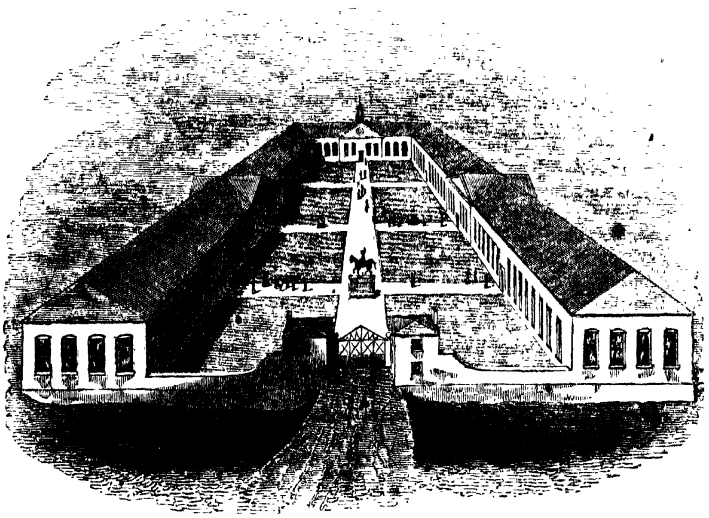
In other important branches of trade the case was nearly the same. The Dutch sent nearly a thousand ships every year to the countries in the north-east of Europe with wine and salt, both chiefly obtained from France and Spain; England, with equal natural advantages, had not one ship employed in that trade. The timber trade of the Dutch, whose own country grew no wood, employed five or six hundred great ships; the English, with the same access as they had to the forests within the Baltic, neither exported nor imported a single cargo. Even the wool, cloth, lead, tin, and other native products of England were far from being turned to so much account as they might have been. As yet all the woollen cloth that went abroad was exported both undressed and undyed. About 80,000 pieces of woollen cloth were annually sent to foreign countries in that state, the dyeing and dressing of which, as Raleigh calculates, was a yearly gain to the foreigner of 400,000*l.*, besides about 150,000 northern and Devonshire kerseys and bayes (baize), the colouring of which would come to 100,000*l.* a-year more. These latter were dressed and dyed at Amsterdam, and then shipped for Spain, Portugal, and other countries, where they were sold under the name of Flemish bayes. Nor were our exports of all descriptions of native produce of any considerable amount in comparison with those of the Dutch. To Prussia and the other countries in the north-east of Europe, for example, the Dutch sent every year nearly three thousand ships, which found their way into every port town: we sent out in the same direction only about a hundred, the merchandise carried by which was chiefly disposed of in the three towns of Elbing, Koningsberg, and Dantzic. No English ships carried any of the commodities of those countries to France, Spain, Portugal, or Italy, which two thousand Dutch merchantmen were constantly employed in supplying with them. In general the foreign trade of England for some years past had been decaying rather than extending. For seventy years a very considerable trade had been carried on with Russia: down to about the year 1590, store of goodly ships were wont to sail annually to that country; but, in 1600, only four had been sent out; and, in 1602, only two or three; whereas, the Russian trade of the Dutch had now come to employ from thirty to forty ships, each as large as two of the English, and all chiefly laden with English cloth, herrings taken in the British seas, English lead, and pewter made of English tin. To the isle of Wardhuus, on the coast of Finmark, eight or nine great ships used constantly to go to the fishing from England; in this year, 1603, only one had gone. Those native commodities, besides, that were sent from England to foreign countries were in by far the greater part exported in foreign bottoms.

Raleigh's essay probably attracted very little regard from James or his ministers at this time; but some attempts seem to have been made a few years afterwards to carry certain of his recommendations into effect. Nevertheless English commerce continued in a languishing state during the whole of this reign; no really important measures were taken for its revival and encouragement; on the contrary, the very evil which Raleigh had most deprecated,—the burdensome amount of the customs,—was, in the penury and short-sightedness of the government, augmented instead of being alleviated. One or two new trading companies were, however, incorporated; and the colonisation of different parts of America, which was more or less successfully proceeded with by the enterprise of private individuals, if it produced scarcely any results for the present, was laying an ample foundation of

commercial as of all other greatness for a future age.

Captain James Lancaster, who had sailed from England in April, 1601, in charge of the first adventure of the newly-established East India Company,* made his re-appearance in the Downs, with the two largest of his four ships full laden with pepper, on the 11th of September, 1603, having previously sent home the other two with cargoes composed partly of pepper, cloves, and cinnamon, partly of calicoes and other Indian manufactures taken out of a Portuguese carrack which Lancaster had fallen in with and captured. The admiral, as he was called, had been well received by the king of Acheen, in Sumatra, who had concluded a commercial treaty with him, and granted all the privileges that were asked; but the great length of time, nearly two years and a half, that the adventure had occupied, and still more the obstructions of various sorts which kept the goods from being all disposed of, and the accounts finally wound up, for about six years longer, prevented the company from deriving either much ultimate profit or any immediate encouragement from this first attempt. Additional capital, however, having been, though with difficulty, raised, the same four ships were again sent out in March, 1604, under the command of Sir Henry Middleton, who did not return till May, 1606, and then only with three of his ships, laden with pepper, cloves, mace, and nutmegs, the fourth having been lost on the homeward voyage. In the mean time a licence in direct violation of the company's charter had been granted by the king to Sir Edward Michelborne and others, allowing them to send out ships to trade with Cathaya, China, Japan, Corea, Cambaya, and any other countries in the same quarter of the globe not already frequented by the English; and Michelborne had actually sailed for China in December, 1604, and, although he did not succeed in reaching that country, had made his way as far as to the Oriental Archipelago, whence he returned to England in July, 1606, bringing with him little else than the plunder of some small Indian and Chinese vessels, which he had attacked with no more regard either to the right of other nations or the character of his own than if he had been a common pirate. Disgusted by this ill-usage on the part of the government, in addition to the disappointment of their hopes of large and speedy returns from the subscriptions they had already risked, and influenced also somewhat by the popular outcry that was raised about the impolitic and destructive nature of the new trade, which, it was affirmed, besides occasioning an unusual mortality of the seamen, would, if persisted in, prove a wasteful drain both upon the treasure and the marine of the country, most of the members of the company were now inclined to put up with their losses and to have nothing more to do with the business. The spirit of others, however, still clung to the hope of better success; and a new subscription having been opened, three more ships were sent out in March and April, 1607, and two more in March the following year. Neither of these attempts was very fortunate: the two vessels that sailed last, indeed, were both lost at sea, although the crews and a small part of the cargo of one of them were saved; but a single ship, the Expedition, which sailed in April, 1609, under the command of Captain David Middleton, brought home, about two years after, so valuable a cargo of nutmegs and mace as to produce a divi-

* See vol. ii. p. 791.



THE GREAT CLOTH-MARKET, LEEDS, established by Edward III., as it appeared two hundred years since. From a Print in the King's Library, Brit. Mus.

dend of 211 per cent.' Meanwhile a new charter, dated May 31, 1609, had been obtained by the company, by which their privilege of exclusive trade, originally granted for fifteen years, was made perpetual, a power, however, being reserved by the government of dissolving them at any time on three years' notice. They now built the largest ship that had ever been constructed in England for the merchant service, some accounts making her burden to have been a thousand, others eleven or twelve hundred tons; and after the king, with a numerous attendance of the nobility, had witnessed the launch of this portly argosy, which his majesty named the Trade's Increase, and been entertained on board with a magnificent banquet served in dishes of China ware, then quite new in England, it was put, along with two other vessels, under the command of Sir Henry Middleton, who set sail with his little fleet for the Red Sea in the spring of 1610. Neither Middleton nor his good ship, the Increase, ever saw England again; the ship was lost in Bantam Road in 1603, and Sir Henry soon after died of grief; but the other two vessels, which returned home towards the end of the following year brought such productive cargoes as afforded the partners a dividend of above 121 per cent. Another adventure in a single ship, which sailed from Gravesend in January, 1611, and returned to England in the summer of 1615, produced the still larger profit of 218 per cent. upon the capital invested; and another with three ships, which were sent out in April, 1611, and returned in September, 1614, was very nearly as successful. Another voyage, reckoned the ninth, brought a profit of 160 per cent. after three years and a half; a tenth, in about two years and a half, 148 per cent.; an eleventh, in twenty months, about 340 per cent.; and a twelfth about 134 per cent., in a year and a half. Each of these adventures, it is to be observed, had, in so far as regarded the pecuniary results, been the separate concern of the individual members who chose to engage in it; but the commanders in general appear, nevertheless, to have considered themselves in all other respects as the representatives of the company in its corporate capacity, or even in some sort of the nation, and, as such, to have freely, whenever occasion or opportunity offered, both entered into treaties with the native powers, and employed arms, defensively or offensively, against the Dutch, the Portuguese, the Turks, or whatever other foreigners the rivalries of trade brought them into collision with. Both the Portuguese, who had been long established in India, and the Dutch, who had more recently entered into the trade, early began to employ force as well as intrigue against the new-comers; but hitherto with little effect. In spite of all their endeavours, Captain Best, who conducted what is called the tenth voyage, succeeded, in 1613, in obtaining a firman, or charter, from the Great Mogul, allowing the company to establish a factory at Surat, granting them the privilege of introducing their merchandise at a certain fixed rate of duties, and engaging to protect both their trade and the persons and property of those engaged in it from the hostility of the Portuguese and all others. And the same year Captain Saris, who had gone out with the eighth adventure, obtained from the Emperor of Japan equally ample privileges for his dominions. It was now resolved that all future voyages should be on account of the company as one united body. The first fleet, accordingly, fitted out upon this new scheme, sailed under the command of Captain Downton in March, 1614: it consisted only of four ships; but with this small force Downton was fortunate enough to repel a formidable attack of the Portuguese, with whom, on his arrival in the country, he found the Mogul at war, a victory which proved of the greatest service, not only in attaching that monarch to the interests of the company, but in exalting the English name and character in the opinion of the people of all northern and central India. The favourable impression thus made was judiciously followed up by the dispatch in January, 1615, along with another small fleet, of Sir Thomas Roe in the quality of ambassador from the Indian emperor from the king of England, a[illegible] from the successful exertions of that envoy, wh[illegible] continued to reside at the Mogul's court till the year 1619, and was enabled to obtain various important extensions of the privileges formerly granted to the company. The company now possessed factories, not only at Acheen, Zambee, and Tecoa, in Sumatra; at Surat, Amadavad, Agra, Azmere, or Agimere, and Burampore, in the dominions of the Mogul; and at Firando in Japan; but also at Bantam, Jacatra (the present Batavia), and Japara, in Java; at Benjarmassing and Socodania in Borneo, at Banda in the Banda Islands, at Patan in Malacca, at Macassar in the isle of Celebes, at Siam in the kingdom of that name, at Masulipatam and Petapoli on the Coromandel coast, and at Calicut on the coast of Malabar. In so prosperous a state, also, were their concerns believed to be about this time that, in 1617, their stock was currently sold at 203 per cent. The disputes with the Dutch, however, now grew to such a height as greatly to embarrass the trade. Commissioners were actually appointed by the governments of the two countries to endeavour to bring about an amicable arrangement; and the Dutch proposed that the English East India Company and theirs should carry on the trade as a joint concern, a plan which, it was urged, would enable them effectually to subdue their common enemy the Portuguese, and to exclude all other nations from getting any footing in India; but this idea came to nothing. At length, in July, 1619, a treaty was concluded at London by eighteen English commissioners and ten deputies from the States-General, by which it was agreed that the two companies should continue to carry on the trade separately, but upon the principle of each sharing in the different branches of it in certain specified proportions, under the super-

intendence of what was called a Council of Defence, to be composed of four of the principal servants of each company resident in the country. This agreement was to continue in force for twenty years; but did not last half as many months. The intelligence that it had been concluded was received with great rejoicings in India, in April, 1620; and, in December of that same year, the Dutch governor-general suddenly attacked and took possession of the islands of Lantore and Pulo Roon, the dominion of which was claimed by the English, thus recommencing hostilities by the most decided act of aggression that had yet been committed on either side. This was followed, in February, 1623, by the much more atrocious affair of the massacre at Amboyna, and the subsequent expulsion of the English company's people by their late associates, but now declared enemies, out of all the other Spice Islands.* A long course of hostilities, into the detail of which we cannot enter, took place between the two nations, the effects of which were so disastrous to the interests of the English company, that, notwithstanding a valuable establishment they had gained, in 1622, in the Persian Gulf, by the capture, in conjunction with the forces of the Shah of Persia, of the island of Ormus from the Portuguese, they found themselves, two or three years later, in debt to the amount of 200,000*l.*, and, about the close of the reign of James, were seriously thinking of disposing of whatever they possessed in India, and relinquishing the trade. They had, before this, abandoned their factory in Japan, notwithstanding the concession to them, by the emperor, in 1616, of a second and still more liberal charter; and they had also withdrawn from a field of enterprise upon which they had somewhat strangely entered a few years before,—the Greenland whale fishery, —after attempting it first by themselves, and then, with no better success, in conjunction with the Russian Company. They had, in 1616, in the height of their reputed prosperity, raised a new stock of 1,629,040*l.*, which was eagerly subscribed by 954 individuals, including fifteen dukes and earls, thirteen countesses and other titled ladies, eighty-two knights, judges, and privy councillors, eighteen widows and maiden ladies, and twenty-six clergymen and physicians, besides mercantile men and others. Now, when a further subscription was proposed, it was found that the money could not be obtained; and the stock, which in 1617, sold at 203 per cent., had now fallen to considerably less than the half of that price.†

The operations of the other incorporated trading companies in this reign demand little notice. In 1605 James granted a perpetual charter to a new company, that of "the Merchants of England trading to the Levant Seas," which still subsists, and is popularly known under the name of the Levant or Turkey Company. By means of this company, the plan of which was that every member should trade on his own account, but according to regulations settled by the general court, considerable quantities of English woollen manufactures, and, at a later date, of watches, jewellery, and other descriptions of merchandise, were exported to Constantinople and the adjacent parts of the East, the supply of which with European commodities used formerly to be entirely in the hands of the Venetians. It is said that the ordinary returns of the Levant Company were at first three to one upon the investments. The year after the incorporation of the Levant Company, an English minister was, for the first time, appointed to reside in the dominions of the Grand Seignior, and authority was given to him to nominate consuls for the superintendence of the trade and the good government of the English merchants in the several ports. For some time the Turkish trade seems to have been one of the most flourishing branches of our foreign commerce. In a treatise published in 1621, it is asserted that, of all Europe, England then drove the most profitable trade to Turkey by reason of the vast quantities of broad cloth, tin, &c., which were exported thither. The profitableness of the English trade with Turkey, however, in this writer's notion, lay mainly in the circumstance that our exports were sufficient to pay for our imports,—the latter consisting chiefly of "three hundred great bales of Persian silk yearly,"—"whereas," he adds, "a balance in money is paid by the other nations trading thither. Marseilles sends yearly to Aleppo and Alexandria at least 500,000*l.*, and little or no wares. Venice sends about 400,000*l.* yearly in money, and a great value in wares besides. The Low Countries send about 50,000*l.*, and but little wares; and Messina 25,000*l.* in ready money. Besides great quantities of gold and dollars from Germany, Poland, Hungary, &c. And all these nations take of the Turks, in return, great quantities of camblets, grograms, raw silk, cotton wool and yarn, galls, flax, hemp, rice, hides, sheep's wool, wax, corn, &c."* If those other nations, however, got their money's worth for their money, which no doubt they did, they were quite as well off as the English, who of course got no more than the worth of their produce or manufactures. It might be as great an accommodation to the Venetians, Hollanders, &c. to have the Turks to take off their gold and silver as it was to the English to have the Turks to take off their broad-cloths and tin. Of all superfluities a superfluity of the precious metals would be about the most useless; produce, manufactures, goods of any other kind that could not be disposed of abroad, might be turned to some account at home; gold and silver would not be so valuable as iron, or lead, or clay, if they could not be employed for purposes of exchange. The English, therefore, in sending to the Turks their broad-

* See ante, p. 105.
† Macpherson's European Commerce with India, pp. 81—111.

* Munn's Discourse of Trade from England to East India, p. 17. Munn, who has developed his views more at large in his work, entitled "England's Treasure by Foreign Trade," was one of the ablest as well as earliest systematic defenders of what has since been called the Mercantile Theory of Trade.

cloths and tin, gave away that which if kept at home would have had a value in all circumstances, even if all commercial intercourse between nations had come to a stand-still: the money with which the Dutch and Venetians and Germans paid for their silks and other Turkish merchandise would not in that case have been worth the cost of warehousing it. And, in any circumstances, these nations must have found it more convenient to pay for what they got from the Turks in gold and silver than in other exports, else they would not have done so; the Turks would have taken their cloths and other descriptions of manufactures or produce as willingly as they took those of the English. But they found it more profitable to carry on their dealings of that kind with other customers,—to exchange their goods for the money of the English,—and then, with that money in their hands, to go to make their purchases from the Turks. What would they have made by keeping the money and exporting goods to Turkey instead? On the other hand, if the English had had money wherewith to make their purchases from the Turks, it is unquestionable that they would have found that the most profitable way of dealing. Whatever the theorists of the mercantile system may say, the last thing, we may be sure, that any nation will really keep at home when it has an opportunity of sending it abroad, is its gold and silver. Money is at once the most effective and economical instrument of exchange, and the most useless of all things when not so employed. The mercantile system rests upon the notion that a country never can have too much money; whereas the truth is, money is almost the only thing of which more than a certain quantity permanently confined within a country would really be of no use. If a country has as much of everything else as it wants, it will always have as much money as it wants; its stock of money, or representative wealth, will always be proportioned to its stock of other and more real wealth; and no mode of carrying on trade with another country, or with all other countries,—in other words, no state, favourable or unfavourable, to use the established expressions, of what is called the balance of trade—can in the least affect the matter. In fact, this same balance of trade, about which so much anxious calculation has been expended, is in every view the most purely insignificant thing in the whole world; it is of no more consequence than the balance between the numbers of the light-coloured and dark-coloured ships that may have been employed in any particular trade, or of the light-complexioned and dark-complexioned sailors by which they may have been manned. It is evident that no country can have its general balance of trade permanently or for any long course of years either favourable or unfavourable; either supposition implies that which is impossible. The result of a permanently favourable balance, would be such a constant accumulation of the precious metals in the country as would be only burdensome if it could take place, but, at the same time, really could no more happen than a constant accumulation of water upon a particular spot in a plain. A permanently or long-continued unfavourable state of the balances, again, is only another expression for the case of a country which should be continually exporting more gold and silver than it imported, a thing possible only for a country of which the precious metals were among the native products. The wealth of a country, indeed, may increase or may diminish: but its stock of money and its stock of other wealth will increase or will diminish together; and the growth or decline of both will not at all depend upon, or be indicated by, anything like what has been called the balance of trade,—that is, the proportion in which the goods obtained from other countries are paid for by money or by other goods,—but will be occasioned solely by the increasing or diminishing productiveness, as circumstances may vary, of its natural resources and advantages, and of the labour and ingenuity of its inhabitants. The balance of trade may in all cases with perfect safety be left to regulate itself: whatever may happen with other things, that can never be wrong.

In 1604, and again in 1617, the Company of Merchant Adventurers obtained new charters from James, confirming all their former exclusive privileges of exporting the woollen manufactures of England to the Netherlands and Germany, with the reservation only of the right of trading within the same limits to the mayor, constables, and fellowship of the Merchants of the Staple,—an exception which is said to have soon proved wholly illusory, under the extending influence of the more recent association, who gradually compelled all persons engaged in this trade to submit to their regulations. In fact, the Company of Merchant Adventurers came to comprehend the whole body of English merchants trading to the Low Countries and Germany, a body which, in the latter part of the reign of James, is stated to have comprehended about 4000 individuals. There appear, also, to have been local companies of merchant adventurers established in some of the great towns. Thus an act of parliament of the year 1606 confirms a charter that had been granted nearly half a century before by Elizabeth, giving to a company of that name of the city of Exeter the exclusive privilege, in reference to their fellow-citizens, of trading with the dominions of the king of France. Another statute of the same session created a still more comprehensive monopoly in favour of the corporation of the town of Southampton, which was empowered to exclude all persons except its own freemen, and the barons and freemen of the Cinque Ports, from buying or selling anything whatever as merchants within that town. Such restrictions were still generally thought to be necessary or serviceable to the interests of trade, and not injurious to those of the public.

Much more pernicious, however, in their effects

as well as more illegal, or at least unconstitutional, in their origin, than these local and statutory grants, were many patents for the exclusive sale or manufacture of particular commodities, which James took upon him to issue by his mere prerogative to persons who purchased from him such licences to pillage the rest of his subjects. The number of these monopolies, it may be remembered, had been made matter of strong complaint by the House of Commons towards the close of the preceding reign, and Elizabeth had thereupon issued a proclamation annulling all those then existing.* But James was not to be restrained by this concession of his predecessor from the exercise of what he held to be an undoubted part of his prerogative; he soon created so many new monopolies that the public clamour became louder than ever, till at last, in 1609, he deemed it prudent to follow Elizabeth's example by again proclaiming a general revocation. Nevertheless, after the suspension of parliamentary government in 1614, this evil, with many others, soon grew up again in all its old rankness; so that when circumstances at length compelled the calling of a parliament once more in 1621, the oppression of monopolies, as we have seen,† formed a principal head in the catalogue of the national grievances which the Commons immediately proceeded to redress. At a conference with the Lords, they offered to prove, Rushworth tells us, "that the patents of gold and silver thread, of inns and alehouses, and of power to compound for obsolete laws, of the price of horse-meat, starch, cords, tobacco-pipes, salt, train-oil, and the rest, were all illegal; howbeit they touched not the tender point of prerogative, but, in restoring the subjects' liberty, were careful to preserve the king's honour."‡ James, it should appear, on this occasion professed to have been entirely ignorant, until informed by his faithful Commons, of the abuses alleged to have taken place; and it was contrived that the whole blame as well as punishment should fall upon the patentees, on the pretence that they had exceeded their privileges, and on certain of the officers of state concerned in the granting of the patents, on the somewhat contradictory pretence that they had not been sufficiently careful in limiting the terms of these grants so as to guard them against being abused. "I do assure you," said his majesty, in a speech which he came down and made to the Lords while the inquiry was going on, "I do assure you, in the heart of an honest man, and by the faith of a Christian king, which both ye and all the world know me to be, had these things been complained of to me before the parliament I would have done the office of a just king, and out of parliament have punished them as severely, and peradventure more, than ye now intend to do. But now that they are discovered to me in parliament, I shall be as ready in this way as I should have been in the ther; for I confess I am ashamed, these things proving so as they are generally reported to be, that it was not my good fortune to be the only author of the reformation and punishment of them by some ordinary course of justice." "Three patents at this time," he went on to say, "have been complained of and thought great grievances: 1. That of the inns and hostelries. 2. That of alehouses. 3. That of gold and silver thread. My purpose is to strike them all dead; and, that time may not be lost, I will have it done presently. That concerning alehouses I would have to be left to the managing of justices of the peace as before. That of gold and silver thread was most vilely executed, both for wrong done to men's persons, as also for abuse of the stuff, for it was a kind of false coin. I have already freed the persons that were in prison; I will now also damn the patent, and this may seem instead of a pardon. All these three I will have recalled by proclamation, and wish you to advise of the fittest form to that purpose."* In the course of the debates upon the subject in the Commons, Mr. (afterwards Serjeant) Noy explained the manner in which these patents were applied for and obtained. "Before any patent is passed," said the learned member, "there is first a petition to his majesty, showing what good will accrue to the commonwealth by granting of the same, and what increase of benefit to the king, and what abuses for want of such a remedy as they propound do abound; whereon the king ever referreth the petition to some whom his majesty thinketh fittest to consider of the petition, both for matter of law, convenience, and good of the state and commonwealth; and thereupon the referees are to certify his majesty the truth of what they think of the petition; and, as they certify for the lawfulness and conveniency and good both of his majesty and his estate, and the particular good of the commonwealth, his majesty accordingly granteth it."† With all this show, however, of regard for the public good, no doubt can be entertained for a moment, from the character of these old monopolies, that the only thing that was really looked to in the bargain between the crown and the applicant was the amount of the sum of money the latter was inclined to offer for the patent; if that was sufficiently large, the recommendation of the referees, we may safely presume, was in general a matter of course. It is highly probable, indeed, that they expected and received, in all cases, a bribe for themselves as well as for their royal master. Nobody at this time, however, went the length of maintaining that the right of granting such patents, if properly exercised, was not, at least within certain limits, a prerogative of the crown. Those of the existing monopolies that were attacked were objected to principally on the ground that they were prejudicial to the public interest, either in their very nature or because the patentee had abused the powers intrusted to him by the royal grant. "There are some patents,"

* See vol. ii. p. 769. † See ante, p. 82. ‡ Collection, i. 24.

* Collection, p. 26. † Parl. Hist. i. 1199.

Noy proceeded to observe, "that in themselves are good and lawful, but abused by the patentees in the execution of them, who perform not the trust reposed in them by his majesty; and of such a kind is the patent for inns; but those that have the execution abuse it by setting up inns in forests and bye-villages, only to harbour rogues and thieves, and such as the justices of peace of the shire, who best know where inns are fittest to be, and who best deserve to have licences for them, have suppressed from keeping of alehouses; for none is now refused that will make a good composition. There are also some who have gotten a power to dispense with the statute of vagabonds, rogues, &c., and so make themselves dispensers of the royalties only proper for the king himself. The like patent is granted for tolls, leets, warrens, markets, &c., and they set up bills of it on posts, like new physicians that are new come to town, making merchandises of it." Even Sir Edward Coke, who declared that monopolies were now grown like hydras' heads—they grew up as fast as they were cut off—admitted, that while some patents were against the law, and others neither good in law nor execution, others were good in law and only ill in execution. The patent for inns, in particular, he allowed to be good in law. "He showed," says the report of his speech, in conclusion, "that all the kings, from Edward III. to this king, have granted monopolies; and even in Queen Elizabeth's time there were some granted. Sir Richard Mompesson (perhaps the father of Sir Giles Mompesson, whose conduct as one of the patentees of inns and of gold and silver thread was now in question) and one Robert Alexander procured of Queen Elizabeth a patent for the sole transporting of anise-seed. Monopolies have been granted heretofore *de vento et sole;* that in Devonshire and Cornwall a patent was granted that none should dry pilchards but those patentees."* Another member, Mr. Alford, described the way in which the monopoly of inns operated. "Every poor man," said he, "that taketh in but a horse on a market-day, is presently sent for up to Westminster and sued, unless he compound with these patentees; and all ancient inn-keepers, if they will not compound, are presently sued at Westminster for enlargement of their house, if they but set up a new post or a little hovel more than of ancient was there. And instead of reformation of abuses, this patent doth but raise reckonings on the poor traveller; and instead of restraining the number of inn-keepers, at Bath, where there were wont to be but six, and the town desired Sir Giles Mompesson there might not be more, yet he increased them *gradatim* from six to twenty inn-keepers." When he found that the storm could not be resisted, James himself was as ready with his virtuous indignation against all these abuses as any one else: in his speech to the Lords, to which we have already referred, he told them that nothing would be a greater ease to him, and to all about him at court, than some measure that would put an end for ever to the annoyance and pest of applications for the said patents. Even the stir that had already been made, he intimated, had materially contributed to his and their repose; "for I remember," said his majesty, "that, since the beginning of this parliament, Buckingham hath told me he never found such quiet and rest as in this time of parliament from projectors and informers, who at other times miserably vexed him at all hours." And then he launched out in the following characteristic strain:—"And now I confess that when I looked before upon the face of the government, I thought, as every man would have done, that the people were never so happy as in my time. For, even as at divers times I have looked upon many of my coppices, riding about them, and they appeared on the outside very thick and well grown unto me; but when I turned unto the midst of them, I found them all bitter within, and full of plains and bare spots,—like an apple or pear, fair and smooth without, but when ye cleave it asunder, you find it rotten at the heart. Even so, this kingdom, the external government being as good as ever it was, and, I am sure, as learned judges as ever it had, and, I hope, as honest administering justice within it, and for peace both at home and abroad, I may truly say, more settled and longer lasting than ever any before, together with as great plenty as ever; so it was to be thought that every man might sit in safety under his own vine and fig-tree. Yet I am ashamed, and it makes my hair stand upright, to consider how in this time my people have been vexed and polled by the vile execution of projects, patents, bills of conformity, and such like, which, besides the trouble of my people, have more exhausted their purses than subsidies would have done." The sudden dissolution of this parliament, however, prevented anything being done to put an effectual stop to the evil; and it was not till three years afterwards, by which time several new patents of an equally objectionable kind with those here so warmly condemned had been extorted from his majesty's necessities or good-nature, that the act was passed declaring all monopolies, and all commissions, grants, &c., to any person or persons for the sole buying, selling, making, working, or using of anything within the realm, except in the case of new inventions, to be altogether contrary to the laws of the realm, and so to be utterly void and of none effect, and in nowise to be put in use or execution.* Tacked to this general enactment, however, were provisoes barring its operation in the case of various existing patents and of any others that might be afterwards granted of the same kind,—namely, patents concerning printing, the digging or compounding of saltpetre or gunpowder, the casting or making of ordnance or shot, the compounding or making of alum, the licencing of taverns and retailing of wines. Four existing patents, for making of glass, for the exportation of

* Parl. Hist. p. 1193.

* Stat. 21 Jac. I. cap. 23.

calves' skins, for the making of smalt, and for the melting of iron ore, were also specially excepted from the operation of the act.

We will now add a few notices respecting the state of some particular branches of trade in this reign. One of the fields of enterprise that attracted most attention was that of the northern fisheries. Besides whales, the frequenters of the Greenland coasts now began to kill morses, or sea-horses, whose teeth were then esteemed more valuable than ivory. The fishery was at first prosecuted by individual adventurers, but at length the Russia Company having entered into the business, obtained, in 1613, a charter from James, excluding all other persons from sailing to Spitzbergen; acting upon which, they that year fitted out seven armed ships, with which they drove away from those seas four English fishing-vessels, and fifteen sail of Dutch, French, and Biscayans, and forced some other French ships, which they permitted to remain, to pay them tribute for their forbearance. The next year the company sent out thirteen ships; but the Dutch had now taken care to be provided for them, and, appearing with eighteen vessels, four of which were men of-war, set them at defiance, and remained and fished at their case, as usual. In 1615 a new claim to the dominion of Spitzbergen and the surrounding waters was preferred by the Danes, who made their appearance with three ships of war, being the first Danish vessels that had ever been seen in that quarter, and demanded tribute or toll both from the Dutch and the English, who were, however, too strong for them to succeed in enforcing their claim. We have already mentioned the junction of the Russia and East India Companies for the prosecution of the Greenland fishery. It is said to be in 1617 that the earliest mention is found of fins or whalebone being brought home along with the blubber. The dispute between the English and Dutch, about the right of fishing, still continued to be waged with great animosity and occasional violence; meanwhile, "the manner of managing the whale-fishing of both nations," says Anderson, in a summary of the details given by the voyagers of the time, "was then quite different from what it is in our days. The whales, in those early times, having never been disturbed, resorted to the bays near the shore, so that their blubber was easily landed at Spitzbergen, where they erected cookeries (that is, coppers, &c.) for boiling their oil; which cookeries they left standing from year to year, and only brought home the purified oil and the whalebone. The English, having been first in that fishery, kept possession of the best bays. The Hollanders, coming late, were obliged to find bays farther north: yet the Danes, who came later into this trade than the Dutch, got in between the English and Dutch. The Hamburghers came after the Danes; and after them came the French, and also the Biscayners, who, though they were older whale-fishers than any in Europe, except the Norwegians, had not, however, practised this method but by the example of the English and the rest, and who were forced to set up their cookeries still farther off. But, since those times, the whales are less frequent in the bays, and are most commonly among the openings of the ice at a greater distance from land, which obliges the ships to follow them thither. So that the blubber is now cut from the whales which are taken in small pieces at the ships' sides, and then casks filled therewith, and thus brought home to be boiled and purified, and the whale-fins also to be cleaned. This latter method, however, of fishing, being often found dangerous and hazardous to shipping, it discouraged our English adventurers, who then traded in a company, so that they soon after relinquished that fishery; and so it remained till the reign of King Charles II."*

We have a proof, notwithstanding the complaints of the decay of the national trade and industry, which, as we have seen, were not wanting now any more than in every other period of our history, that the country still continued, on the whole, to advance in wealth and prosperity, though at a slacker pace than for some time before, in the fact that both the mercantile and the royal navies were considerably increased in the course of the present reign. It is said that, in the fleet fitted out in 1588 against the Spanish armada, Elizabeth had forty ships of her own;† but, according to other accounts, what properly formed the royal navy consisted at her death of only thirteen ships, while at the death of James it consisted of twenty-four.‡ While the largest of Elizabeth's ships, also, was only of the burden of 1000 tons, and carried forty cannon, her successor, in 1609, built a man-of-war, called the Prince, of the burden of 1400 tons, and carrying sixty-four guns. At James's accession, it is stated by Sir William Monson, that there were not above four hundred ships in England of four hundred tons burden.§ An anonymous, but apparently well-informed writer, the author of a tract entitled 'The Trade's Increase,' published in 1615, has given us an account of the English shipping at that date, which, although the object of the writer is not to draw a flattering picture, seems to indicate that its quantity was then very considerably greater than it would appear to have been twelve years before, either from Monson's statement, or from that of Raleigh respecting the general trade of the kingdom, to which we have adverted in a preceding page. According to the author of 'The Trade's Increase,' there were, when he wrote, twenty English ships, chiefly laden with herrings, employed in the trade to Naples, Genoa, Leghorn, Marseilles, Malaga, and the other ports of the Mediterranean; together with thirty from Ireland, laden with pipe-staves,—an article that has now long ceased to be found among the exports from that country. To Portugal and Andalusia twenty

* Histor. and Chron. Deduct. of Orig. of Com. ii. 272.
† See vol. ii. p. 793.
‡ Macpherson, Hist. of Com., ii. 230.
§ Naval Tracts, 1623.

ships were sent for wines, sugar, fruits, and West India drugs; to Bourdeaux, sixty ships and barks for wines; to Hamburgh and Middleburgh thirty-five vessels, all belonging to the Company of Merchant-Adventurers; to Dantzic, Koningsberg, &c., about thirty,—namely, six from London, six from Ipswich, and the rest from Hull, Lynn, and Newcastle; to Norway, five. The Greenland whale-fishery employed fourteen ships; the Iceland fishery, one hundred and twenty ships and barks. Only one hundred and twenty small ships were engaged, according to this writer, in the Newfoundland fishery; but another authority states that this very year there were at Newfoundland two hundred and fifty English ships, the burden of which, in all, amounted to 15,000 tons.* The Newcastle coal-trade employed alone four hundred vessels; namely, two hundred for the supply of London, and as many more for the rest of England. "And besides our own ships," says our author, "hither, even to the mine's mouth, come all our neighbouring nations with their ships continually, employing their own shipping and mariners. . . . . The French sail hither in whole fleets of fifty sail together; serving all their ports of Picardy, Normandy, Bretagne, &c., even as far as Rochelle and Bourdeaux. And the ships of Bremen, Embden, Holland, and Zealand supply those of Flanders, &c., whose shipping is not great, with our coals." Besides all these, there were the ships belonging to the East India Company, which, if they were not as yet very numerous, were some of them the largest merchantmen of the kingdom. Sir Dudley Digges, in a treatise entitled 'The Defence of Trade,' published this same year, in reply to the author of 'The Trade's Increase,' who had attacked the company, gives a list of all the ships they had employed from their first establishment, which he makes to have been twenty-four in number; of which one was of 1293 tons burden, one of 1100, one of 1060, one of 900, one of 800, and the rest of from 600 to 150.

According to a return made to an order of the privy council, in 1614, the entire value of the exports from England to all parts of the world, for the preceding year, was 2,090,640*l.* 11*s.* 8*d.*; and that of the imports, 2,141,283*l.* 17*s.* 10*d.* In order, however, to make it appear that the balance of trade was at this time favourable, the account adds to the value of the exports 86,794*l.* 16*s.* 2*d.* for custom on the goods; 10,000*l.* for the import paid outwards on woollen goods, tin, lead, and pewter; and 300,000*l.* for the merchants' gains, freight, and other petty charges: in this way making out an apparent balance of the exports over the imports, or, as it is phrased, "a balance gained this year to the nation" of 346,283*l.* 17*s.* 10*d.* In 1622, according to another account which has been preserved, the total amount of exportations, including therein the custom at 5 per cent. on such goods as paid poundage, the imports on bays, tin, lead, and pewter, and the merchants' profit of 15 per cent., together with freight and petty charges, was 2,320,436*l.* 12*s.* 10*d.*; while the total value of the imports, including 91,059*l.* 11*s.* 7*d.* of customs dues, and 100,000*l.* for fine run-goods, &c., was 2,619,315*l.** This state of matters, according to the universally prevalent notion of the time, indicated a balance lost to the country that year by its foreign commerce of 298,878*l.* 7*s.* 2*d.* But, in truth, a comparison of the two accounts, supposing them to be tolerably correct, only proves that the trade of the country, on the whole, had rather increased than diminished in the course of the nine years which they embrace. It appears that in 1613 the exports and imports, taken together, amounted in value to 4,628,586*l.*; and in 1622 to 4,939,751*l.* The highest of these sums may be about the twentieth part of the united value of our present exports and imports.

The great staple of the kingdom still continued to be the trade in wool and in woollen cloths. But although the English wool was finer, and held in higher estimation than that of any other country, the imperfect manner in which the processes of dressing and dyeing the cloth were performed had long been matter of regret with all who took an interest in the prosperity of our commerce and manufactures. We have already noticed Raleigh's representations upon that subject. At length an effort was made to remedy the evil, which, if strong measures were always the most successful in such cases, could hardly have failed to accomplish its professed purpose. In 1608 James issued a proclamation absolutely prohibiting any undyed cloths to be sent beyond seas even by the Company of Merchant-Adventurers, whose charter expressly empowered them to export such cloths, of which, indeed, their trade in all probability mostly consisted. At the same time he granted to Alderman Cockayne a patent giving him the exclusive right of dyeing and dressing all woollen cloths. But the States of Holland and the German cities immediately met these proceedings by prohibiting the importation of all English dyed cloths. "Thus," says Anderson, "was commerce thrown into confusion, Cockayne being disabled from selling his cloth anywhere but at home; beside that his cloths were worse done, and yet were dearer, than those finished in Holland. There was a very great clamour, therefore, raised against this new project by the weavers now employed, &c., so that the king was obliged to permit the exportation of a limited quantity of white cloths; and a few years after, in the year 1615, for quieting the people, he found himself under the necessity of annulling Cockayne's patent, and restoring that of the Merchant-Adventurers." The prohibition by the Dutch and Germans, however, of the importation of English woollens dyed in the cloth had, in the mean time, set the clothiers of England upon the new method of dyeing the wool before weaving it, and thus producing the kind of fabric called medley-cloth, formed from threads of different

* Gerard Malynes, in his Lex Mercatoria, 1622; p. 247.

* Circle of Commerce, by Edward Misselden, Esq., 1623, p. 121.

colours. This discovery is assigned to the year 1613. Either from the effects of the derangement occasioned by Cockayne's patent, or from other causes, the woollen-trade a few years after this date appears to have fallen into a declining state. In 1622 a commission was issued by the king to a number of noblemen and gentlemen, directing them to inquire into the causes of the decay, and the best means of effecting the revival both of this and other branches of the national commerce and industry; in which his majesty declares that both the complaints of his subjects at home, and the information he received from his ministers abroad, had assured him that the cloth of the kingdom had of late years wanted that estimation and vent in foreign parts which it formerly had; that the wools of the kingdom were fallen much from their wonted values; and that trade in general was so far out of frame that the merchants and clothiers were greatly discouraged; so that great numbers of people employed by and dependent on them wanted work, farmers wanted the usual means of paying their rents, landlords failed to receive their former incomes, and the crown also suffered by the diminution of the customs and other duties. The remainder of the paper enumerates the points to be more particularly inquired into, and suggests some remedies that might, it was thought, deserve consideration. The commissioners were directed, among other things, to endeavour to find out what had occasioned the fall in the price of wool; what would be the most effective course to take in order to prevent the exportation of wool and woollen-yarn, fuller's-earth, and wood-ashes; how to remedy the present unusual scarcity of money, &c. They were also to consider if it might not be behoveful to put in execution the laws still in force which obliged merchant-strangers to lay out the proceeds of the merchandise imported by them on the native commodities of the realm. The commission goes on to complain that the merchants trading into the Eastland countries (that is, the countries lying along the south shores of the Baltic) had neglected of late to bring back corn as they had been formerly wont; and also that, instead of loading their ships, as formerly, with great quantities of undressed hemp and flax, which set great numbers of the people of this kingdom to work in dressing the same and converting it into linen-cloth, they now imported hemp and flax ready dressed, and that for the most part by strangers. Much treasure, it is afterwards affirmed, was yearly spent for linen-cloth imported from abroad at a high price. It is certain that, before the close of this reign, the Dutch had begun successfully to compete with the English weavers in the manufacture of the finer kinds of woollen-cloth, a branch in which this country had till now stood unrivalled. In 1624 a statement was given in to the parliament, by which it appeared that 25,000 pieces of fine woollens had been that year manufactured in Holland; whereupon the House of Commons resolved, first, "That the Merchant-Adventurers' Company setting imposts upon our cloths is a grievance, and ought not to be continued; and that all other merchants promiscuously, as well as that company, may transport everywhere northern and western dozens, kerseys, and new draperies:" secondly, "That other merchants beside the Merchant-Adventurers' Company may freely trade with dyed and dressed cloths, and all sorts of coloured cloths, into Germany and the Low Countries." This was certainly the true way of restoring the trade, and of securing to the English weavers something better than even that exclusive possession of the manufacture of the finer fabrics, which was now irrecoverably lost.

According to the author of 'The Trade's Increase,' the commerce of England with Spain and Portugal had fallen to so low a state, in consequence of the long wars with those countries in Elizabeth's time, that when he published his work, in 1615, it scarcely employed five hundred seamen. An attempt was made in 1618 to revive the trade to the coast of Guinea by the chartering of a company with the exclusive privilege of carrying it on; but the only result was, that the company and the private adventurers, whose former freedom was invaded by the charter, became involved in such disputes as soon ruined both; so that the trade was for some years abandoned altogether. Considerable annoyance was experienced by our commerce in the south of Europe in the course of this reign from the pirates of the Barbary coast. About the year 1616 the fleet of these corsairs is stated to have consisted of forty sail of tall ships, that carrying the admiral being of 500 tons burden; with this force they struck terror all along the Spanish coasts, dividing it into two squadrons, with one of which they blocked up the port of Malaga, while with the other they cruised between Lisbon and Seville. In 1620 the king commissioned Sir Robert Maunsell, vice-admiral of England, to lead a fleet, composed partly of some royal ships, partly of others belonging to private individuals, against the pirates; but nothing appears to have been done in consequence. The next year, however, Maunsell actually proceeded to Algiers with an armament consisting of eight ships, four of them carrying forty cannon each, besides twelve armed merchantmen, the whole having on board a force of nearly 2700 men. But, after making an attempt to burn the ships in the Mole, which did not succeed, it was deemed prudent to return home, under the conviction that nothing further could be done. It is said that the corsairs, as soon as Maunsell had turned his back, picked up nearly forty good English ships, and infested the Spanish coasts with greater fury than ever. Two years after we find complaints made both by foreign powers and by English merchants, that sundry subjects of England were in the habit of supplying the rovers of Algiers and Tunis with ammunition, military weapons, and provisions, whereby they were enabled to disturb our own commerce as well as that of other Christian nations; on which James issued a

proclamation strictly prohibiting all his subjects from offending for the future in that sort.

We have sketched in the preceding Book the history of the several attempts which were made, in the latter part of the reign of Elizabeth, to effect settlements in the newly-discovered world of North America, principally by Sir Walter Raleigh and his relations, Sir Humphrey Gilbert and Sir Richard Grenville, and which all terminated so unsuccessfully or disastrously.* A considerable intercourse had, however, been kept up with the Indians on the coasts of Virginia and the more northern part of the American continent by the merchants both of London and Bristol, who found it very profitable to purchase their furs and skins with beads, knives, combs, and other such trinkets or articles of little value, ever since a Captain Gosnold, in the year 1602, had for the first time made the voyage to those parts by a direct course, without sailing round about to the West Indies and through the Gulf of Florida, as had always been done by preceding navigators. At length, in 1606, James chartered two companies, the first called that of the London Adventurers, or South Virginia Company, who were authorised to plant all the American coast comprehended between the 34th and 41st degrees of north latitude, or the country which afterwards formed the provinces of Maryland, Virginia, and North and South Carolina; the second, called the Company of Plymouth Adventurers, to whom was assigned all the territory to the north of this as far as to the 45th degree of latitude, including the modern Pennsylvania, New Jersey, New York, and the New England States. The London Company that same year sent out a hundred settlers in two ships, who founded, about three miles from the mouth of the Powhatan (now called James River), the present town, still known by its original name, of James Town, in Virginia. In 1610 this company obtained a second charter, incorporating them anew by the name of the Treasurer and Company of Adventurers and Planters of the City of London for the First Colony of Virginia, and empowering them to grant lands to the adventurers and planters, to appoint a resident council, to place and displace officers, &c.—in short, granting them all the powers of self-government. In 1612 a settlement was formed on the Bermuda, or Somers Isles, by a company of persons, to whom the king granted a charter after they had purchased the islands from the Virginia Company, who claimed the dominion of them in consequence of their having been discovered, as was supposed, by two of their captains, Sir George Somers and Sir Thomas Gates, who were shipwrecked on one of them, in the course of a voyage to Virginia, in 1609, and lived there for nine months, though they had been really visited a hundred years before by Bermuda, a Spanish navigator. In 1616, Sir Walter Raleigh, released from his long confinement in the Tower, received from James his commission to undertake the voyage to Guiana, in South America, which the gallant adventurer entered upon in the spring of the following year, and the fatal issue of which has already been related.* Meanwhile, although the colony in Virginia went on increasing, and began, after many disappointments, to promise some return to the outlay of the adventurers, they had enough to do in defending their possessions against enemies and rival claimants on all sides of them. Besides the contests in which they were involved with the aboriginal inhabitants, they found themselves called upon to take measures for driving away both a number of Frenchmen who had crossed the St. Lawrence and settled in Acadia (the present Nova Scotia), and in the country now forming the New England States; and also a body of Dutch colonists who had built the town of New Amsterdam (the present New York) and the port of Orange (now Albany), in what they called the country of New Netherlands; for as yet all the eastern coast of the American continent, from the 34th to the 45th parallels of latitude, was considered as belonging either to southern or northern Virginia, and as, therefore, included in the grants to the two companies. Both the French and the Dutch were dislodged in 1618 by the English governor, Sir Samuel Argal; but the latter soon returned, and eventually made good their position. Many attempts had been made to establish English settlements in the northern parts of this territory; but it was not till the year 1620 that the first plantation was made which actually took root and became permanent, at a place called Plymouth, the country around which soon after received the name of New England from the Prince of Wales (afterwards Charles I.). About the same time, also, a grant of the Island of Barbadoes, which had been taken possession of for the King of England by an English ship returning from Guinea in 1605, was obtained from James by his lord-treasurer, Lord Leigh, afterwards Earl of Marlborough, for himself and his heirs in perpetuity; and, under his sanction, a settlement was made upon it, and the town of James Town founded, in 1624, by a colony sent out at the expense of Sir William Courteen, an opulent and spirited merchant of London. Various schemes had also been entertained, and some of them in part carried into effect, though they all failed in the end, for establishing English colonies in the island of Newfoundland, and on the eastern coast of South America. But, even at the close of this reign, the parent colony of Virginia was still far from being in a satisfactory state, or holding out a complete assurance of stability and ultimate success. One of the last acts of James's government was to commission a number of noblemen and gentlemen to make inquiry into the condition of that colony; the courses taken for settling which, his majesty declares, had not had the good effect intended—a previous commission having reported that most of the persons sent thither had either died by sickness

* See vol. ii. pp. 791, 792.

* See ante, pp. 73, &c.

and famine, or been massacred by the natives; and that such as still survived were in lamentable necessity and want: notwithstanding all which, however, the commissioners conceived the country to be both fruitful and healthful, and that, if industry were used, it would produce many good staple commodities, though, by the neglect of the governors and managers, it had as yet produced few or none.

There was one commodity now beginning to be raised in Virginia, their cultivation of which would hardly contribute to recommend the settlers to James's favour. A portion of his literary fame rested upon his singular treatise entitled 'A Counterblast to Tobacco,' in which he assails the use of that herb with every form of pedantic invective. Not satisfied with this grand display of declamatory pyrotechnics, he issued, besides, in the course of his reign, a succession of royal proclamations in denunciation of tobacco, some of which are almost as tempestuous as his book. In 1604, while as yet all the tobacco imported came from the Spanish West Indies, he took it upon him, without the consent of parliament, to raise the duty upon it from twopence to six shillings and tenpence a pound, with the professed object of preventing the enormous inconveniences proceeding, as he declared, from the great quantity of the article daily brought into the realm. "Tobacco," says the commission directed upon this occasion to the lord-treasurer, "being a drug of late years found out, and brought from foreign parts in small quantities, was taken and used by the better sort, both then and now, only as physic to preserve health; but it is now at this day, through evil custom and the toleration thereof, excessively taken by a number of riotous and disorderly persons of mean and base condition, who do spend most of their time in that idle vanity, to the evil example and corrupting of others, and also do consume the wages which many of them get by their labour, not caring at what price they buy that drug; by which the health of a great number of our people is impaired, and their bodies weakened and made unfit for labour." In his 'Counterblast' he affirms that some gentlemen bestowed three, some four hundred pounds a-year "upon this precious stink;" an estimate in which the royal pen must surely be understood to be running on in poetic numbers. When the Virginian colonists began to cultivate tobacco, James complained that they made so much as to overstock the market; and in 1619 he issued a proclamation commanding that the production of it should not exceed the rate of a hundred weight for each individual planter. In this regulation, however, his majesty appears to have had an eye to the interests of the royal revenue as well as to the health of his people; for he at the same time confines the right of importing the commodity to such persons as he should license for that purpose; in other words, he takes the monopoly of it into his own hands, and avows it to be his object to raise its price. In a proclamation of the next year enforcing this restriction upon the cultivation of the plant, which had not been strictly attended to, he again inveighs against the use of tobacco, as "tending to a general and new corruption of men's bodies and manners." Nevertheless he holds it, "of the two, more tolerable that the same should be imported, amongst many other vanities and superfluities which come from beyond seas, than to be permitted to be planted here within this realm, thereby to abuse and misemploy the soil of this fruitful kingdom." At length, in the last year of his reign, on the petition of the House of Commons, James consented to prohibit the importation of all tobacco except such as should be of the growth of the English plantations; but this he professed to do without any abatement of his old and well-known aversion to the useless and pernicious weed, and solely because he had been often and earnestly importuned to that effect by many of his loving subjects, planters and adventurers in Virginia and the Somers Isles, on the ground that those colonies were but yet in their infancy, and could not be brought to maturity unless he should be pleased for a time to tolerate their planting and vending of tobacco. The proclamation also strictly prohibited the introduction of any tobacco from Scotland or Ireland; but it appears, from many more proclamations that were issued in the course of the next reign, absolutely forbidding the cultivation of the herb in any of the home dominions of the crown, that it continued to be raised in large quantities for a long time after this in England itself, as well as in both those countries.

The march both of colonization and of commerce appears to have been considerably accelerated during the space that elapsed from the accession of Charles I. to the breaking out of the war between the king and parliament. In the first year of his reign, Charles, on the ground that such a colony was not best managed by an incorporated company, "consisting of a multitude of persons of various dispositions, amongst whom affairs of the greatest moment are ruled by a majority of votes," ordained by a proclamation that the government of Virginia should henceforth depend immediately on himself, and be administered by a governor and resident council appointed by the crown and acting in subordination to the privy council at home. In making this change, Charles treated the charter of the Virginia Company as having been annulled by his father; and James, indeed, in his proclamation of the preceding year, already quoted, declares that, having by the advice of his privy council resolved to alter the charters of the said company as to points of government, and the treasurer and company not submitting thereto, "the said charters are now avoided by a *quo warranto*." Charles, however, in his proclamation does not rest the right of the crown altogether upon this revocation; he broadly advances the principle that these colonies and, by implication, all others founded

or occupied by English subjects, were essentially a portion of the dominion of the mother-country;—"considering, also," are his words, "that we hold those territories of Virginia and the Somers Isles, as also that of New England, lately planted, with the limits thereof, to be a part of our royal empire." It is said that by this time the Virginian companies had expended a capital of not less than 200,000*l.*, from which they had as yet derived but a very inadequate return, so that many of the original adventurers, thoroughly weary of the speculation, had sold their shares for what they would bring. The failure of their expectations, however, did not check other attempts of the same kind. Almost all the West India islands not previously settled upon were taken possession of and colonized within a few years from this date. In 1627 an English and a French company divided the island of St. Christophers between them; and the next year the English added to the territory in their occupation the neighbouring small isle of Nevis, and also sent off a detachment of their body to Barbuda, as they likewise did others in subsequent years to Montserrat and Antigua. Meanwhile, in 1629, Charles confirmed a former grant to James Hay, Earl of Carlisle, and to his heirs for ever, of all the Caribbee Islands, as they were called, including both those that have just been mentioned and also Barbadoes, with regard to which an arrangement had been made with the former grantee, the Earl of Marlborough. That same year he granted in perpetuity to Sir Robert Heath and his heirs all the Bahama or Lucaya Isles, together with what was then called the Province of Carolana on the Continent of North America, being the immense region now forming the States of North and South Carolina, Georgia, Tennessee, and the southern part of Louisiana. This vast territory was afterwards conveyed by Heath to the Earl of Arundel, who had planted some parts of it before the civil wars at home interrupted his operations. The Bahama Islands are also believed to have been begun to be planted about this time. In 1632 a part of what had till now been considered as the territory of Virginia was granted by Charles to be held in free and common soccage by Lord Baltimore, his majesty at the same time giving it the name of Maryland, in honour of the queen. Lord Baltimore was a Roman Catholic; and Maryland, which began to be colonized within two years from the date of the charter, afterwards formed the main refuge of the persons of that religion who were driven by the severity of the penal laws from England, greatly to the perturbation and rage of their puritan neighbours in Virginia, who made several attempts to drive the idolaters from a soil which, besides its having been thus desecrated, they regarded as rightfully belonging to their own colony. And in 1641, after the failure of a similar attempt made some years before, an English colony was settled, at the expense of Lord Willoughby, in Surinam, on the southern continent of America,—the Guiana, the dream of whose gold-mines lured on Raleigh to his fatal expedition.

The course of the growth and extension of the foreign commerce of the country during this interval is marked by few incidents requiring to be specially recorded, but the general results show that the progress made must have been considerable. An account of the height to which the trade of England had arrived in 1638 is given by Lewes Roberts in his work entitled 'The Merchant's Map of Commerce,' published at London in that year; and a summary of what is most material in his statements, with a few additional notices from other sources, will be sufficient for our present purpose. Roberts, a native of the principality, is almost as eloquent in some passages as his countryman Fluellin; but even his flourishes have their value as expressing something of the high tone and bearing which English merchants now assumed. He enters upon his description all but overwhelmed by the magnitude to which the commerce of his country had attained, scarcely allowing himself to hope that it can long continue of the same extent, and almost afraid to advert to anything apparently so extravagant, and merely within the limits of possibility, as the notion that it should ever become greater than it was. "When I survey," he exclaims, "every kingdom and great city of the world, and every petty port and creek of the same, and find in each of these some English prying after the trade and commerce thereof, . . . I am easily brought to imagine that either this great traffic of England is at its full perfection, or that it aims higher than can hitherto by my weak sight be either seen or discerned. I must confess England breeds in its own womb the principal supporters of its present splendour, and nourisheth with its own milk the commodities that give both lustre and life to the continuance of this trade, which I pray may neither ever decay, nor yet have the least diminution. But England being naturally seated in another corner of the world, and herein bending under the weight of too ponderous a burden, cannot possibly always and for ever find a vent for all those commodities that are seen to be daily imported and brought within the compass of so narrow a circuit; unless there can be by the policy and government of the state a mean found out to make this island either the common emporium and staple of all Europe, or at leastwise of all these our neighbouring northern regions."* He then proceeds to observe that English commerce was formerly confined to the export of the staple merchandise of the country, "such as are cloths, lead, tin, some new late draperies, and other English real and royal commodities," and to the import from foreign parts of mere supplies for ourselves; but that "the late great traffic of this island hath been such that it hath not only proved a bountiful mother to the inhabitants, but also a courteous nurse to the adjoining neighbours;" so that whatever trade they had lost we had gained,

* Map of Commerce, fol. Lon. 1638, Part ii. p. 257.

and they now obtained a large portion of what they consumed of the produce of distant parts of the world through the medium of England.* Thus England, he proceeds, had fallen into the traffic with India, Arabia, and Persia, which was formerly enjoyed by Venice, and now furnished that very city plenteously with the rich commodities of these eastern countries. London also supplied the place of Venice to the rest of Italy. To France England still brought the excellent commodities of Constantinople, Alexandria, Aleppo, and the rest of the Turkish dominions, the French having almost lost their own trade with those parts. Nay, to the Turks themselves England now conveyed the precious spices of India, after their own merchants had ceased to carry on that trade. "Will you," continues our author, "view Muscovia, survey Sweden, look upon Denmark, peruse the East Country and those other colder regions; there shall you find the English to have been; the inhabitants, from the prince to the peasant, wear English woollen livery, feed in English pewter, sauce with English Indian spices, and send to their enemies sad English leaden messengers of death. Will you behold the Netherlands, whose eyes and hearts envy England's traffic, yet they must perforce confess, that, for all their great boasts, they are indebted to London for most of their Syria commodities, besides what of other wares else they have of English growth. Will you see France, and travel it from Marselia to Calais, though they stand least in need of us, yet they cannot last long without our commodities. And for Spain, if you pry therein from the prince's palace to the poor man's cottage, he will *voto a Dios* (vow to God) there is no clothing comparable to the English bay, *nor pheasant excelling a seasonable English red herring!*" So ambitious a burst of rhetoric might have had a more imposing close; but the red herring serves not ill to introduce the more calm and prosaic statement of particulars to which Mr. Roberts now descends from these extensive general views.

In a letter written to King James, in support of the complaints of the Merchant Adventurers against the patent or charter granted, as mentioned in a former page, to Alderman Cockayne, the great Bacon says, "I confess I did ever think that trading in companies is most agreeable to the English nature, which wanteth that same general view of a republic which runneth in the Dutch, and serves them instead of a company." And this appears to have been the common notion of the times; whatever trade was carried on by private individuals was as yet considered to be of very secondary importance. In this feeling our author begins his enumeration with the East India Company, who, he says, trading to Persia, India, and Arabia, export to these countries our English commodities, and bring back thence "pepper, cloves, maces, nutmegs, cottons, rice, calicoes of sundry sorts, bezoar stones, aloes, borax, calamus, cassia, mirabolans, myrrh, opium, rhubarb, cinnamon, sanders, spikenard, musk, civet, tamarinds, precious stones of all sorts, as diamonds, pearls, carbuncles, emeralds, jacynths, sapphires, spinals, turques, topazes, indigo, and silks, raw and wrought into sundry fabrics, benjamin, camphire, sandal-wood, and infinite other commodities." "And though in India and these parts," he adds, "their trade equalizeth not neither the Portugals nor the Dutch, yet in candid, fair, and merchant-like dealing, these Pagans, Mahometans, and gentiles hold them in esteem far before them, and [they] deservedly have here the epithet of far more current and square dealers. And although for the present this trade and company do suffer under some adverse clouds, and groan under some unkind losses by the falsehood of the Netherlanders, and sad accidents at sea, yet their adventures and acts are praiseworthy, and their fair endeavours for England's honour in point of trade meriteth due commendations and just applause." The affairs of the company, in truth, had been all this reign in a very depressed state. In May, 1628, their stock had fallen to eighty per cent., or to less than two-fifths of the price at which it had sold eleven years before. At length, in 1631, a new stock of 420,000*l.* was raised with great difficulty. But while they were still struggling with inadequate means and with the hostility of the Dutch and Portuguese abroad, they were suddenly involved in still more serious embarrassments by a flagrant violation of their charter on the part of the king, who, in December, 1635, granted a new charter to Sir William Courten and others to trade for five years to Goa, Malabar, China, and Japan. Under this authority Courten and his associates the next year fitted out and dispatched some ships on an adventure, in the course of which they became embroiled first with the Mogul, and then with the Chinese; the former of whom made reprisals upon the property of the original company, while the latter declared the English, with whom they were now brought into contact for the first time, to be the enemies of the empire, and as such to be for ever excluded from its ports. By these and other proceedings, it was estimated that this new company, whose charter was confirmed and extended by the king in 1637, had injured the old company to the amount of fully 100,000*l.* before it was dissolved in 1646, by which time it had also, according to their own account, occasioned a loss to Courten and his associates of above 150,000*l.*

The Turkey Company is the next that Roberts notices. Of this body he says, "Not yearly, but monthly, nay, almost weekly, their ships are observed to go to and fro, exporting hence the cloths of Suffolk, Gloucester, Worcester, and Coventry, dyed and dressed, kerseys of Hampshire and York, lead, tin, and a great quantity of the abovesaid India spices, indigo, and calicoes; and in return thereof import from Turkey the raw silks of Persia,

* The original is a little obscure here, apparently through some typographical error; but, from what follows, the sense of the passage appears to be as we have given it.

Damasco, Tripoly, &c.; galls of Mosolo and Toccat; chamlets, grograms, and mohairs of Angora; cottons and cotton-yarn of Cyprus and Smyrna, and sometimes the gems of India, and drugs of Egypt and Arabia, the muscadins of Candia, the corance (currants) and oils of Zante, Cephalonia, and Morea, with sundry others." The mention of cotton by Roberts in these accounts of the exports of the East India and Turkey companies appears to have been generally overlooked; the earliest notice either of the English cotton manufacture or of the import of the raw material being commonly stated to be that found in his subsequent work, 'The Treasure of Trafic,' published in 1641, where it is said, "The town of Manchester, in Lancashire, must be also herein remembered, and worthily for their encouragement commended, who buy the yarn of the Irish in great quantity, and, wearing it, return the same again into Ireland to sell. Neither doth their industry rest here; for they buy cotton-wool in London that comes first from Cyprus and Smyrna, and at home work the same, and perfect it into fustians, vermillions, dimities, and other such stuffs, and then return it to London, where the same is vented and sold, and not seldom sent into foreign parts, who have means at far easier terms to provide themselves of the said first materials." This account implies that the cotton manufacture had already reached a point of considerable advancement, so that it must have been established for some years at the time when the 'Treasure of Trafic' was written. Various old acts of parliament and other authorities, it may be observed, make mention of Manchester cottons and cotton-velvets before the seventeenth century; but it is certain that the fabrics so denominated were all really composed of sheep's wool. The manufacture of cottons, properly so called, in England cannot be traced farther back than to the period with which we are now engaged, the early part of the reign of Charles I.

The Ancient Company of the Merchant Adventurers is the third in Roberts's list. They are described as furnishing the cities of Hamburgh, Rotterdam, and others in the Netherlands with English cloth of sundry shires, and some other commodities, monthly, and as bringing back thence to England tapestries, diaper, cambrics, Hollands, lawns, hops, mather (madder), steel, Rhenish wines, and many other manufactures, as blades, stuffs, soap, latten, wire, plates, &c. In 1634 the Company of Merchant Adventurers, whose exclusive privileges we have seen denounced by the House of Commons ten years before, had found means to induce Charles to issue a proclamation which restored their monopoly by strictly prohibiting the exportation of "any white cloths, coloured cloths, cloths dressed and dyed out of the whites, Spanish cloths, baizes, kerseys, perpetuanos, stockings, or any other English woollen commodities" to any part either of Germany or the Netherlands, except to the marts or staple towns of the company. It was alleged by their enemies that both now and on former occasions the company were indebted for the favour shown them to the new-years' gifts with which they bribed the courtiers or officers of state. It is asserted, for instance, that, in the year 1623, the lord treasurer was presented by them with two hundred broad pieces of gold, besides a piece of plate; and that other presents were also then made to the Duke of Buckingham, *the Archbishop of Canterbury*, the Lord Keeper, the Lord President, the Secretaries of State, &c.*

The Eastland and Muscovy (or Russian) Companies are stated to "export principally cloth, as the best commodity, as also tin, lead, with some spices of India, and other southern commodities, and to bring home ashes, clapboard, copper, deals, firs, rich furs, masts, pipe-staves, rye, timber, wainscot, wheat, fustians, iron, latten, linen, mathers, quicksilver, flax, hemp, steel, caviare, cordage, hides, honey, tar, ropes, tallow, pitch, wax, rosin, and sundry others." The exports of the French Company were cloths, kerseys, and bays, of English manufacture, with galls, silks, and cottons from Turkey; their imports, buckrams, canvas, cards, glass, grain, linens, salt, claret, and white wines, woad, oils, almonds, pepper, with some silk stuffs and some other petty manufactures. England and France, however, were at this time, as they have continued to be, with little interruption, down almost to the present day, jealous rivals, when they were not open enemies, in trade as in everything else, and the commercial intercourse between them was extremely insignificant. Although Roberts here speaks of the French Company, it does not appear that the English merchants trading to France were really incorporated. The merchants trading to Spain, he proceeds to inform us, carried to that country bays, says, serges, perpetuanos, lead, tin, herrings, pilchards, salmon, Newland (Newfoundland) fish, calf-skins, with many other commodities; and brought back wines of Xeres, Malaga, Bastard, Candado, and Alicant, rosins (or resins), olives, oils, sugars, soaps, anise-seeds, licorice, soda barillia, pate (?), and sundry West India commodities. This account embraces also the trade with Portugal, for the present united under the same sovereignty with Spain; although in 1640, two years after the publication of Roberts's book, the great revolution which placed the Duke of Braganza on the Portuguese throne again separated the two countries for ever,—an event which, by depriving Spain of the Portuguese possessions in the East Indies, compelled her to depend upon the English and Dutch for her supplies of the produce of that part of the world, and thereby opened a new and valuable field to the trade of both these nations. "The merchants of England trading into Naples, Sicilia, Genoa, Leghorn, and Venice, &c., which I term Italy, are not," says our author,

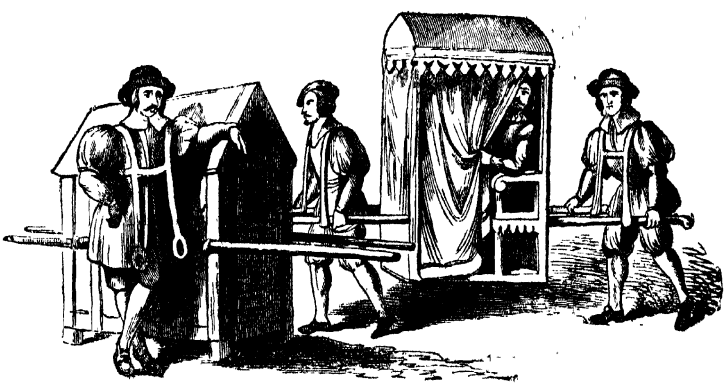
* These allegations are made in a treatise entitled Free Trade, by J. Parker, published in 1648.—Anderson, ii. 358.

HACKNEY COACHES.
Selected from Braun's "Civitates Orbis Terrarum," 1584, and various Prints and Paintings of the period.

"observed to have any joint society or company:" but, trading separately, they export to Italy, he tells us, "bays, says, serges, perpetuanos, kerseys, lead, tin, cloth, and many other native commodities, besides pepper, indigo, cloves, and other Indian commodities in great abundance; and for returns thence have cloths of gold and silver, satins, velvets, taffetas, plushes, tabins (?), damasks, alum, oils, glass, anise-seeds, rice, Venice gold and silver, great quantity of raw silks of sundry sorts, and divers other commodities." "And here likewise," he adds, repeating nearly the same formula with which he has wound up every preceding paragraph, "all other foreign nations give willingly place to the English, as the prime and principal merchants that either abide amongst them, or negotiate with them." Of some other branches of our commerce he gives merely a naked enumeration; thinking it unnecessary "to insist upon the reliques of that famous Barbary trade," or to mention "the petty adventures of the English to Guinea and Benny (or Benin);" "neither," says he in conclusion, "need I nominate the homeland commerce of this kingdom to Scotland and Ireland; neither go about to particularise the large traffic of this island to their late plantations of Newfoundland, Somers Islands, Virginia, Barbadoes, and New England, and to other places which rightly challenge an interest in the present trade and traffic of this kingdom."

The comparative activity and prosperity of the national industry at this time is also indicated by various improvements that were now introduced. Hackney-coaches are said to have made their first appearance in London in the year 1625. They were then only twenty in number for the whole of the capital and contiguous parts, and they did not ply in the streets, but were sent for by those who wanted them to the stables of certain inns, where they stood. Ten years later, however, we find the king publishing a proclamation, in which he declares that the great numbers of hackney-coaches of late time seen and kept in London, Westminster, and their suburbs, and the general and promiscuous use of coaches there, were not only a great disturbance to his majesty, his dearest consort the queen, the nobility, and others of place and degree, in their passage through the streets; but the streets themselves were so pestered, and the pavements so broken up, that the common passages were hindered and made dangerous, and besides the prices of hay and provender made exceeding dear. "Wherefore," concludes the proclamation, "we expressly command and forbid that no hackney or hired coaches be used or suffered in London, Westminster, or the suburbs thereof, except they be to travel at least three miles out of the same. And also that no person shall go in a coach in the said streets, except the owner of the coach shall constantly keep up four able horses for our service when required." Such an edict as this, so insolent in its tone, so arbitrary and absurd in its exactions,

enables us to measure the distance between the sixteenth and the nineteenth century,—between English freedom as it existed before the civil wars and as it now exists. Two years later the first mention of the licensing of hackney-coaches occurs, in a commission directed to the Marquess of Hamilton, the master of the horse, in which his majesty admits that he finds it very requisite for his nobility and gentry, as well as for foreign ambassadors, strangers, and others, that there should be a competent number of such vehicles allowed for their use; and empowers the marquess to license fifty hackney-coachmen for London and Westminster, each to keep no more than twelve horses a-piece, and so many in other cities and towns of the kingdom as in his wisdom he should think to be necessary, all other persons being prohibited to keep any hackney-coach to let or hire, either in London or elsewhere. In 1634, also, sedan-chairs had been brought into use by Sir Sanders Duncomb, to whom the king granted the sole privilege of letting them to hire for fourteen years, the patent declaring that the streets of London and Westminster and their suburbs had been of late so much encumbered with the unnecessary multitude of coaches, that many of his majesty's subjects were thereby exposed to great danger, and the necessary use of carts and carriages for provisions was much hindered; whereas Sir Sanders had represented that in many parts beyond sea people were much carried about in covered chairs, whereby few coaches were used amongst them. If the inditer of this description of the terrors of the London streets from the crowd of coaches in the year 1634 could be brought back out of his grave, it would be amusing to see how he would look when he found himself in the midst of the torrent and tumult of Regent Street or Piccadilly in the present day. Another of the patents of the same year deserves notice,—that granting to John Day, citizen and sworn broker of London, the sole privilege of vending for fourteen years a certain weekly bill of the several rates or prices of all commodities in the principal cities of Christendom, which it seems he had printed and published for the three preceding years. The patent recites that this practice of publishing a price-current for the use of the commercial world had "never yet been brought here to that perfection answerable to other parts beyond sea;" "by which neglect," adds his majesty, "within our city of London (being one of the mother cities for trade in all Christendom) our said city is much disgraced, and our merchants hindered in their commerce and correspondence." The next year produced a more important novelty,—the first establishment of a regular, though limited system of internal posts. James I. had originally established a post-office for the conveyance of letters to and from foreign parts; and the control and profits of this foreign post-office, which is described as for the accommodation of the English merchants, had been confirmed and continued to William Frizell and Thomas Witherings, by Charles, in 1632. But the origin of the home post-office dates only from 1635. Up to this time, his majesty observes in a proclamation on the subject, there had been no certain intercourse between the kingdoms of England and Scotland; wherefore he now commands his postmaster of England for foreign parts to settle a running post or two, to run night and day between Edinburgh and London, to go thither and come back again in six days; and to take with them all such letters as shall be directed to any post-town in or near that road. Bye-posts are, at the same time, ordered to be connected with several places on the main line to bring in and carry out the letters from and to Lincoln, Hull, and other towns. A similar post to Chester and Holyhead, and another to Exeter and Plymouth, are at the



Sedan Chairs.
From Prints and Paintings of the period.

LONDON BEFORE THE GREAT FIRE. From the Print by Hollar.

same time ordered to be established; and it is promised that as soon as possible the like conveyances should be settled for the Oxford and Bristol road, and also for that leading through Colchester and Norwich. The rates of postage are fixed at two-pence the single letter for any distance under eighty miles; four-pence up to a hundred and forty miles; six-pence for any longer distance; eight-pence to any place in Scotland. It is ordered that no other messengers nor foot-posts shall carry any letters, but those alone which shall be employed by the king's postmaster-general, unless to places to which the king's posts do not go, with the exception of common known carriers, or messengers particularly sent on purpose, or persons carrying a letter for a friend. The mode of conveyance contemplated in this scheme was by persons riding on horseback, which indeed continued to be the general system of our post-office down to within the last fifty years: the proclamation directs that two-pence-halfpenny per mile shall be paid on the roads to the several post-masters for every single horse carrying the letters. We may observe that if this post established by Charles I. actually made out the distance between London and Edinburgh in three days, it was a quicker conveyance than the public were possessed of a century later. "The conveyance of post-letters," says Giles Jacob, in the second edition of his Law Dictionary, published in 1732, "extends to every considerable market-town, and is so expeditious that every twenty-four hours the post goes six score miles." But at the rate appointed in Charles's proclamation the post between Edinburgh and London must have gone fully seven score miles in the twenty-four hours. It is believed, however, that the project was not fully carried into effect. Witherings, who was now inland as well as foreign postmaster, was superseded in 1640 for abuses in the execution of both his offices; and they were sequestered into the hands of Philip Burlamachy, to be exercised henceforth under the care and oversight of the king's principal secretary of state. From that date, therefore, the Post-Office may be considered as a public establishment.

The continued growth of London affords another proof of the advancing condition of the national commerce, industry, and wealth. Repeated proclamations were published both by James and Charles, as they had been by Elizabeth, with the view of checking the further increase of the capital, which all forcibly attest how irresistibly the evil, as they imagined it to be, made head against their most strenuous efforts. One proclamation of Charles, in 1630, forbade the erecting of any houses or new foundations in London, Westminster, or within three miles of any of the gates of London or of the palace of Westminster; and also the entertaining of additional inmates in houses already existing, "which," says his majesty, "would multiply the inhabitants to such an excessive number that they could neither be governed nor fed." Another measure, repeatedly adopted by both these kings, was to order all mere visitors to the capital to leave it and go back to their homes in the country. In 1617 a proclamation by King James strictly commanded all noblemen, knights, and gentlemen, who had mansion-houses in the country, to depart within twenty days, with their wives and families, out of the city and suburbs of London, and to return to their several habitations in the country, there to continue and abide until the end of the summer vacation, "to perform the duties and charge of their several places and service; and likewise, by house-keeping, to be a comfort unto their neighbours, in order to renew and revive the laudable custom of hospitality in their respective counties." None were to be allowed to remain,

except those having urgent business, to be signified to, and approved by, the privy council. Again, in 1622, in one proclamation he commanded all noblemen and gentlemen, having seats in the country, forthwith to go home to celebrate the feast of Christmas, and to keep hospitality in their several counties,—"which," said he, "is now the more needful, as this is a time of scarcity and dearth;" and, in a second, he enjoined the persons thus relegated to the country to remain there till his further pleasure should be known, adding, that the order should be held to include widows of distinction, and that all such lords and gentlemen as had law-business to bring them up to London should leave their wives and children in the country.

Of many proclamations of the same kind issued by Charles we shall notice only one, of the year 1632, in which his majesty argues that, by the nobility and gentry residing in London with their families, a great part of their money and substance was drawn away from the several counties whence it arose, "and spent in the city on excess of apparel, provided from foreign parts, to the enriching of other nations, and the unnecessary consumption of a great part of the treasure of this realm, and in other vain delights and expenses, even to the wasting of their estates." The practice, it is added, also drew great numbers of loose and idle people to London and Westminster, which thereby were not so easily governed as formerly; besides that the poor-rates were increased, and the price of provisions enhanced. Much of all this wisdom of our ancestors is sufficiently absurd; but in regard to the point last touched upon here, it is but fair to remember, that, from the difficulties of conveyance between one part of the country and another, any extraordinary accumulation of people upon one spot was in those days reasonably regarded with more alarm, for the pressure it might occasion upon the local provision-market, than it would be now, when the whole kingdom is in a manner but one market. Still, no doubt, the right way to treat the inconvenience was, as with all such mere economic tendencies, to leave it to correct itself.

Howel, in his Londinopolis, published in 1657, observes that the union of the two crowns of England and Scotland, by the accession of James in 1603, conduced not a little to unite also the two cities of London and Westminster, which were once above a mile asunder; "for," says he, "the Scots, greatly multiplying here, nestled themselves about the court; so that the Strand, from the mud walls and thatched cottages, acquired that perfection of buildings it now possesses." Some years after James's accession, however, we find St. Giles's-in-the-Fields still spoken of, in an act of parliament for paving it, as a town separate from the capital: it and the lane called Drury Lane, leading from it to the Strand, are described in the act as "of late years, by occasion of the continual road there, and often carriages, become deep, foul, and dangerous to all that pass those ways."* But before the beginning of the civil wars St. Giles's, too, had been completely united to the body of the great congeries upon the outskirts of which it formerly hung apart, and a large portion of what was now known as the capital, including Clare Market, Long Acre, Bedfordbury, and the adjoining ranges of streets, stood upon the soil of the parish of St. Giles-in-the-Fields. "The very names of the older streets about Covent Garden," observes a writer about the middle of the last century, in a passage which furnishes a curious and comprehensive retrospect of these and also of some subsequent changes, "are taken from the royal family at this time (some, indeed, in the reign of King Charles II., as Catherine Street, Duke Street, York Street, &c.), such as James Street, King Street, Charles Street, Henrietta Street, &c., all laid out by the great architect, Inigo Jones, as was also the fine piazza there; although that part where stood the house and gardens of the Duke of Bedford is of a much later date, namely, in the reigns of King William and Queen Anne. Bloomsbury and the streets at the Seven Dials were built up somewhat later, as also Leicester Fields, namely, since the restoration of King Charles II., as were also almost all St. James's and St. Anne's parishes, and a great part of St. Martin's and St. Giles's. I have met with several old persons in my younger days who remembered that there was but one single house (a cake-house) between the Mews Gate at Charing Cross, and St. James's Palace Gate, where now stand the stately piles of St. James's Square, Pall Mall, and other fine streets. They also remembered the west side of St. Martin's Lane to have been a quickset hedge. Yet High Holborn and Drury Lane were filled with noblemen's and gentlemen's houses almost one hundred and fifty years ago. Those fine streets on the south side of the Strand, running down to the River Thames, have all been built since the beginning of the seventeenth century, upon the sites of noblemen's houses and gardens who removed farther westward, as their names denote. Even some parts within the bars of the city of London remained unbuilt within about one hundred and fifty years past, particularly all the ground between Shoe Lane and Fewter's (now Fetter) Lane, 'so called,' says Howel, in his Londinopolis, 'of Fewters (an old appellation of idle people) loitering there, as in a way leading to gardens;' which in King Charles I.'s reign, and even some of them since, have been built up into streets, lanes, &c. Several other parts of the city, it is well known, have been rendered more populous by the removal of the nobility, &c., to Westminster liberties; on the sites of whose former spacious houses and gardens whole streets, lanes, and courts have been added to the city since the death of Queen Elizabeth."† In 1609, it may here be mentioned, what is called

* Stat. 3. Jac. I. c. 22 (1606).
† Anderson, Hist. of Com. ii. 390.

the New River, by which the greater part of the metropolis is still supplied with water, was, after three years' labour, brought into the reservoir at Clerkenwell, by the enterprising and public-spirited projector, Mr. Hugh Middleton, citizen and goldsmith of London, who was thereupon knighted by King James. One of the patents granted by King Charles in 1630 was for the conveying of certain springs of water into London and Westminster from within a mile and a half of Hodsdon in Hertfordshire, after the plan of a projector named Michael Parker. This scheme, however, does not appear to have taken effect, and it only deserves notice from the circumstance that, to defray their expenses,—a considerable item of which was to be a payment of 4000*l.* a-year into the king's exchequer—the royal grant gave the undertakers "a special licence to erect and publish a lottery or lotteries," "according," it is added, "to the course of other lotteries heretofore used or practised." Lotteries had been for more than half a century before this occasionally resorted to by the government for raising money for particular purposes; the earliest on record, it is said, having occurred in the year 1569, when 20,000*l.* was raised for the repair of certain harbours by the sale of 40,000 tickets at ten shillings each, the prizes being articles of plate. Another lottery was drawn under the sanction of public authority in the reign of James I., to defray the expenses attending certain of the early settlements in America.

The commercial history of the remainder of the present period will not detain us long. The trade and industry of the country in all their branches suffered of necessity considerable depression during the continuance of the war; but after the re-establishment of tranquillity and a settled government, great pains were taken by the parliament and by Cromwell to bring about their revival, and, on the whole, with very considerable success.

We shall first enumerate the few facts requiring notice in the history of the several great chartered companies. In 1643 a number of the proprietors of the East India Company were at length induced to subscribe a new stock, but only to the inadequate amount of 105,000*l.* Great part of this money was soon after lost in various ways; and for some years the trade could scarcely be said to be carried on at all. It is worthy of remark, however, that it was during this period the company acquired two of its most important possessions, the town of Madraspatnam, or Madras, long the seat of their supreme government in India, and still the capital of one of the presidencies, which was ceded to them by the sovereign of the country in 1643; and the island of St. Helena, of which they took possession in 1651, on its abandonment by the Dutch. Meanwhile, in 1649, a subscription for a new stock had been opened; but, although encouraged by the parliament, it proceeded slowly, and by the following year had only produced about 192,000*l.* With a small part of this they soon after engaged in the Guinea trade, a charter to carry on which for five years they obtained from the parliament in 1651. In 1654, on the conclusion of peace with Holland, commissioners from both parties were appointed to settle the claims brought by the English and Dutch companies against each other for depredations and other injuries committed before the war; when the English gave in an account of 2,795,990*l.* 19*s.*, which the Dutch met by one of 2,919,861*l.* 3*s* 6*d.*; but, in the end, the commissioners decided that a sum of 85,000*l.* should be paid by the Dutch, besides about 3,600*l.* to the heirs of certain of the sufferers of Amboyna,—an award for which the English Company was probably as much indebted to the humbled condition of the United Provinces at the moment as to the clear justice of the case. For some years longer, however, the company's trade could hardly be said to exist. Any private adventurer who chose to fit out a ship for India was connived at by the government in violating their privileges, so that the company, as a body, carried on what little trade they did merely for the sake of preventing their charter from being abrogated on the pretext that they made no use of it, and in the hope of better times. It is said, too, that in the scramble for the Indian trade which now ensued,—at once inundating India with the manufactures of England and England with the produce of India,—the interlopers in general made as scanty profits as the company, so that at last most of them joined in urging upon the government the re-establishment of the old exclusive system. Their so acting, however, is not decisive as to the absolute failure of the experiment of a free-trade that had thus been tried, inasmuch as their proposition was avowedly made with the view of becoming themselves members of the company when it should be set up again with a new stock and a new charter. Still it is probable that commercial enterprise was not yet sufficiently advanced in England to have enabled the country to carry on the Indian trade successfully by the mere efforts of individuals against the powerful rivalry of the Dutch and Portuguese monopolies. At last, in October, 1657, a new charter was granted to the company for seven years, after they had actually, in despair of obtaining the protection of the government, put up bills in the Royal Exchange in the preceding January, offering their property and their privileges, such as they were, for sale. On this a new stock of about 370,000*l.* was raised, which immediately placed the affairs of the company in a flourishing condition, and enabled it to carry on the trade with a spirit and success which continued without interruption or abatement till the Restoration. A short paragraph from the annalist of our Indian commerce, whom we have chiefly followed in this summary, will explain the state of its establishments abroad at the close of the present period. "In the infancy of the company's commerce, Bantam was the chief factory, to which all the others were subordinate; and so they con-

tinued till the year 1638 or 1639, when Surat became the chief establishment, and the factories of Bantam, Fort St. George (or Madras), Hooghly in Bengal, and those in Persia, were made subordinate to it. In the year 1660 the company sent out orders to give up the inland factories of Agra and Amadavad, as also Mocha in the Red Sea, and Bussorah at the head of the Persian Gulf. Their port of Gombroon being of doubtful utility, it was referred to further consideration whether it should be kept up or abandoned. It was determined to retain Carwar, Calavella, Rajapore, and Scindy as long as the customs in Persia should continue to be paid; and these factories were made subordinate to Surat. The factories on the coast of Coromandel and in the Bay of Bengal were put under one agent at Fort St. George (or Madras), who was directed to use his best endeavours to obtain a settlement in Ceylon."*

The trade in woollens with the Netherlands and Germany, carried on, as heretofore, by the Company of Merchant Adventurers, continued in a very prosperous condition during all the time of the Commonwealth. In 1647 the company removed their comptoir, or foreign residence, from Delft to Dort, and here they remained, notwithstanding repeated invitations from the magistrates of Bruges to return to that city, in which they had originally fixed themselves, till about the year 1651, when they began to remove to Hamburgh, which soon after became the sole staple for the English woollen trade. An ordinance of the Lords and Commons, in 1643, granted a new and more ample charter to the Levant Company, "which," said the ordinance, "beside the building and maintaining of divers great ships, and the venting of kerseys, sayes, perpetuanos, and several other commodities, hath been found very serviceable to this state, by advancing navigation and transporting into foreign parts, for several years together, above 20,000 broad-cloths, besides other commodities, dyed and dressed in their full manufacture." Among the productions of the East soon after this imported in considerable quantities by the Levant Company, was coffee. It is said that coffee was first introduced into England in 1652 by a Turkey merchant of the name of Edwards, who had brought home with him a Greek servant accustomed to make it, and whom he set up in a coffee-house in St. Michael's Alley, Cornhill, on the spot where the Virginia Coffee-house now stands. The valuable privileges of the Russian Company were taken from them by the czar a short time before King Charles's death, on the pretence that certain members of the company had taken an active part on the side of what the czar considered a rebellion against their lawful sovereign; but it appears that whatever resentment may have been entertained against them on that account was at least very dexterously taken advantage of by the Dutch, who seized the opportunity of bargaining for a share of the Archangel trade on condition of paying a duty of fifteen per cent. on all exports and imports. For some years after this the English trade to Russia seems to have been almost suspended; nor did a sort of embassy, sent to the czar, or emperor as he styled him, by Cromwell in 1654, succeed in obtaining more than some very petty concessions. We shall have to notice some further negotiations which took place upon this subject in the next period.

Till the year 1641 the only produce of the Island of Barbadoes consisted of very bad tobacco and a little cotton and ginger; but in that year some of the planters procured a few sugar-canes from Fernambuc in Brazil, which throve so well, that, after a season or two, a small ingenio, or mill for the manufacture of sugar, was set up in the island. Yet in 1647, when Ligon, the author of the 'History of Barbadoes,' who gives this account, arrived in the island, although there were then many sugar-works set up, the people were still ignorant of the true manner of planting, the time of cutting the canes, and other particulars in the art of cultivating the plant. All these deficiencies, however, were soon got over; the business of sugar-making was carried on every year to a greater and greater extent; and many large fortunes were amassed by the planters in a wonderfully short time. The author of a pamphlet entitled 'Trade Revived,' published in 1659, speaks of Barbadoes as "having given to many men of low degree exceeding vast fortunes, equal to noblemen." He adds, that "upwards of a hundred sail of ships there yearly find employment, by carrying goods and passengers thither, and bringing thence other commodities; whereby seamen are bred and custom increased, our commodities vended, and many thousands employed therein, and in refining sugar therefrom, which we formerly had from other countries." Till this extended cultivation of sugar in Barbadoes, all of that article consumed in England had been obtained from the Portuguese territory of Brazil. Nor were the English in Barbadoes long in imitating their Portuguese rivals on the southern continent of America in another branch of trade which has darkened the history of the rearing of the sugar-cane wherever it has spread over those regions,—the importation of negroes from the opposite coast of Africa. The rapid increase, again, of the population of this and our other West Indian settlements thus produced soon created a large demand for necessaries of all kinds from England. While the trade, however, between the mother-country and her colonies was still only growing up to this state, an ordinance of the Lords and Commons, in 1646, although acknowledging in the preamble that the several plantations of Virginia, Bermuda, Barbadoes, and other places of America, had been very beneficial to the kingdom by the increase of navigation and of the customs arising from the import of the commodities of their growth, and thereupon continuing for three years longer the exemption from all duties except the new duty of excise which

* Macpherson, Hist. of European Com. with India, 125.

home produce and manufactures carried out to these plantations had hitherto enjoyed, imposed, for the first time, the important restriction that "none in any of the ports of the said plantations do suffer any ship or vessel to lade any goods of the growth of the plantations, and carry them to foreign parts, except in English bottoms, under forfeiture of the before-named exemption from customs." We shall presently find this principle carried out to its full extent in a subsequent much more memorable measure of the Rump parliament. Meanwhile, during the dissensions that raged at home, and after the triumph of the parliamentary cause, great numbers of the royalists had sought refuge in Virginia, Barbadoes, and the other West India settlements; so that the white population of these dependencies was in general fiercely opposed to the new government, and they might be said to be in a state of rebellion after all the rest of the empire had been reduced to submission and quiet. Barbadoes, indeed, had actually received Lord Willoughby as governor under a commission from Charles II., then in Holland, and had proclaimed Charles as king. It was in these circumstances that the English parliament, in 1651, with the view of punishing at once the people of the colonies, and the Dutch, who had hitherto enjoyed the greater part of the carrying-trade between the West Indies and Europe, passed their famous Navigation Act, declaring that no merchandize either of Asia, Africa, or America, except only such as should be imported directly from the place of its growth or manufacture in Europe, should be imported into England, Ireland, or any of the plantations in any but English-built ships, belonging either to English or English-plantation subjects, navigated by English commanders, and having at least three-fourths of the sailors Englishmen. It was also further enacted that no goods of the growth, production, or manufacture of any country in Europe should be imported into Great Britain except in British ships, or in such ships as were the real property of the people of the country or place in which the goods were produced, or from which they could only be, or most usually were, exported. Upon this law, which was re-enacted after the Restoration, and which down to our own day has been generally regarded and upheld as the palladium of our commerce, and the maritime Magna Charta of England, we shall only at present observe that one of its first consequences was undoubtedly the war with Holland which broke out the year after it was passed. It is admitted also, we may add, by a writer who ranks among its most zealous eulogists, that it "occasioned at first loud complaints, that though our people had not shipping enough to import from all parts whatever they wanted, they were nevertheless, by this law, debarred receiving due supplies of merchandise from other nations, who only could, and till then did, import them."* The Barbadians were at length, not without much difficulty, compelled to surrender their island to the parliamentary forces under Sir George Ayscue, in March, 1652; but, even after this, they continued, notwithstanding the prohibitory act, to keep up a considerable intercourse with the Dutch, which was connived at by the government. The wealth and importance of Barbadoes, however, were considerably reduced by Cromwell's conquest, in 1656, of Jamaica, to which many of the planters soon after removed, induced principally by the greater cheapness of land in that island.

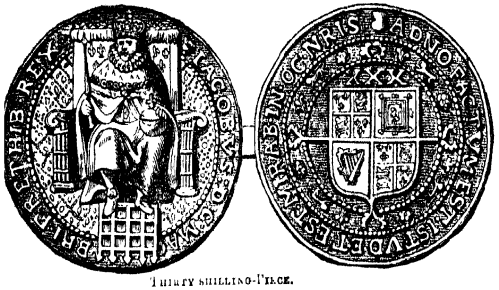
* Anderson, ii. 416.

The legal rate of interest on money had continued to be ten per cent., as fixed by the act of 1571,* till, in 1624, it was reduced to eight per cent. by the statute 21 Jac. I. c. 17,—which, after authorizing this rate, drolly adds the proviso, "that no words in this law contained shall be construed or expounded to allow the practice of usury in point of religion or conscience!" The rate of interest continued to be eight per cent. till 1651, when it was further reduced by the parliament to six per cent., at which point it remained fixed for the rest of the present period. Some years before this time a regular trade in the lending of money had sprung up, of which Anderson gives the following account from a rare and curious pamphlet, entitled 'The Mystery of the New-fashioned Goldsmiths or Bankers discovered,' printed in 1676. For some time the usual place in which the London merchants kept their cash had been the Royal Mint in the Tower. But the despotic act of Charles I. in seizing, a few months before the meeting of the Long Parliament, a sum of 200,000*l.* which was lodged here, under the name of a loan, having destroyed the security of that place of deposit, it then became customary, we are told, though the statement seems a strange one, for merchants and traders to intrust their cash to the keeping of their clerks and apprentices, until the breaking out of the civil war, when the said clerks and apprentices fell into the habit of running away from their masters and going to the army: so that, at last, about the year 1645, commercial men first began to place their cash in the hands of goldsmiths; until which time, it is stated, the business of the goldsmiths of London consisted merely in buying and selling plate and foreign coins of gold and silver, in melting and culling these articles, in coining some at the Mint, and in supplying with the rest the refiners, plate-makers, and merchants, according to the variations of the price. "This new banking business," the account proceeds, "soon grew very considerable. It happened in those times of civil commotion, that the parliament, out of the plate, and from the old coin brought into the Mint, coined seven millions into half-crowns; and there being no mills then in use at the Mint, this new money was of very unequal weight, sometimes two-pence and three-pence difference in an ounce; and most of it was, it seems, heavier than it ought to have been in

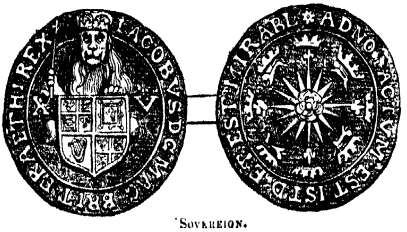
* See vol. ii. p. 783.

COINS OF JAMES I.

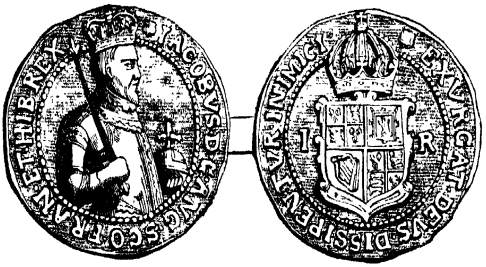
Gold.



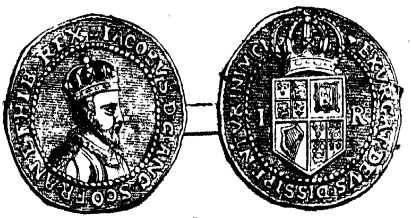
Thirty shilling-Piece.



Sovereign.

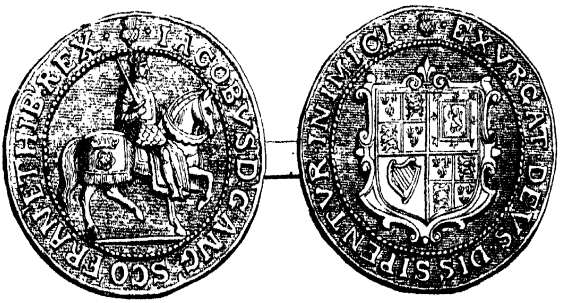


Fifteen-shilling Piece.

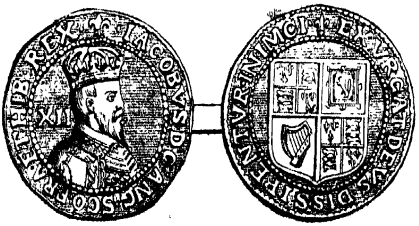


Half Sovereign.

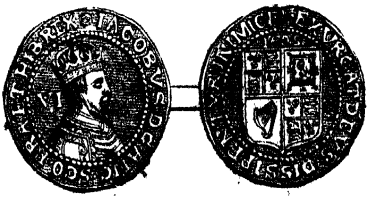
Silver.



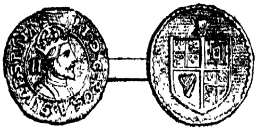
Crown.



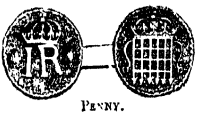
Shilling.



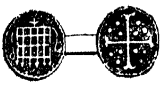
Sixpence.



Twopence.



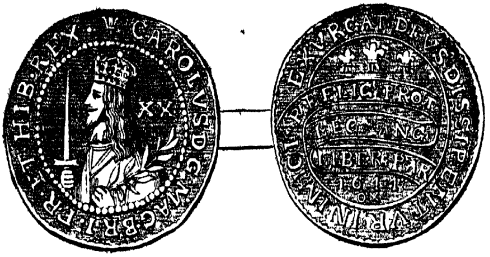
Penny.



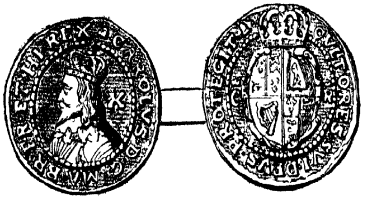
Halfpenny.

COINS OF CHARLES I.

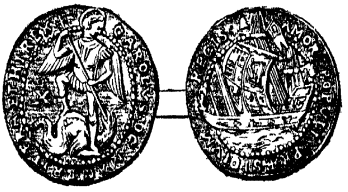
Gold.



TWENTY SHILLING PIECE.

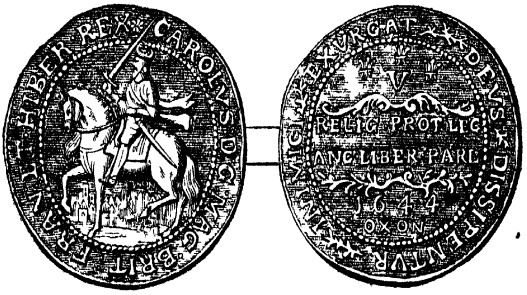


TEN SHILLING PIECE.

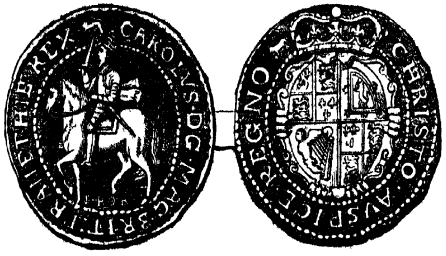


ANGEL.

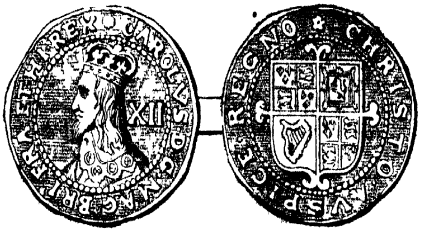
Silver.



OXFORD CROWN.



YORK HALF CROWN.



SHILLING.

proportion to the value in foreign parts. Of this the goldsmiths made, naturally, the advantages usual in such cases, by picking out or culling the heaviest, and melting them down, and exporting them. It happened, also, that our gold coins were too weighty, and of these also they took the like advantage. Moreover, such merchants' servants as still kept their masters' running cash, had fallen into a way of clandestinely lending the same to the goldsmiths, at four-pence per cent. per diem (about six per cent. per annum); who, by these and such like means, were enabled to lend out great quantities of cash to necessitous merchants and others, weekly or monthly, at high interest; and also began to discount the merchants' bills at the like, or an higher rate of interest. Much about the same time they began to receive the rents of gentlemen's estates remitted to town, and to allow them and others who put cash into their hands some interest for it, if it remained but for a single month in their hands, or even a lesser time. This was a great allurement for people to put this money into their hands, which would bear interest till the day they wanted it. And they could also draw it out by one hundred pounds, or fifty pounds, &c., at a time, as they wanted it, with infinitely less trouble than if they had lent it out on either real or personal security. The consequence was, that it quickly brought a great quantity of cash into their hands; so that the chief or greatest of them were now enabled to supply Cromwell with money in advance on the revenues, as his occasions required, upon great advantages to themselves." Here we have all the principal operations of our modern banks, including even some portion of the accommodation given by the Bank of England to the government in our day, described as already in use in the middle of the seventeenth century. No banking establishment, properly so called, however, like those already existing at Amsterdam and in several of the Italian States, was begun in England during the present period, although various projects of the kind were submitted both to the public and the parliament.

In 1652 the postage of letters in England was farmed or let by the state to John Manley, Esq., for 10,000*l.* a-year; and four years after the whole establishment of the Post Office was subjected to a revision and placed upon a more stable foundation than heretofore. In 1652 the number of hackney-coaches licensed to ply in the streets of London was raised to two hundred, and in 1654 to three hundred, the government and regulation of them being placed in the court of aldermen. The old dread of the over-increase of the capital, however, still continued to haunt the legislature of the commonwealth as much as it had formerly done the court. An edict published in 1656 declares that "the great and excessive number of houses, edifices, outhouses, and cottages erected and new-built in and about the city of London is found to be very mischievous and inconvenient, and a great annoyance and nuisance to the commonwealth." Whereupon a fine of one year's rent is imposed on all houses erected on new foundations within ten miles of the walls of London since 1620, not having four acres of freehold land attached to them; and a fine of 100*l.* on all such as should be erected in future. But from the operation of the act were excepted the buildings belonging to the several city hospitals; the Earl of Clare's new market (now Clare Market), which is described as just then built; the streets about Lincoln's Inn Fields, then in course of being erected; Bangor Court in Shoe Lane, then about to be built upon the site of the Bishop of Bangor's house and garden; and some other recent erections below London Bridge and on the other side of the river. These were no doubt all the chief additions that had been made to the metropolis within the last few years.

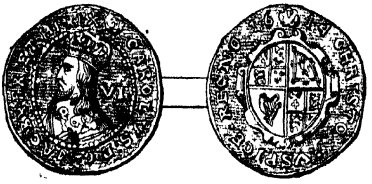
Throughout the whole of the present period both the fineness and the weight of the silver coinage continued the same as they had been fixed in the year 1601; that is to say, the pound of Mint silver contained eighteen ounces of alloy, and was coined into sixty-two shillings.*

Immediately after his accession, James I. directed two coinages of gold,—one of pieces of ten shillings, five shillings, and two and sixpence in value,—that is, of angels, half angels, and quarter angels, from gold of 23 carats 3½ grains fine; the other of pieces of twenty shillings and the same inferior current values, that is, of sovereigns, half-sovereigns, crowns, and half-crowns, from gold of only 22 carats fine. This throwing into circulation of two gold coinages of different standards must, one would think, have been attended with some inconveniences. At the same time he ordered a silver coinage of crowns, half-crowns, shillings, sixpences, two-pences, pence, and half-pence. All the pieces of these first coinages are distinguished from those afterwards issued by bearing the words Ang. Sco. (for England and Scotland), instead of those denoting King of Great Britain, which was the title James assumed the following year, and which he directed, by proclamation, to be thenceforth used upon all the coins. In the next coinage, the pound of gold, which had heretofore passed only for thirty-three pounds ten shillings, was ordered to be raised in value to thirty-seven pounds, four shillings, and sixpence, the proclamation to that effect setting forth that the English gold coin had of late been exported in great quantities in consequence of its not bearing a due proportion to the silver, as in other nations. The gold coins were now directed to be, one of the value of twenty shillings, to be called the unity; one of ten shillings, to be called the double crown; one of five shillings, to be called the Britain crown; one of four shillings, to be called the thistle crown; and one of two shillings and sixpence, to be called the half-crown. The next year the value of the pound of gold was raised to forty pounds ten shillings; and at that rate a gold coinage was ordered

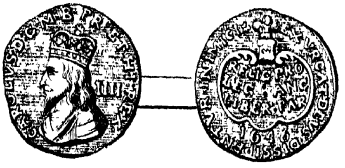
* See vol. ii. p. 78.

COINS OF CHARLES I.—*continued.*

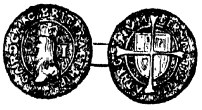
Silver.



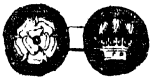
SIXPENCE.



FOURPENCE.

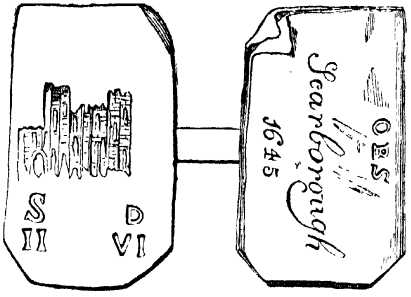


PENNY.

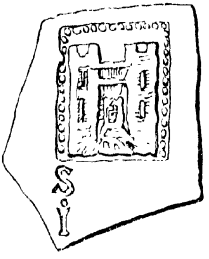


HALFPENNY.

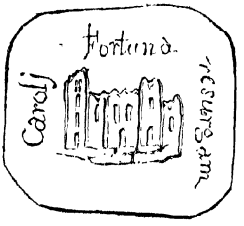
Siege Pieces.



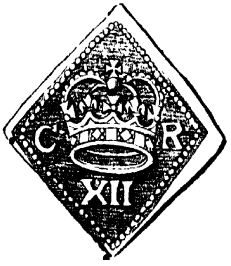
SCARBOROUGH HALF-CROWN.



BEESTON CASTLE SHILLING.



COLCHESTER SHILLING.



NEWARK SHILLING.

of rose-rials at thirty shillings each; spur-rials at fifteen shillings; and angels at ten shillings. In 1611, in consequence of the increasing value of gold in relation to silver in the general European market of the precious metals, it was found necessary to raise, by proclamation, the value of the unity to twenty-two shillings, and that of all the other gold pieces then current in the same proportion. The next year the pound of gold coined into rose-rials, spur-rials, and angels was raised to the value of forty-four pounds in tale; and that coined into unities, &c. to forty pounds, eighteen shillings, and four-pence. In 1619 a new gold coinage was issued, consisting of pieces of twenty shillings, ten

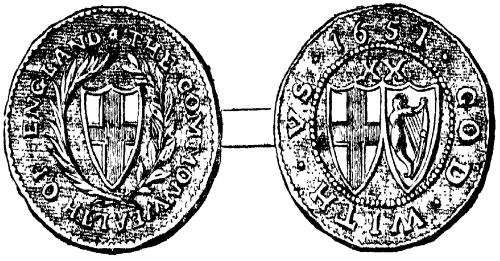
shillings, and five shillings, which, in consequence of being impressed with the king's head surrounded by a laurel, came to be commonly known by the name of laurels. Both the twenty-shilling laurel and the unity were also popularly called broad-pieces. In this reign likewise appeared the first English copper coinage, consisting of farthings, which were issued in 1613, the private tokens of lead and brass, which shop-keepers and other dealers had long been in the habit of fabricating and using in their payments, being at the same time abolished. It was calculated that there were about three thousand retailers of victuals and small wares in and about London that thus used their own tokens; and the practice was general in all the considerable towns throughout the kingdom.

In the second year of the reign of Charles I., a pound of gold of 23 carats 3½ grains fine was directed to be accounted of the value of forty-four pounds ten shillings; and a pound of 22 carats fine of the value of forty-one pounds. "In the former reign," observes Leake, "the great quantity of silver brought into Europe upon the opening of the mines of Peru and Mexico had raised the price of gold, and caused it to be exported, so that for two years hardly any usual payments were made in gold; but the gold, by reason of this advanced price, being brought back, there followed as great a scarcity of silver."* It had been the practice, too, of the goldsmiths for some years, he adds, to cull out the weightiest and best silver money, for which they would give a premium of two and sometimes three shillings on the hundred pounds, and to melt and export it. Above ten millions of pounds sterling in silver were coined from 1630 to 1643; "nevertheless, in 1632," Rushworth tells us, "there was such plenty of gold in the kingdom, and such scarcity of silver, that the drovers and farmers, who brought their cattle, sheep, and swine to be sold in Smithfield, would ordinarily make their bargain to be paid in silver and not in gold. And, besides, in this time people did ordinarily give two-pence, and sometimes more, to get twenty shillings in silver for the exchange of a twenty-shilling piece of gold, full weight. And in and about London and Westminster, as well as in other parts, most people carried gold scales in their pockets to weigh gold on all occasions."† The coins struck by Charles in the early part of his reign were of the same denominations as those issued by his father. Among his schemes for raising money at this time were various projects which were set on foot for coining silver extracted from the lead-mines in different parts of England. Of these, however, the only one that turned out in any considerable degree productive was that for coining the silver yielded by the Welsh mines, for which purpose a mint was established, in 1637, at the castle of Aberystwith, in Cardiganshire. These mines ultimately yielded about a hundred pounds of silver a-week; and the mint at Aberystwith proved of considerable service to the king during his war with the parliament. Of several other mines, the ore of which was tried by workmen brought out of Germany, those of Slaithborne in Lancashire are said to have yielded four per cent. of silver; those of Barnstable in Devonshire and Court-Martin in Cornwall, ten per cent.; and those at Migglesawicke and Wardel, in the county of Durham, six or eight per cent. In this reign, also, was introduced, by Nicholas Briot, a native of France, the process of fabricating coins by machinery, instead of by the hammer, the only method hitherto employed. Briot, driven from France, where he had been graver general of the coin, by the intrigues of persons whose interests were opposed to his ingenious improvements, appears to have come over to England about the year 1628, and in 1633 was constituted chief engraver of coins for the mint in the Tower of London. He remained in this country till he was recalled to France by the Chancellor Seguier about the year 1640. While he presided over the cutting of the dies for the English coinage, it was considered to be the most beautiful then known. Among other pieces of his striking is one in gold, of the weight of 8 pennyweights, 18½ grains, "with the king's head," says Leake, "admirably well done, bare-headed, and the lovelock, as it was called, hanging before, which, it seems, was so disagreeable to the Roundheads (so called from the contrary extreme) that Prynne wrote a book against it, called The Unlovelyness of Lovelocks." This, being dated in 1630, must have been among the earliest of Briot's productions. After the war had begun and the parliament had seized the Tower, Charles set up mints at Shrewsbury, Oxford, York, and other places, most of the money coined at which has the mint mark of the Prince of Wales's feathers, as having been struck by the workmen and instruments belonging to the establishment at Aberystwith. The greater part of it appears also to have been made, in the old-fashioned way, by the hammer, the use of the mill having been probably laid aside on Briot's departure. "The unhappy situation of the king's affairs," says Leake, "may be traced by his money, which grew worse and worse in the stamp, till at last they hardly deserve the name of a coin, seeming rather the work of a smith (as perhaps they were) than a graver, and manifest they were coined in the greatest hurry and confusion." Besides money of the common species, various other coins or tokens, which have received the name of obsidional or siege pieces, were issued on different occasions by the royalists in the course of the war. Among these were the pieces stamped at Newark in 1643 and 1646, which are in the form of a lozenge; those stamped at the siege of Carlisle in 1645, which are octangular; the Pontefract pieces, some of which are round, some octangular, some lozenge-shaped; and another sort of money, consisting merely of bits of silver-plate about an inch and a half long, with a rude re-

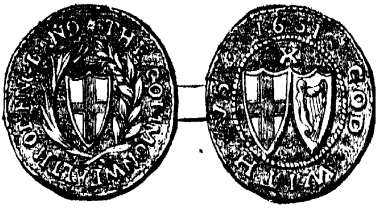
* Historical Account of English Money, p. 300.
† Collections, ii. 150.

COINS OF THE COMMONWEALTH.

Gold.

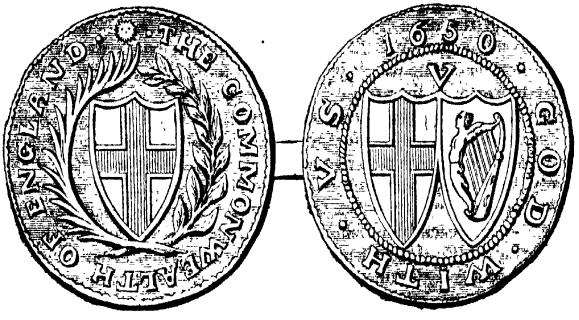


TWENTY-SHILLING PIECE.

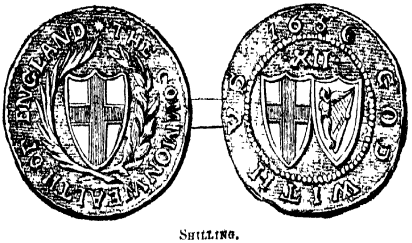


TEN-SHILLING PIECE.

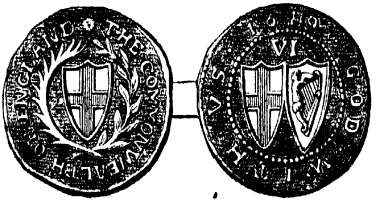
Silver.



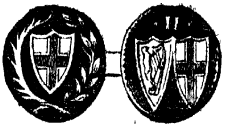
CROWN.



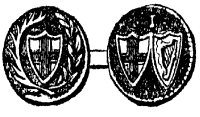
SHILLING.



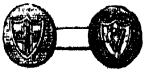
SIXPENCE.



TWOPENCE.

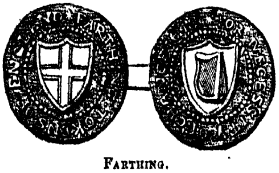


PENNY.



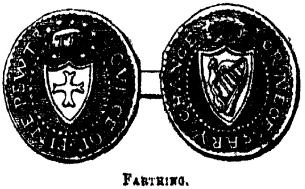
HALFPENNY.

Copper.



FARTHING.

Pewter.



FARTHING.

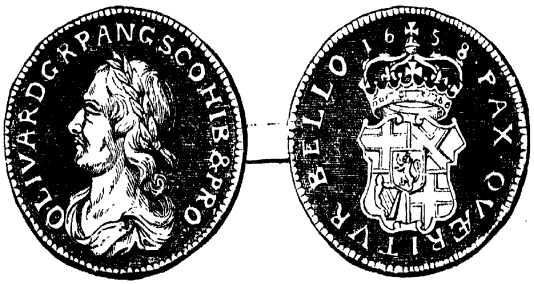
presentation of a castle, supposed to be that of Scarborough, stamped upon it.

In the beginning of their quarrel with the king the parliament coined both gold and silver money bearing the usual impressions, and only distinguished from that issued by the king by its having the letter P. (for parliament) stamped upon it as a mint mark. They afterwards coined gold pieces of twenty shillings, ten shillings, and five shillings, and silver crowns, half-crowns, shillings, and sixpences, having on the obverse an antique shield with St. George's cross, encircled with a palm and a laurel branch, and circumscribed The Commonwealth of England; on the reverse, two antique shields conjoined, the first with St. George's cross as before, the other with a harp, and circumscribed God with us. Their silver twopences, pennies, and half-pennies, have only the arms without any legend or inscription. Such coins, with a sun for the mint-mark, are found of the dates 1649, 1650, 1651, 1652, and 1653; and it is supposed that they were occasionally struck even down to the Restoration: Leake says he had seen both a twenty and a ten shilling piece of 1660. This was all hammered money; but there are likewise half-crowns, shillings, and sixpences of 1651, bearing the same stamp, and grained upon the outer edge; which is the earliest English completely milled silver coinage, the milled money of Elizabeth and Charles I. being only marked upon the flat edge. One milled half-crown of the same date has inscribed upon the rim the words, In the third year of Freedom by God's Blessing Restored; another has Truth and Peace. 1651. Petrus Blondaeus Inventor Fecit. These appear to be rival productions; the former by the regular moneyers of the Tower; the latter by a French artist, Peter Blondeau, who came over and offered his services to the committee of the council of state for the Mint in 1649, but never was employed farther than to give this specimen of his skill, although he appears to have remained in the country about three years, and was probably not well used by the government. Some copper farthings, of various impressions, were likewise coined by the parliament.

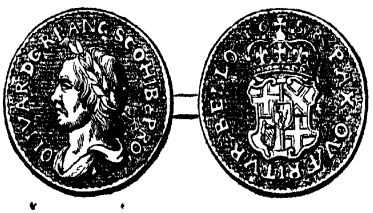
The earliest money bearing the effigies of Oliver Cromwell has the date of 1656, though it was not till the following year that he formally took upon him the royal authority in conformity with the "Petition and Advice."* His coins are twenty shilling and fifty shilling pieces of gold; and crowns, half-crowns, shillings, and sixpences of silver. "They are," says Leake, "an excellent die, done by the masterly hand of Symonds (or Simon), exceeding anything of that kind that had been done since the Romans; and in like manner he appears thereon, his bust Cæsar-like, laureate, looking to the right, with whiskers, and a small tuft upon the under lip." The circumscription around the head of the Protector is Olivar. D. G. R. P. Ang. Sco. Hib. &c. Pro. On the reverse, under a royal crown, is a shield, bearing in the first and fourth quarters St. George's cross, in the second St. Andrew's cross, and in the third a harp; with the Protector's paternal arms, namely, a lion rampant, on an escutcheon in the centre; and the circumscription Pax Quaeritur Bello, with the date 1656, or 1658. There is also a copper farthing of Cromwell's, with a somewhat different device on the reverse.

* See ante, p. 422.

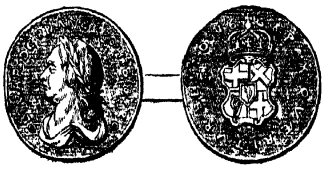
COINS OF OLIVER CROMWELL.



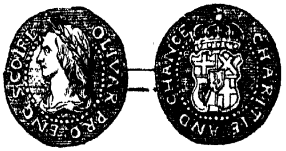
Silver Crown.



Silver Shilling.



Silver Sixpence.



Copper Farthing.

To this period likewise belong a few of the Pontefract coins, or tokens, which were issued after the king's death, in the name of Charles II.

For Scotland, James I. coined sovereigns of gold, crowns, half-crowns, shillings, and sixpences of silver, and also farthings of copper. All these Scottish coins, however, bore names indicating a value twelve times greater than that of the corresponding English coin: thus the Scottish half-crown was called a thirty-shilling piece, the farthing a threepenny piece, &c. He also coined both silver and copper money for Ireland, of the intrinsic value of about three-quarters of the English; and called in the mixed or base money which had been issued in the time of the rebellion by Elizabeth. Among the Scotch coins of Charles I. is a sovereign or unity of gold, which is very neatly finished, and is supposed to be the production of Nicholas Briot, the mint-mark being a small B. Charles's other Scottish money consists of double crowns, crowns, and half-crowns of gold; half-crowns, shillings, sixpences, nobles or half-marks, forty-penny pieces or quarter marks, two-shilling pieces, and twenty-penny pieces of silver; and farthings, and bothwells, or bodles, of the value of the sixth part of a penny English, of copper. His only Irish coins are some of silver, issued after 1641, by appointment of the lord lieutenant, the Duke of Ormond, and hence known as Ormond money. There are also some Irish halfpence and farthings of copper, of this time, bearing the figure of a king kneeling and playing on a harp, which are supposed to have been struck by the papists during their insurrection in 1642. The coins of Scotland and Ireland in the time of the commonwealth were the same with those of England.

From the reign of Elizabeth, when, in the language of writers of the period under notice, "ingenuities began to flourish in England," to the accession of Charles II., few improvements of much moment took place in the common arts of life. In agriculture, gardening, and manufactures England was surpassed by several other countries, particularly by Holland and the Netherlands. These were the most industrious countries in Europe, and their population had been longer trained in those habits of order which are essential to commercial and manufacturing pre-eminence. Our writers complain, on the contrary, of the working population of England as "idle, stubborn, and surly," and it would appear that they disliked habits of continuous labour. Hence they were less skilful and ingenious than the artisans of other countries; and our manufactures were neither so well finished nor in many instances so cheap as theirs, although, at this period, provisions were as low or perhaps lower in price here than on the continent. A paper published in 1651, on the 'State and condition of Things between the English and Dutch Nations,' says:—"The price of labour depending much upon the price of victuals, house-rent, and other things necessary, it is certain (especially to any that know both countries) that all this is much cheaper with us than with our neighbours, and is like so to be." Great encouragement was given to aliens who brought "new and profitable trades into use," or who instructed Englishmen therein. In the act for doing away with monopolies, passed in 1624, the right of granting patents for fourteen years was, as already mentioned, reserved to the crown for those who discovered "new invented arts or manufactures never practised before;" but most of the monopolies that were actually granted had a powerful effect in repressing invention and ingenuity.

In agriculture we were indebted for some improvements to our Dutch and Flemish neighbours, particularly in draining the fens and in rescuing land from the sea; and also for various practices in husbandry and the introduction of new seeds. But these improvements made but slow progress, and were often confined for a long period to the spot where they had been originally practised. Few tried experiments, most cultivators being content to follow the system which had been pursued by their forefathers. Both implements and usages varied in every county, and, as one agricultural writer of the day asserts, almost in every parish. But although the amount of improvement actually effected during this period was inconsiderable, the foundations of a better agricultural system were fairly laid. Several works on husbandry were published containing sound principles and excellent practical recommendations. The advantage of growing clover for cattle was first pointed out by Bligh, in his 'Improver Improved,' printed in 1652; and Sir Richard Weston soon after published an account of the cultivation of turnips in Flanders, by which cattle and sheep might be fattened in winter.

The art of gardening was cultivated with more spirit, and made greater progress. The gardens of a country mansion, which had been little more than courts with trim walks ornamented by shrubs cut into fantastic forms, were now enlivened by the introduction of plants and flowers which had not previously been cultivated in England. This improvement began in the reign of Elizabeth, and now gradually extended itself. Vegetables for the table, which had been planted in England for the first time at the commencement of the present period were, however, still scarce at its close. Samuel Hartlib, the author of various works on agriculture, who wrote about 1650, states that some old men recollected "the first gardener who came into Surrey to plant cabbages, cauliflowers, and to sow turnips, carrots, and parsnips, to sow early ripe pease, all which at that time were great wonders, we having few or none in England but what came from Holland and Flanders." Twenty years before, he tells us, that so near London as Gravesend, "there was not so much as a mess of pease but what came from London," but now they were abundant; but he adds, "I could instance divers

other places in the north and west of England where the name of gardening and hoeing is scarcely known." By the middle of the century, liquorice, saffron, cherries, apples, pears, hops, and cabbages were cultivated in sufficient abundance to render the importation of those articles unnecessary; but our gardens, it is said, were still deficient in onions. The progress of improvement was rendered slow by the want of nurseries of apples, pears, cherries, vines, and chestnuts; and persons who lived in the country, and wished to introduce new varieties of fruits into their gardens, were, says Hartlib, often compelled to send nearly a hundred miles for them. Tobacco would soon have been extensively grown, had the cultivation of it not been put down, as we have seen, on account of its injury to the revenue. Cromwell, who encouraged the two great rural arts, allowed Hartlib a pension.

The woollen manufacture was still the most important branch of non-agricultural industry, being, as a writer of the time observes, "like the water to the wheel that driveth round all other things," and undoubtedly it gave employment to a very considerable proportion of the population; but an exaggerated notion existed of its importance when it was believed that about the accession of Charles II. a million of persons were engaged in the manufacture. Some clothiers employed five hundred persons, who were not all collected in a factory, many of them carrying on their particular process of the manufacture under their own roofs. The weaver received materials from the clothier, and when he brought back his cloth, it was given to workmen engaged in another branch; and thus it passed through various hands until it was completed, the clothier being the capitalist who bought the raw material and sold the manufactured commodity. We have already noticed the attempts that were made to introduce the arts of dyeing and dressing woollen cloths, and the prohibition that was resorted to for their encouragement of the exportation of woollen cloths in the white state. After the failure of this experiment, several other improvements, besides the manufacture of medley cloth already mentioned, were made under the stimulus of the free competition of other countries. In 1643 a Dutchman established himself at Bow, and taught the English the method of producing the fine scarlet dye for which foreign cloths were so much celebrated. By an act of Elizabeth, the use of logwood as a dye had been for ever prohibited; but in 1660 this act was repealed, and in the preamble to the new act it is remarked, that "the ingenious industry of these times hath taught the dyers of England the art of fixing the colours made of logwood, so as that by experience they are found as lasting and serviceable as the colours made with any other sort of wood." In this way improvement proceeded step by step, until eventually, but not in this period, English cloths were equal in point of excellence to those of other countries. Another mode resorted to for promoting the prosperity of the woollen manufacture was to prohibit the export of wool, fuller's earth, and live sheep, and to compel the use of woollen stuffs in the burial of the dead.

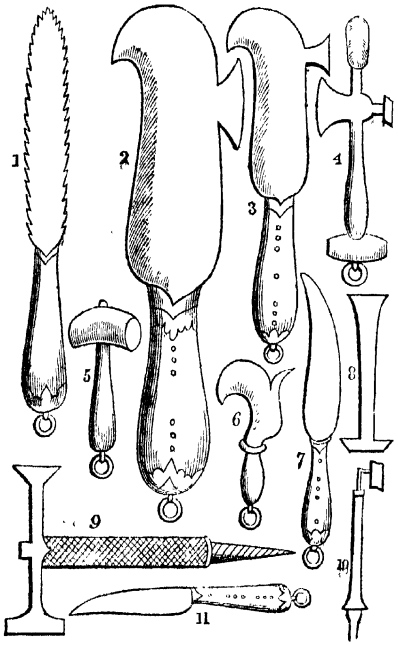
Broad cloth had been the great commodity of the woollen manufacture formerly; but many new descriptions of woollen stuffs were now made, as bays, perpetuanos, sayes, stockings, &c., which were called the "new drapery." In an act passed in 1661, for regulating the manufactures of Norwich and Norfolk, it is remarked in the preamble, that lately "a great variety of new sorts of stuffs have been invented." Many new sorts of cloths and stuffs were now also brought from India, which occasioned in time some changes in the materials employed for wearing apparel, and also led to attempts to manufacture similar articles in England.

The silk manufacture attracted great attention during the present period, and active exertions were made for establishing it firmly in England. In 1608 James I. issued a proclamation concerning the planting of mulberry-trees, in which it was asserted that "the making of silk may be as well effected here as in the kingdom of France;" and persons of influence in the different counties in England were called upon to promote the object of the proclamation, and above ten thousand plants were sent to each county for sale at an almost nominal value. It is supposed that most of the old mulberry-trees now or till lately existing in England, including Shakspeare's famous mulberry in his garden at Stratford, were planted in consequence of this proclamation. Instructions for breeding and rearing silkworms were at the same time issued. The increasing quantities of raw silk brought from India, and the perfection which the silk manufacture had obtained in France, from which country silk stuffs were extensively exported to England, contributed to render the plan of naturalizing the production of silk abortive; but undoubtedly the manufacture made considerable progress. Silk throwsters, silk weavers, and silk dyers were invited from other countries, and fixed their residence in London, to which place the manufacture was as yet confined. In 1629 the silk throwsters were incorporated; and in an act for the regulation of their trade passed in 1661, it is stated that "the said company of silk throwsters employ above forty thousand men, women, and children."

The manufacture of linens still continued in a great measure a domestic employment. A sufficient quantity of linen was spun and wove for household purposes, but it had not become an article of extensive commerce, and the attempts made in former periods to force the cultivation of flax and hemp had not been very successful in rendering the manufacture a national staple like the woollen trade. In 1622 hemp and flax were brought into England ready dressed, and linens were imported from Germany.

Amongst the exceptions in the act passed in

1624 for putting an end to monopolies, was, as has been noticed above, a patent granted to the Earl of Digby for the important process of smelting iron with coal, and several patents were granted during this period for inventions for drawing water out of mines. The prejudices against the use of coal for domestic purposes continued to be very strong; but coal, notwithstanding, began to be applied more extensively in the arts. In 1637 the Earl of Berkshire obtained a patent for a newly invented malt-kiln in which coal could be used. In 1637 the right of buying all coal exported from Newcastle and the adjoining parts was farmed by a company on condition of paying to the king a shilling per chaldron. Alum was made in England for the first time, either just at the close of Elizabeth's reign or at the beginning of the present period. In 1608 foreign alum was prohibited.

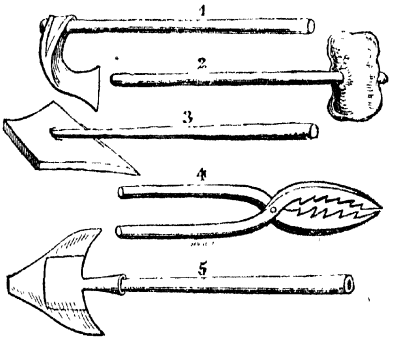


GRAFTING AND PRUNING IMPLEMENTS.

From Leonard Mascall's "Countryman's New Art of Planting," 4to. Lond. 1592.

1. Saw.....2. Great Knife with Chesill-head....3. Pruning Knife. 4. Chesill with a Wimble-bit....5. Mallet....6. Vine Knife 7. Sheing Knife....8. Grafting Chesill....9. Hammer, with a File and Piercer....10. Scraper, "to cleanse your Mosse-trees." 11. Grafting Knife.

Each instrument was fastened by a ring or button to the girdle of the labourer.



HUSBANDRY IMPLEMENTS.

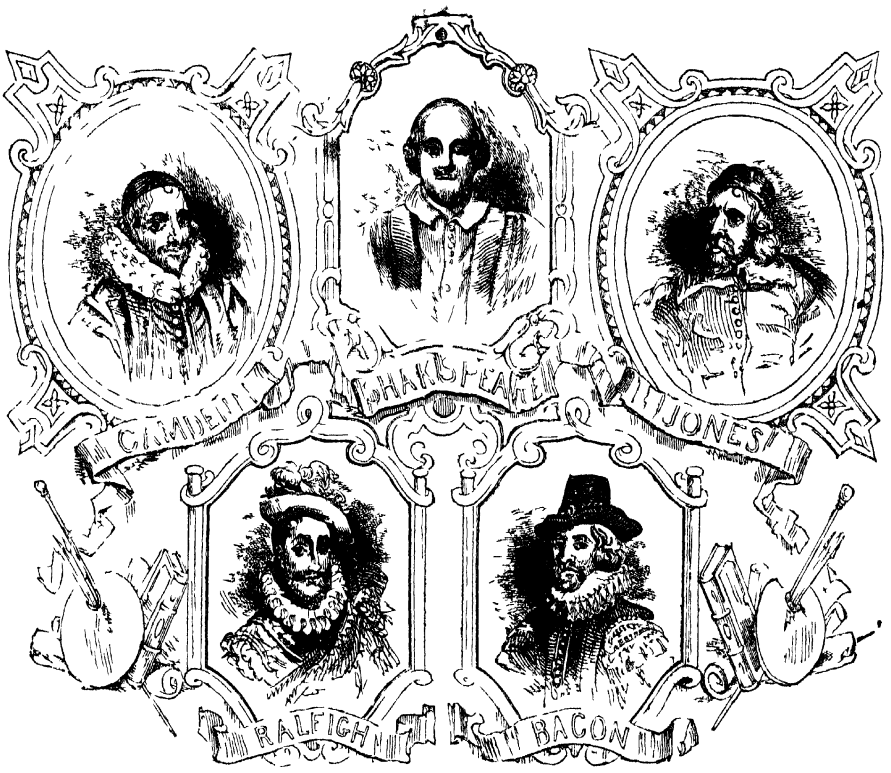
From Gervase Markham's "Farewell to Husbandry," 1620.

1. Hack for breaking Clods after Ploughing....2. Clotting Beetle for breaking Clods after Harrowing.....3. Clotting Beetle for Wet Clods.....4. Weeding Nippers.....5. Paring Shovel, for clearing Ground and destroying Weeds.

England had been for some time famous for its manufacture of ordnance; and in 1629 Charles I. had 610 pieces cast in the forest of Dean for the States-General of Holland. The manufacture of glass had become naturalized, and foreign glass was prohibited, though some of the more costly articles of glass could only be obtained at Venice. In 1658 watches for the pocket were made for the first time in England. The East India Company set an example of improvement in the art of ship-building. Formerly most merchant-ships did not exceed 150 tons burden; but, in 1610, as has been already noticed, a vessel of 1100 tons was built for the trade with India, and about the same time a ship of war was launched of 1400 tons burden.

CHAPTER V.

THE HISTORY OF LITERATURE, SCIENCE, AND THE FINE ARTS.



Camden . . Old Print — Shakspeare . Painting after the Stratford Bust
Inigo Jones . Painting after Vandyke — Raleigh . . Painting by Zucchero. — Bacon . . . Print by Houbraken.

REVERSING the order we have observed in the preceding Books, we will approach the great subject of the literature of the present period by first taking a survey of the progress of the Fine Arts, beginning with Music, of which we have to detail the history from the commencement of the reign of Henry VII.*

* See vol. ii. p. 840.

Though it is a generally received, and not unfounded, opinion, that from about the commencement of the eighteenth century the English have been far behind the Italians and Germans in secular Music, yet at the dawn of the science,—or, in other words, shortly before the period of the Reformation,—and long after, our composers were not only superior to those of Germany, but equal to those of a country whose climate is thought so favourable to the fine arts, and also on a level with their brethren in the Netherlands, who are by all allowed to have been eminent for their skill in florid counterpoint while in its early state. Indeed Giovanni Tintore (or Johannes Tinctor), a doctor in civil law, Archdeacon of Naples, and *Maestro di Cappella* to Ferdinand I. of Sicily, attributes to our country-

man, John of Dunstable,* the actual invention of figurate harmony, that is, of music in parts, written freely, and not restrained by the laws of simple counterpoint. As Tinctor, an author of great authority, could have had no motive for his assertion but the promulgation of truth,—as his testimony is corroborated by that of others, and as he stands uncontradicted by any but prejudiced witnesses—we may, without rendering ourselves liable to the charge of presumption, venture to take the credit of an improvement which has led to results of such importance to the art—results which may almost be said to have given to it a new birth.

But the claim which England has to be ranked among the first and most successful cultivators of harmony is proved, beyond dispute, by comparing the works of her composers in the early part and middle of the sixteenth century with those of foreign contemporaries. Without going farther back, and parading before the reader a list of names now only known to the musical antiquary, we will be content to first mention Christopher Tye, admitted doctor in music at Oxford in 1545, whose anthems, particularly one of them in Dr. Boyce's Collection of Cathedral Music, together with his celebrated motet, *Laudate nomen Domini*, and several compositions in the library of the Madrigal Society, are superior to most and inferior to none of the Italian, Flemish, or French compositions of his time. Tye was music-preceptor to Edward VI., at whose court, as he had been at that of Henry VIII., he continued uninterruptedly in great favour.† Contemporary with him were Thomas Tallis and William Birde, both of them members of the chapel-royal, for which they produced many compositions. Those of Tallis have attained a celebrity exceeded by no music of the same period, and deserve the encomiums which have so liberally been bestowed on them. Several are still in use in our cathedrals, particularly a complete *Service*, the first, Dr. Boyce tells us,‡ that was set in the English language. Sir John Hawkins, however, says that John Marbeck preceded Tallis as composer of the English Liturgy, and is right, as regards the *Preces* and Responses; but Tallis's setting of the *Te Deum*, &c., is the first that can be considered in the light of a musical composition. Marbeck's Preces and Responses, slightly altered, still continue in use, are consecrated by time, and not likely to fall into desuetude: the author, therefore, is entitled to some notice. He was organist of Windsor, and, together with two other members of that choir, and a tradesman, was condemned to the stake for heresy. Bishop Gardiner obtained his pardon, but his colleagues were all burnt for their zeal in religious reformation.* Marbeck made the first Concordance of the Bible, "which Gardiner could not but commend as a piece of singular industry; and King Henry VIII., hearing thereof, said that 'he was much better employed than those priests who accused him.'"†

In conjunction with Birde, Tallis composed and printed a noble collection of sacred music, with Latin words, under the title of *Cantiones Sacræ*. This is still highly esteemed by the admirers of ancient music. Birde, however, is better known as the author of a composition which never can fade, much less become obsolete, while a taste for pure and exquisite harmony shall exist in the country of its birth:—the canon, *Non nobis, Domine*, is alone an answer to those who deny British talent for music, and its excellence is so indisputable, that some few foreigners have been tempted to claim it for their own respective countries,—for Italy, for Flanders, for France; but in vain: not a doubt now remains on the subject, in the mind of any candid and competent judge. The composer of this was a pupil of Tallis; he afterwards became his colleague as a gentleman of the chapel-royal, and subsequently, in 1575, as an organist of the same establishment. He was a voluminous composer, and deservedly held in high estimation. He was thought the finest performer on the virginal‡ of his day; and that his powers were great may be inferred from his contributions to a collection printed under the title of *Parthenia*. In the *cheque-book* of the Royal Chapel, he is styled the "Father of Music;" and Peacham, in his *Complete Gentleman*, speaks of his compositions and moral qualities in very warm terms, adding, that he was excelled by none, "even by the judgment of France and Italy, who are very sparing in the commendation of strangers, in regard of that conceit they hold of themselves."

Henry VIII. himself may, without impropriety, be named among the composers of church music of the sixteenth century. Sir John Hawkins has inserted in his history a respectable motet by that monarch; and in Dr. Boyce's collection is a full anthem, "O Lord, the maker of all things," a work of merit, to which the editor, a man of diligent research, unhesitatingly affixes that king's name. Some suspicions always and reasonably are excited by royal productions in the fine arts,

* See vol. ii. p. 235.

† The estimation in which Dr. Tye's professional merit was held may be gathered from a play by Samuel Rowley, written in 1613. In a dialogue between Prince Edward and his preceptor in music, the former says—

"Doctor, I thank you, and commend your cunning.
I oft have heard my father merrily speak
In your high praise; and thus his highness saith—
'England one God, one truth, one doctor hath
For musick's art, and that is Dr. Tye,
Admired for skill in musick's harmony.'"

Tye was also a poet. "Having been taught to believe," says Warton (Hist. Poet. iv. 16), "that rhyme and edification were closely connected, he projected a translation of the ACTS OF THE APOSTLES into familiar metre." He completed only the first fourteen chapters, which were printed in 1553, with a very quaint title. The doctor became somewhat peevish as he advanced in years. Anthony Wood relates (Ashmolean MS. fol. 189) that Tye, playing more scientifically than agreeably before Queen Elizabeth, on the organ in her chapel, she "sent the verger to tell him that he played out of tune; whereupon he sent word that her ears were out of tune." It was well for the organist that his ears were out of the reach of her majesty's royal right hand.

‡ Preface to *Collection of Cathedral Music*, vol. i.

* See vol. ii. p. 728.

† Fuller's Worthies, i. 88. This remark, however, is attributed by John Fox, the friend of Marbeck, to one of the commissioners, a Dr. Oking. Fuller may easily have fallen into the mistake

‡ An instrument of the harpsichord or spinnet kind, but in form an oblong square—similar to the smallest horizontal piano-forte.

but there is no want of credible evidence in favour of Henry's skill in music. Erasmus states that he composed offices for the church, a fact supported by the testimony of Lord Herbert of Cherbury and Bishop Burnet; and Dr. Aldrich, the learned Dean of Christchurch, a man in every way qualified to decide the question, after long and laborious inquiry, determined in favour of the monarch's claim. It may further be said, that as Henry, during the life of his elder brother, was educated with a view to the archiepiscopal chair of Canterbury, and as the clergy were then all well instructed in music,* it is not only likely, but nearly certain, that the prudent Henry VII. took care that his son should not be ignorant of a science necessary to his intended profession.† "The Defender of the Faith" was not less anxious that his successor should be skilful in an accomplishment by which himself was distinguished, and Edward VI. not only had the best masters that the age afforded, but profited by the instructions he received, as we learn from Cardan, in his character of this prince;‡ and also from Edward's own journal, wherein he mentions a visit from the French ambassador, who, he says, "dined with me, and heard me play on the lute,"§ a circumstance which so sensible and modest a youth would hardly have recorded had he not felt conscious of some superiority. But, whatever the state of the art, the age was decidedly musical. Sir Thomas More, even when holding his high office of Lord Chancellor, used to apparel himself in a surplice and sing with the choir in Chelsea Church. The Duke of Norfolk reproved him for appearing in the character of a "parish-clerk;" but the honest and able chancellor defended himself in the words of David,—*vilior fiam in oculis meis.*‖ That duke's son, the learned, the brave, the high-minded Surrey, to whom our language stands so much indebted, not only excelled on the lute, "then in use by all persons of good education,"¶ but was an elegant composer. The music set to his sonnets by himself is "remarkable for expression, for artless sweetness and wild simplicity."** The earl's friend, Sir Thomas Wyat, the poet, who preserved his virtue, and saved, though by his honesty he endangered, his life, in the midst of a court of which his wit and accomplishments rendered him a brilliant ornament, "sung, and played sweetly on the lute."†† It is, however, needless to summon many witnesses to a fact hitherto undenied; we shall, therefore, adduce only one other proof of the necessity of music as a part of polite education during the sixteenth century, taken from Morley's work on music, published in 1597.* This very clever and still useful treatise is written in the form of a dialogue: the interlocutors are *Polymathes*, *Philomathes*, and a *Master*. Philomathes tells his friend that he is going in haste to get some instructions in music, because, having been the night before at "Master *Sophobulus* his banquet," and "supper being ended, and music-books, according to the custom, being brought to the table, the mistress of the house," he says, "presented me with a part, earnestly requesting me to sing. But when, after many excuses, I protested unfeignedly that I could not, every one began to wonder. Yea, some whispered to others, demanding how I was brought up: so that upon shame of mine ignorance I go now to seek out mine old friend, Master *Quorimus*, to make myself his scholar."

The musical establishment of Edward (probably the same as his father's) was upon a magnificent scale, consisting of 114 persons, besides boy-choristers, the annual expense whereof was 2209*l.*,† a sum equal in value to a much greater amount of our present money.

In the list of *Gentlemen of the Chapel* to Edward VI. appears Richard Farrant, whose compositions for the church, simple as they seem, are so solemn, so devout, so tender, and affecting, that they may challenge comparison with the sacred music of any age or country.‡ To this period also belongs the once famous Dr. Bull, organist to Queen Elizabeth, and the first professor of music at Gresham College. His powers as a performer, judging from his own *Lessons*, in *Parthenia*, must have been great, in so far as regards execution; but his compositions are evidently the result of study, of industry—not of genius, and are now forgotten. His name alone survives.

Though music was in its infancy at the beginning of the sixteenth century, at the close it had made considerable progress towards, if it had not actually arrived at, maturity; and there are many who maintain that the Elizabethan age was the period of perfection, not only of poetry, but of the sister art. They are, perhaps, right, if that species of composition to which the name of madrigal is given be justly considered as the best and highest kind of florid vocal harmony—for some of the greatest geniuses in this style that our country has ever been able to boast, or that Europe has ever produced, flourished during the period at which our history has now arrived. Among these, Thomas Morley (Mus. B. in 1588), one of the Gentlemen of Queen Elizabeth's Chapel, holds a prominent place. His works are numerous, most of them pleasing, and remarkable for a gaiety not very usual in his time. His many madrigals dis-

* See *View of the Church*, and *Nugæ Antiquæ*, by Sir John Harrington.

† Hollinshed (Chron. iii. 806), speaking of Henry in one of his journeys, says—"From thence the whole court removed to Windsor, then beginning his progress, and exercising himself daily in shooting, *singing*, dancing, wrestling, casting of the bar, *playing at the recorders, flute, virginals, in setting of songs*, and making of ballads," &c.

‡ Burnet's Hist. of the Reformation, part ii.

§ Idem.

‖ Life of Sir Thomas More, by his great-grandson.

¶ Life of Sir T. Wyat, by Dr. Nott, ii. 545.

** Life of the Earl of Surrey, by Dr. Nott, i. cviii.

†† Nott's Life of Wyat.

* A Playne and Easie Introduction to Practicall Musicke. Folio. 1597.

† Hawkins's Hist. iii. 482.

‡ His anthem, "Lord, for thy tender mercy's sake," in *Boyce's Collection*, is a master-piece of simple harmony, and, when properly performed—which rarely happens—never fails to excite strong emotion.

play originality, vigour, and deep musical knowledge, while some few of them certainly betray a familiar acquaintance with the Italian and Flemish masters. His canzonets for two voices are lively, agreeable, and, as well as nearly all that flowed from his pen, are graced by a far more ample share of melody than the productions of his time commonly exhibit. His treatise, before mentioned, was the first that appeared in our language; it long continued in use, and, though in some parts obsolete, yet, as a whole, it still affords much useful information.* Contemporary with him, and at the same time admitted to the degree of Mus. Bac., was John Dowland, who, according to Fuller,† "was the rarest musician that his age did behold." But the author of the *Worthies of England* was warm-hearted, and liable to fits of enthusiasm, and we must, therefore, admit his superlatives with caution. Nevertheless, the subject of his panegyric was a very elegant composer; his madrigals, or, more properly, four-part songs—for they have none of those points which constitute the *stilo madrigalesco*—are exquisitely beautiful. He travelled much in France, Italy, and Germany; hence his fame was European. Christian IV., King of Denmark, when in England, "requested him of King James, who, *unwillingly willing*, parted with him."‡ Consequently he left London for Copenhagen, where, it is supposed, he died, in 1615. He was a celebrated lutenist, but his merit as a performer would now, in all likelihood, have been forgotten, had it not been immortalised by Shakspere, in his *Passionate Pilgrim*, where his skill is thus mentioned:—

> Dowland to thee is dear, whose heavenly touch
> Upon the lute doth ravish human sense.

Of all madrigalists, whether British or foreign (and the age in which we are engaged was more famed for its madrigals than for any other kind of composition), the precedence is due to John Wilbye, of whose history we only know that he was a teacher of music, living in Austin Friars in 1598, in which year he published a set of thirty madrigals, and a second book, "apt both for voyals (viols) and voyces," in 1609. It is not without great regret, however unavailing, that we find ourselves devoid of the means of recording even the bare dates of the birth and decease of the gifted man to whom we owe such compositions as 'Flora gave me fairest flowers'—'Sweet honey-sucking bees'—'Lady, when I behold the roses sprouting'*—'As fair as morn'—'Stay, Corydon'—and 'Down in a valley'—with others which, if not equal to the foregoing, are still, many of them, of a very superior order.

John Bennet, who, we are told by a good musician,† was "a gentleman admirable for all sorts of composures, either in art or air, simple or mixed, of what nature soever," published in 1599 a set of madrigals, among which are three, at least, that give him an undoubted right to be noticed here:—'Flow, O my tears;' 'Thirsis, sleepest thou?' and 'O sleep, fond Fancy.'" John Milton also, the father of our great poet, though a scrivener by profession, is entitled to be named as one of the composers of this period: his claim is proved by a madrigal in *The Triumphs of Oriana*,‡ by several *Songs for Five Voices*, and many good psalm-tunes: the popular one known as *York Tune* was written by him§.

Of what may be called the music of the multitude—of the common people of England—during the sixteenth century, our knowledge is rather scanty; but, judging from the specimens that remain, or have yet been discovered, we do not hesitate in saying, that, inferior as it unquestionably is in pathos to the melodies of Ireland existing at the same period, it is on a par with any contemporary production of the continent. In a MS. collection known as *Queen Elizabeth's Virginal Book*, are some English tunes, supposed to have been once popular, with variations by the great masters of the day. These, together with a small number to be found in the British Museum, three or four in *The Dancing Master*, and a few given by Sir J. Hawkins, in his Appendix, are nearly all that we are able to authenticate. Among those in the Virginal Book is *The Carman's Whistle*, with elaborate variations by William Birde. The annexed is the air, with Birde's own base:—

* Ravenscroft, in his *Briefe Discourse*, 1614, says of Morley, "He did shine as the Sun in the firmament of our art, and did first give light to our understanding with his precepts."

† Fuller's *Worthies*, ii. 113.

‡ Ibid.

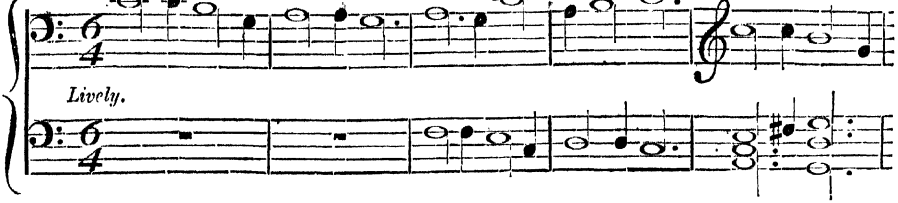
* This, a translation from the Italian, is so pretty a conceit, that we cannot refuse it a place as a note:—

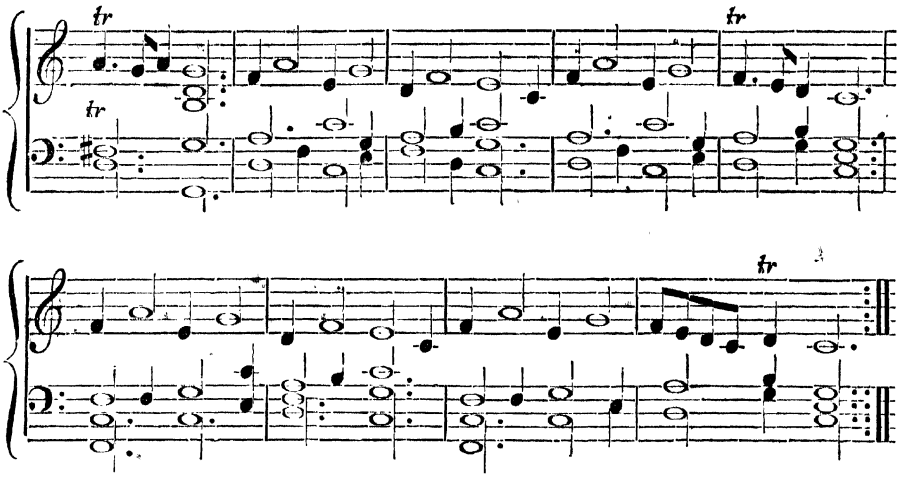
> Lady, when I behold the roses sprouting,
> Which clad in damask mantles deck the arbours,
> And then behold your lips, where sweet love harbours,
> Mine eyes perplex me with a double doubting;
> For, viewing both alike, hardly my mind supposes
> Whether the roses be your lips, or your lips the roses.

† Thomas Ravenscroft, in his *Briefe Discourse*, 1614

‡ This is a collection of twenty-nine madrigals by various composers, all in praise of Queen Elizabeth, who is extolled for her beauty under the name of *Oriana*. The poetry, if it may be so called, is contemptible, abounding in the most nauseous personal flattery. The music is, except in some few instances, laboured, dry, and, though what is called learned, scarcely reaches the point of mediocrity in respect to either invention or taste.

§ Phillips, nephew of the poet Milton, says that John Milton, the father, composed an *In nomine*, in forty parts, for which he was rewarded by a Polish prince, to whom he presented it, with a gold medal and chain.



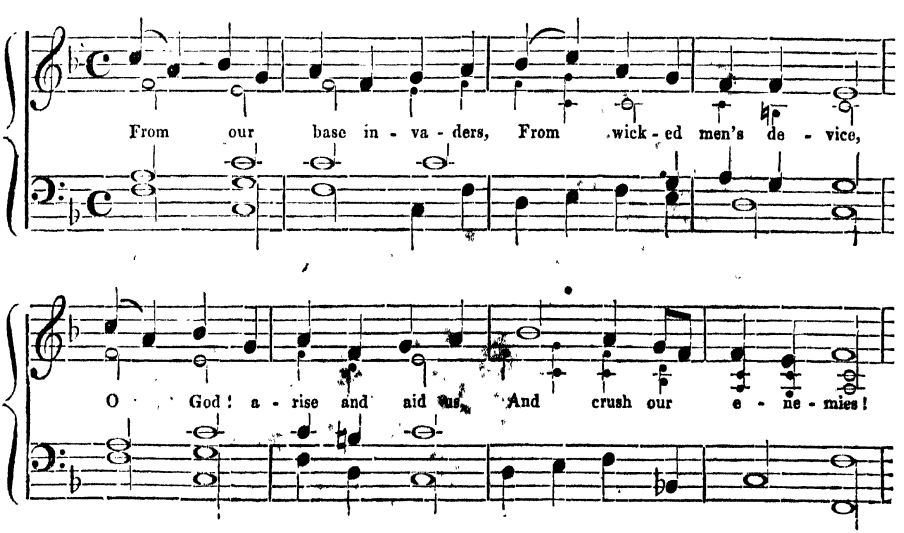


That Elizabeth was not less instructed in music than the other children of a monarch who took a pride in being a composer is to be inferred. Camden says that she played and sung "prettily and sweetly," as "became a princess;" and Sir James Melvil's account is equally favourable. But if the queen of England were able to execute all that appears in the volume bearing her name (which we much doubt), she must have acquired more practical skill than, probably, half the professed musicians in her empire could boast.

Elizabeth's greatest triumph—the defeat of the Spanish Armada in 1588—does not seem to have excited in either poet or musician that enthusiasm which might have been expected. The victory of Azincourt produced the first English part-music whereof we have any remains:* the battle to which our religion, laws, and liberty are so much indebted, was, for aught we know to the contrary, unsung. It appears, however, that, in anticipation of a descent on our shores, the following hymn, in a mixed tone of piety and defiance, was produced, the melody of which is so graceful, and susceptible of so harmonious an accompaniment, that it may be received as a proof of the state of what may be considered our grave popular music at the end of the century.†

* See vol. ii. p. 234.

† For the melody and words of this we are indebted to the First Part of *A Collection of National English Airs*, edited by W. Chappell, 1838, a work of research and judgment, and which, if continued as begun, will be a valuable addition to our musical libraries. It is given "from a manuscript in the possession of —— Pearsall, Esq., bearing the date of 1588."



Sink deep their po - tent na - vies! Their strength-en'd spi - rit break!

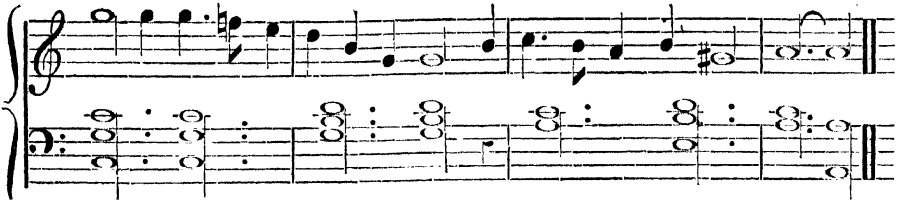
O God! a - rise and help us, For Je - sus Christ his sake.

Though cruel Spain and Rome
With heathen legions arm,
O God! arise and help us,
We will perish for our home.

We will not change our credo
For Pope, nor Book, nor Bell;
And if the devil comes himself,
We will drive him home to hell.

A tolerably correct idea may be formed of the general style of the light and joyous music of the Elizabethan age, from the subjoined air, called *Green sleeves*, which was licensed at Stationers' Hall, in 1580, under the title of 'A Newe Northerne Dittye, of the Lady Green Sleeves.' It is often alluded to by Shakspeare, and is supposed to have been more characterised by humour than delicacy. We copy the tune from *The Dancing-Master*, 17th edition, where it is named "Green Sleeves and Yellow Lace." It was introduced in *The Beggar's Opera*, and in various forms still retains some share of its popularity.

Quick.



Elizabeth's love of music did not manifest itself in liberality towards such of its professors as were on her household establishment: they, as well as others, complained, not without reason, of her parsimony. But very shortly after the accession of James, her successor, who had neither taste nor ear for any but the most barbarous of the Scottish tunes, an application for an augmentation of the salaries of the gentlemen of the Chapel-Royal proved successful: the increase was to forty pounds, no inconsiderable sum at that time. And we learn from Dr. Birch's account of the establishment of Henry, James's eldest son, that the musicians of the young prince had also the same stipend. On that establishment was Thomas Ford, composer of some of the sweetest madrigals the art can boast. John Ward, too, author of a set of twenty-eight madrigals, among which is the justly-famous, the unexcelled work, "Die not, fond man;" and also Thomas Weelkes, organist of Winchester College, author of many excellent madrigals and *ballets*, are to be mentioned among the ornaments of James's reign. But the musical glory of that period was Orlando Gibbons, born at Cambridge in 1583, and at the early age of twenty-one appointed organist of the Chapel Royal. In 1622, at the recommendation of his friend Camden, the famous antiquary, the University of Oxford honoured him with the degree of doctor-in-music. Gibbons's cathedral music is of the most learned and dignified kind, but not less remarkable for practical effect than for scientific skill; and in no way inferior to his sacred compositions are his numerous madrigals. He was the pride of his own age, and is the admiration of the present.

In 1622 a music-lecture, or professorship, was established and endowed at Oxford by William Heyther, a gentleman of the Chapel Royal, who in the same year was admitted to the degree of doctor-in-music.*

Charles I. was, as well as all the children of James, instructed in music, and is said to have been an able performer on the *viol da gamba*.† Lilly, however, in his character of that prince, gives him only negative praise for his skill in the art; but Playford, who had opportunities of ascertaining the fact, speaks highly of Charles's judgment and ability in it.‡ He certainly evinced his judgment in sacred music by his admiration of the works of Dr. William Child, organist of the Royal Chapel, a composer who does honour to the English school; but the monarch's taste in secular music may be doubted, from his having appointed one Laniere, an Italian by birth, and a painter by profession, to the then very lucrative office of "Master of our music," a situation for which, judging from what that foreigner has left, he was very indifferently qualified. This was the first check given to English professors. The second Charles still further discouraged his countrymen, by patronising French musicians; and from his time to the present, a large majority of the British nobility and persons of fortune have followed the unpatriotic and baneful example of that heartless prince.

In the service of Charles I. was Henry Lawes, a composer whose best productions seem to have been unknown to our musical historians, though he exhibited more genius for melody, and better judgment in setting words, than any of his predecessors. He was the friend of Milton, who addressed to him his thirteenth sonnet, beginning—

Harry, whose tuneful and well-measured song.

The poet likewise mentions him in his *Comus*, under the name of Thyrsis. Waller, and also Herrick, are both loud in his praise; and, after a careful examination of his three books of *Airs and Dialogues, for one, two, and three Voices*, we fully concur in the encomiums bestowed by his friends on his compositions, works which it is to be regretted are now scarcely known, except to the antiquary, or the few who view the art with unprejudiced eyes.

The disputes between Charles and the parliament, the progress of puritanism, and the attacks on music by Stephen Gosson, in his *School of Abuse*, and by Prynne, in his *Histrio-Mastix*, almost banished the art from Great Britain, till the Restoration (which at least subdued fanaticism and unmasked hypocrisy) revived its practice. Music, however, was not wholly reduced to unaccompanied psalm-tunes during the Commonwealth. In the private houses of some few of the least intimidated of the nobility and cavaliers, harmony, both of the instrumental and vocal kind, was still to be heard. At Oxford, many members of the university held weekly music-parties.* Dr. Busby, master of Westminster School, insisted on keeping and using a denounced organ in his house; and even Cromwell himself, a lover of music, ordered

* To this act of liberality Heyther was probably incited by his dear friend Camden, the learned antiquary, who founded a history lecture, and had been a chorister of Magdalen College.—See *Hawkins's Hist* iv. 31.

† Hawkins's Hist. iv. 14.

‡ Brief Introduction to the Skill of Musick, 1670.

* Ant. Wood, *Athen. Oxon.*

the great organ which had been forcibly taken from Magdalen College, Oxford, "to be carefully conveyed to Hampton Court, where it was placed in the great gallery, and one of his favourite amusements was to be entertained with this instrument at leisure hours."* John Hingston was Cromwell's organist, at a salary of 100*l.* per annum. He often had concerts at his house, which the Protector attended.† But these instances were exceptions to the rule: music must be considered as having lain dormant in England from the death of Charles I. till his successor mounted the throne.

There is perhaps no individual conspicuous in history whose character presents itself in more opposite colours, as it is viewed by the light of his political or some of his private qualities, than that of King Charles I.; and, in considering the favourable side of his character, it displays itself in nothing more highly or purely than in the encouragement he afforded to the fine arts. "Charles I. saw the arts," says the Rev. Mr. Gilpin, "in a very enlarged point of view. The amusements of his court were a model of elegance to all Europe, and his cabinets were the receptacles only of what was exquisite in painting and sculpture; none but men of the first merit found encouragement from him, and those abundantly;—Jones was his architect, and Vandyke his painter." "Charles," it is added, in a strain somewhat more emphatic and unreserved than will be universally approved of, "was a scholar, a man of taste, a gentleman, and a Christian; he was everything but a king. The art of reigning was the only art of which he was ignorant."

The accession of a prince, who united to a thorough appreciation of art, as a means of national improvement and glory, an admiration and knowledge of its works, which placed him in the first rank of connoisseurs, promised a golden age to the fine arts in Britain. The soil had already been prepared for the rich harvest which sprung up, unhappily, only to be trodden under foot ere it was ripened. Whatever may have been the apathy of Charles's immediate predecessors toward the fine arts, the high tone of education and accomplishment in the courts of Elizabeth and James could not fail to be greatly favourable to their advancement. Deeply read in classical learning, familiar with the literature of Italy and polished by foreign travel, the British nobility of this period were well qualified to appreciate and cultivate the true principles of taste. The Earl of Arundel—"the father of *virtù* in England"—began to collect statues and pictures about 1615, and his gallery, which it was his pleasure to share with all who could appreciate its value, first revealed the beauties of ancient art in Great Britain. To accumulate these treasures, and to communicate to his country the advantages they were calculated to produce, were the occupation and amusement of this distinguished nobleman. He lived to see them dispersed by the agency of ignorant political fanatics; but they were preserved to the country, and have formed the nucleus of several valuable collections existing at the present day. The statues and inscribed marbles (the Arundelian Marbles) are at Oxford, the busts principally at Wilton, and the gems are the brightest ornaments of the celebrated Marlborough collection. Prince Henry appears to have had a genuine taste for the arts, and to have entered early into a pursuit which had become fashionable. He began a collection which afterwards passed into the hands of his brother. Eighteen bronzes and most of the medals in King Charles's cabinet are described as having been the property of Prince Henry. The magnificent disposition of the Duke of Buckingham, by whom it is most probable the taste of Prince Charles was directed to the study of painting, found a congenial occupation in the formation of a gallery of art, and he tempted Rubens with the sum of ten thousand pounds, to relinquish to him his collection of Italian paintings, chiefly of the Venetian school. The Duke of Buckingham's pictures are lost to England. They were sent abroad previously to the sequestration of his son's property by the parliament in 1649, and most of them are now in the Imperial Gallery at Vienna. The unrivalled collection of works of art with which Charles enriched his country was founded immediately after his accession. That of Henry VIII. had undoubtedly been increased by his successors, and to this were at once added the separate collection begun by Prince Henry, and the cabinet of the Duke of Milan, then reckoned the most valuable in Europe, which Charles purchased entire for the sum of 18,000*l.* The Cartoons of Rafaelle were acquired in Flanders, through the means of Rubens; and continual accessions were brought to the royal gallery either as purchases, or as the most acceptable gifts which could be offered to the king. The royal houses were filled with works of art. The palace of Whitehall contained the cream of the collection, consisting of four hundred and sixty pictures, among which were to be reckoned twenty-eight by Titian, eleven by Correggio, sixteen by Julio Romano, nine by Rafaelle, four by Guido, and seven by Parmegiano. So highly did Charles appreciate these treasures, that he preferred holding the great fêtes of the court in temporary buildings to the risk of injuring his pictures by lighting up the apartments in which they were hung.

In living art the connexion of England with the Flemish and Dutch schools was still closely maintained. But these had now risen into competition with the great schools of Italy, or rather had succeeded them in their pre-eminence; and early in the seventeenth century our catalogue of foreign painters affords names with higher claims to attention than merely that of having visited our shores. Among these, Paul Vansomer, Cornelius Jansen, Gerard Honthorst, well known in Italy as Gherardo della Notte, and Daniel Mytens, have

* Hawkins's Hist. iv. 45. † Ibid.

achieved lasting reputation in the great republic of art, and have left among us some of their most valuable productions. The works of the last mentioned bear strong evidence of his studies in the school of Rubens, and he deservedly held the highest place in the esteem of Charles and his court until the arrival of Vandyke, the greatest among the pupils of the prince of Flemish painters.

Vandyke's first arrival seems to have been unpropitious, and he retired in disappointment at not having obtained the patronage of the king. But Charles was made aware of the talent he had overlooked, and Vandyke was recalled through the mediation of Sir Kenelm Digby. The liberality of Charles—and the "*Pittore Cavalieresco*," as he was called at Rome, being gay and extravagant, drew largely upon it—fixed him in England for life, and he is so identified with English art that it is difficult to consider him as a foreigner. The greater portion of his numerous works and the best efforts of his pencil are English. The noblest and fairest of his age live on his canvass. His works, widely distributed through our baronial halls, have as widely influenced the taste of their owners, and many of those collections of paintings which are the boast of English mansions have gathered round the heir-looms left on their walls by Vandyke.

Vandyke's proper sphere was portrait. To the best qualities of the style of Rubens, improved by the study of the Venetian painters, he added the grace, elegance, and refinement which his illustrious master, powerful in all that leads to the attainment of eminence in the highest class of art, seems to have disdained. As a portrait painter he holds the *second* place: Titian alone is entitled to precede him.

Although Vandyke can hardly be said to have founded a school in the limited sense of the term, yet the general tone of art in England has undoubtedly been raised by his example, and the pre-eminence we may justly claim for our native artists in the class of portrait since we could make any pretension to a national school may be fairly attributed to his influence. His works become familiar to us from our earliest contemplation of art; his style is fixed in the mind, and both artists and amateurs involuntarily refer to it as a standard of excellence.

The year 1630 is distinguished in the annals of British art by the arrival of Rubens, not however in the character of a painter, but as the envoy of the King of Spain, for the purpose of negotiating a treaty with Charles, in which commission he was successful. The ambassador, however, consented to assume the pencil; and the ceiling of the Banqueting House at Whitehall remains as a memorial of his visit. For this work, which represents the Apotheosis of James I., he received 3000*l.* It was Charles's intention to decorate the walls of this noble room with paintings of the institution and ceremonies of the Order of the Garter. The increasing troubles of the kingdom prevented this work from being even begun; but the immense price of 80,000*l.*, for which the king is said to have agreed with Vandyke, is probably, as Walpole observes, rather a comment on the magnificence of the prince and the genius of the painter than a matter of fact.

Charles understood the national importance of cultivating the arts too well to limit his exertions in their favour to the initiatory steps of collecting foreign pictures and patronising foreign painters. In the eleventh year of his reign he planned an academy of arts on a very extended scale. Every aid was to be afforded which might ennoble the study of the arts and raise the character of their professors, and the students were to be instructed in the sciences, languages, riding, fortification, antiquities, and the science of medals. But the storm was gathering which was to overthrow all Charles's projects; and the bitter feeling of the fanatical party toward the king when the catastrophe arrived, was shown in nothing more strongly than in the war which was declared against the fine arts, because they had the misfortune to be patronised at court.

As early as 1645 the parliament began to sell the pictures and statues at Whitehall. On this subject the following votes were passed:

"Ordered, That all such pictures and statues there (at Whitehall) as are without any superstition, shall be forthwith sold for the benefit of Ireland and the North.

"Ordered, That all such pictures there as have the representation of the second person in the Trinity upon them shall be forthwith burnt.

"Ordered, That all such pictures as have the representation of the Virgin Mary upon them shall be forthwith burnt."

Happily these outrages, which would have consigned to destruction some of the noblest fruits of the human intellect, were never perpetrated. The parliamentary leaders showed in other cases, as well as in this, scorn enough of the tools with which they worked out their own designs; and while the zealots within the walls of the Parliament House might be snuffling forth their hallelujahs for the consummation of an act which would have left the deepest of stains for ever upon their cause and upon the English name, the objects of their insane proscription were quietly embezzled, and enriched the pockets or the collections of their masters, as avarice or taste might predominate, and of the latter qualification the parliamentary ranks were by no means destitute. Lambert was even an artist, and occupies a place in Walpole's catalogue of painters. Fairfax was an enthusiast in the congenial pursuit of antiquarian studies. Cromwell himself secured the Cartoons for the nation at the price of 300*l.*; and one of his first acts when he had the power was to prevent any further dispersion of the royal pictures, not only by putting a stop to the sales, but by detaining from the purchasers much that had been

sold. But much was already lost to the country, and the first galleries of Europe still shine with the spoils of King Charles's collection.*

From what has been said in our former chapter on the history of modern painting in England, it will be anticipated that the list of native painters in the present period will neither be extensive nor important. Scotland furnishes us with one of the best native artists of the period, George Jamieson, called the "Scottish Vandyke." His works, which occupy a place among the best collections in Scotland, do, indeed, bear a great resemblance to those of that great master, with whom he studied under Rubens. Charles, seeing his works in 1633, sat to him, and complimented him with a diamond ring from his own finger. Jamieson's portrait by himself is in the Florentine gallery of painters: he died in 1644. William Dobson was the most successful of the scholars of Vandyke, who, attracted by the merit of some of his early works, rescued him from poverty, and presented him to the king, to whom he became serjeant-painter on the death of his patron. The decline of the king's affairs was fatal to him. Being of a dissipated turn, he had neglected the opportunity of providing for himself, and he died in indigence at the age of thirty-six, having given promise of great excellence. His works are frequently attributed to Vandyke; but though he has much of his style, yet it would be an injustice to Dobson's real merit to call him merely an imitator of that master. Robert Walker was also a painter of great merit, and had studied the works of Vandyke. He is chiefly remarkable as being the principal portrait-painter employed by Cromwell, who sat to him many times. In miniature the English artists of this period stand pre-eminent. Peter Oliver followed in the footsteps of his father, Isaac Oliver, and excelled him. John Hoskins was a painter of great merit in the same branch of art; but it is his pupil Samuel Cooper who throws upon it its greatest lustre. He has been called the Vandyke of miniature, and most justly, for his best works lose nothing in comparison with those of Vandyke, except as they are inferior in size. To magnify them only brings out the vigour and freedom of his handling. Cooper is unrivalled in his peculiar line; his reputation is universal, and his name one of those which do the greatest honour to English art. He was a favourite painter at court after the Restoration, and died in 1672.

The subject of painting may be closed by a slight mention of a few other foreign artists of note, who were attracted to England during the reign of Charles I. Diepenbeck was among the few pupils of Rubens who visited us at this time. Poelemberg was here for a short period. The celebrated John Petitot, who carried the art of enamel to the highest perfection, also came to England, and was knighted by Charles. He remained until the death of the king, and accompanied the exiled family to Paris, where he passed several years in the service of Louis XIV. Gentileschi, a painter of ceilings in Italy, of some reputation, was invited by Vandyke, and worked for the king at Greenwich and for the Duke of Buckingham at York House. He is well known by his picture of Joseph and Potiphar's wife at Hampton Court, which shows him as a fine colourist. He was a native of Pisa. His daughter, Artemisia Gentileschi, was celebrated in Italy as a portrait-painter, and also visited England. Charles sent an invitation to Albano, and the Duke of Buckingham sought to obtain Carlo Maratti, but neither was successful.

In the reign of James I. the line is distinctly drawn between the ancient and modern styles of architecture in England. The history of the former has been pursued to its close in a former chapter,* and we may at once pass to the moment when classical architecture broke upon us with a sudden brilliancy, outshining, for a time, that of any contemporary school of Europe. For this pre-eminence we are indebted to the talents of one man, who, "if a table of fame were to be formed for men of real and indisputable genius in every country, would save England from the disgrace of not having her representative among the arts. She adopted Holbein and Vandyke; she borrowed Rubens; she produced Inigo Jones. Vitruvius drew up his grammar; Palladio showed him the practice; Rome displayed a theatre worthy of his emulation; and King Charles was ready to encourage, employ, and reward his talents. This is the history of Inigo Jones as a genius."†

Inigo Jones was born in London in 1572. His early history and the progress of his education are somewhat obscure, and as his works (the history of which is in fact the history of architecture during this period) are the principal object of remark, we may pass to the year 1605, when we find him at Oxford, employed in the preparation of a *masque*, on King James's visit to the university, upon which occasion he is mentioned as a "great traveller." This was immediately after his return to his native country from a residence of several years in Italy, where his occupation, as he tells us himself, was to converse with the great masters, and to search out the ruins of ancient buildings, and where he left behind him a strong impression of his genius and talent. The tradition that he designed the grand Piazza at Leghorn, whether well founded or not—and the probabilities are altogether against it—sufficiently proves the high reputation he had acquired in that land of true art. While in Italy he accepted an invitation from Christian, King of Denmark; and his visit to that sovereign, though short, led to his appointment of architect to Prince Henry, which

* The exquisite Venus and Mercury of Correggio, lately placed in our National Gallery, belonged to Charles I. It was in the Orleans gallery, travelled into Italy on the dispersion of that collection by another horde of barbarians, and is now happily restored to us.

* It is necessary here to correct an error in the former Chapter. See the note, Vol ii. p. 848. Kilby, the work of John Thorpe, was the seat of the Lord Chancellor Hatton, in Northamptonshire, and not the mansion of the same name at Bethnal Green.

† Walpole, Anecdotes of Painting, &c.

he received immediately on his return to England.

Inigo Jones had visited Italy at a period when architecture had attained its zenith both of good and evil. Classical architecture had been revived only to be corrupted. It had scarcely been carried beyond the timid though graceful advances of Bramante and Giuliano Sangallo, when Michel Angelo arose, and aimed at originality. His favourite maxim was, "that he who follows must ever remain behind." Supported by the authority of a name so mighty, his daring innovations and affectation of novelty became too much admired and too generally followed. The dregs cast off by the workings of his colossal genius became the inheritance of his imitators; and the insane extravagance of Borromini was but a necessary consequence of Michel Angelo.

But all was not corruption in the schools of Italy. In the hands of Antonio Sangallo, Perruzzi, Sammicheli, Sansovino, Vignola, and, last and greatest, Palladio, classical architecture was reanimated in all its grace and greatness. The study of these great masters in setting up the ancients for their model was not to *imitate*, but to *think* like them. They had before them the works of their Roman predecessors, who had successfully adapted the architecture of the Greeks to their own exigencies; and in a similar spirit, and with no less success, they recast the same elements into new combinations, suggested by the civil, religious, and domestic usages of modern life. Of this school of art, and especially of that branch of it with which the name of Andrea Palladio is worthily identified, Inigo Jones became a follower in the best sense of the term—a follower, *passibus equis*, in the diligence with which he investigated the remains of antiquity, and the discriminating taste with which he applied the knowledge thus acquired.

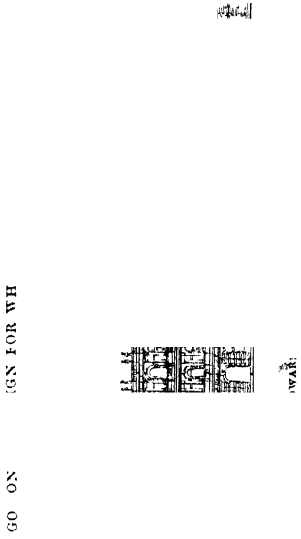
The introduction of the Palladian style into England was not, however, the immediate result of Inigo Jones's first studies abroad. Until the year 1612, when the death of Prince Henry deprived him of his ostensible employment, he was principally occupied upon the masques or pageants which were the amusement of the court, of which he devised the scenery, machinery, and decorations, and Ben Jonson the poetry. When differences arose between these coadjutors at a later period, "Surly Ben" satirized his former friend, whose prosperity in his worldly affairs would seem to be his principal offence, in the dramatic characters of *In-and-in Medley* and *Lantern Leatherhead*; and, coarse as these delineations are, they have their value, as they appear to have preserved to us some traces of the familiar conversation of so great a man.*

On the loss of his post he again visited Italy, where he remained until the office of government surveyor was conferred upon him. In this he soon found employment worthy of his talents. James I. determined to rebuild the palace of Whitehall, and Inigo Jones produced the celebrated design which has contributed more perhaps than his existing works to exalt his name wherever true greatness in art is appreciated. Whatever might be James's own share in originating or promoting this design, his adoption of it alone ought to rescue him from the contemptuous judgment passed upon his taste by Walpole.*

The palace of Whitehall had been the established residence of the sovereign since the reign of Henry VIII., by whom it had been obtained from the see of York, and who greatly enlarged and improved it. At the present period it consisted of an immense aggregation of irregular buildings, extending from Scotland Yard on the north, to Cannon Row on the south, and east and west from the Thames to St. James's Park, on which side it reached as far as what is now the top of Downing Street. Some of its principal localities are still marked by the names of Whitehall, the Privy Garden, and the Cockpit; and portions of the structure are extant in the Treasury buildings and on the banks of the river. The intention of King James was to replace this heterogeneous mass by a regular building; and to this effect Inigo Jones produced his design, extending 874 feet on the east and west sides, and 1152 on the north and south, the interior being distributed round seven courts; and with a subject so vast he was perfectly competent to grapple. Notwithstanding the celebrity of this design, it is doubtful how far any existing representation of it is authentic. That published in Campbell's Vitruvius Britannicus is an undoubted fabrication, and that generally received as the original, and published in the meagre collection of Inigo Jones's designs by Kent, is probably a compilation from his drawings by his son-in-law and disciple, Webb; and to what extent they may have suffered in the hands of the editor is not easily determined. The existing portion of the edifice (the Banqueting House) and its corresponding compartments are by no means happily fitted into their places in this composition; and a style of detail runs through the remainder, especially a flagrant abuse of *rustics*, which it is impossible to attribute to Inigo Jones. But there seems no reason to impugn the general design; and, dimly as it is to be seen through the medium of an engraving obscured with errors, enough is still discernible to assure us that, had it been carried into effect, it would have been the sublimest production of modern architecture, whatever may be the claims of the palaces existing in other countries, Caserta, the Escurial, Versailles, or any other on a commensurate scale. To judge it rightly, it must be considered with reference to the single fragment which was executed, and which has happily been preserved to us unscathed by alteration;—for Jones was no portfolio architect—his beauties, like those of the great Italian masters in whose footsteps he trode, are fully developed

* See Allan Cunningham's Life of Inigo Jones, Family Library.

* Anecdotes of Painting, &c.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only in execution; and it is from the careful study of the profiles that his works derive those graces which are equivalent to the finer touches in music and painting, imperceptible to the vulgar taste, and unattainable by the vulgar artist. Fragment as it is, the Banqueting House alone would be a sufficient foundation for the fame of its author. Its dimensions are such as to stamp it with the character of grandeur, while the simple majesty of the general outline, the picturesque combination of the parts, the harmony of the details, and the tasteful distribution of the ornaments, place it in the highest class of art, and render it equally the admiration of the artist, who traces the mind of the author in his work, and of the uninformed spectator, who is pleased he knows not wherefore.* Its faults may be left to the animadversion of those who may be disposed to criticise it in the spirit with which Benjamin West is said to have *pitied* Titian! But Inigo Jones is at least entitled to be criticised reverentially, and it may be doubted whether a line could be altered without injuring the effect which it was the intention of the architect to produce. To those who may be disposed to investigate more closely the style of this great master, Lyndsay House, in Lincoln's Inn Fields, may afford an instructive lesson—not as being by any means one of his best works—but as it has had the singular fortune to be coupled at a later period with a duplicate of itself, in which its faults have been corrected and its style purified, and which resembles the original as grains resemble malt. The two buildings, as they exist side by side, forcibly illustrate the difference between genius and pedantry; between the art which is felt, and that which is only studied. Perhaps there is no critical balance in which Inigo Jones can be weighed and found wanting. The church of St. Paul, Covent Garden, was the first, and remains the most successful attempt to adapt the pure and unbroken form of an ancient temple to the purposes of a modern church; and whatever merit may attach to adaptations of this sort, requiring no mind and little ingenuity, the palm is still due to Inigo Jones.

In 1633 he undertook the restoration of St. Paul's Cathedral, which appears to have been suffering under the vicissitudes and dilapidations of four centuries. The destruction of the spire by conflagration in 1566 had led to a partial repair of the fabric, but in the eighteenth year of King James its neglected state called loudly for attention. Little, however, was done until Laud became bishop of London, when he applied himself to the work with great zeal, and the king contributed the whole expense of erecting that splendid portico, in allusion to which Lord Burlington said of the present edifice, "When the Jews saw the second temple they wept!"

Inigo Jones has been roundly and justly censured for attaching a classical portico to a Gothic church. But though the solecism be indefensible, it was not without reason that the architect himself considered this portico as the greatest of his works, and that upon which he depended for the perpetuation of his fame to future ages. Setting aside the sumptuousness of the materials which the ancients had at command, Imperial Rome could have boasted of few porticoes by which it was surpassed, and modern Europe has certainly produced none to equal it. It was not, however, for mere idle effect, or from the poverty of imagination which has garnished so many façades with gratuitous porticoes, that this structure was appended to the cathedral. It had its motive, being designed for an ambulatory in place of the nave of the church, which had long formed a place of public resort under the name of Paul's Walk. A dry plan and elevation are the only record by which we can judge of this great work; but when we consider the place occupied by the portico in proportion to the whole front, its bold projection, and the distance to which the point of sight for a general view of it must have been limited (pressed upon as St. Paul's was by the surrounding buildings even after all that had been done to disencumber it), it is not difficult to approach it in imagination, and to view it with the mind's eye casting into the background every discordant object connected with it, and standing forth in single majesty like the pronaos of a Greek temple. Inigo Jones may not, after all, have been so totally devoid of judgment as some of his commentators have assumed, and he perhaps dreamed of a future period when the church would have been better assimilated to his portico.

The foundation of Whitehall may be considered as the point of division between the ancient and modern architecture of England. As the court architect, Inigo became the fashion; and among the mansions of the nobility which continued to rise until the general wreck of the civil war, there are few of any importance upon which he or his scholar Webb were not engaged. His works are numerous and widely scattered, and it is not much to the credit of his country that they have never been collected and illustrated. Kent, the architect, published some of his drawings in a book already referred to; a few of his works are engraved in Ware's Architecture, and others are very indifferently represented in Campbell's Vitruvius Britannicus. Among the best known by these means may be mentioned the gallery of Old Somerset House, Coleshill, in Berkshire, Stoke Park, the Royal House at Greenwich, the additions to Wilton, Cobham, and Castle Ashby;* and Gun-

* "What the Latins call magnificentia and majestas doth not consist alone in the magnitude or massiness of either the material of a building or the whole pile (for then the huge stones lying one on another, called *wrimg-cheeses*, in Cornwall, would be a magnificent structure), but in an artificial decorum or agreeable pulchritude conjoined with greatness of bulk, which two qualities, meeting together in any fabric, cause it to present itself to the eye with a certain twofold gracefulness or majesty that instantly raiseth a sort of respect, and where it is rare and excellent, a kind of delightful wonder also in the beholders."—*Dr. Charleton's Choroa Gigantum.* It would perhaps be difficult to describe the effect of first-rate architecture better than in this quaint passage. It seems written expressly for the Banqueting House.

* Castle Ashby has just been illustrated in Robinson's new Vitru

painted the well-known picture in which the king is represented in three views.* It is said that Bernini, on receiving the picture, was struck with the physiognomy of Charles, which he pronounced to be that of a man doomed to misfortune. The bust was executed, but what became of it is not certainly known.

We must now enter upon the consideration of another department of the fine arts upon which we have not hitherto had occasion to touch, but in which England has confessedly borne away the honours from all Europe,—engraving. So little was done in this art in England previously to the seventeenth century that Vertue professedly begins his Catalogue of Engravers from the year 1600; but a few facts, and the names of several artists who engraved both on wood and copper at an earlier date, are worthy of notice in an historical point of view. Indeed we had engraving as early as printing, since the earliest English printers introduced small plates for their devices, and Caxton's Golden Legend, published in 1483, has many cuts dispersed through the body of the work. The first book that appeared with copper-plates was a medical book published by Thomas Raynalde in 1540, but no engraver's name is affixed to them. The earliest English copper-plate engraver known by name is Thomas Geminus, who executed the plates for another medical book about the end of Henry VIII.'s reign. Before the end of the sixteenth century the English engravers had attained sufficient reputation to be engaged in foreign countries. Some of the plates for Abraham Ortelius's "Theatrum Orbis Terrarum," published at Antwerp in 1570, were executed by Thomas Geminus, and Humfrey Lluyd of Denbighshire. Ortelius himself speaks in high terms of the English engravers, and, besides the above-mentioned, has recorded the names of Antony Jenkinson, who flourished in 1562, and Robert Leeth. "Engraving," observes Walpole, "was in no contemptible condition in England when we had professors worthy of being employed to adorn Flemish editions. Flanders was at that time a capital theatre of arts and learning." Ralph Aggas is famous for his plans and views, especially his great plan of London, executed in the reign of Elizabeth; and to Christopher Saxton we are indebted for the first publication of county maps. George Hoefnagle, Theodore de la Brie, and Elstracke are the most celebrated of the foreigners who flourished here during the same period.

Early in the seventeenth century Crispin Pass, of Utrecht, settled in this country and executed numerous plates. There were several artists of this name, and of the same family, who all engraved with great neatness, one of whom, Simon Pass, was the master of John Payne, the first English engraver whose works merit distinction on the score of art; but he appears to have been of an idle disposition, and to have wasted talents which might have placed him at the head of his profession. Though he enjoyed the patronage of King Charles, he neglected his fame and fortune, and died in indigence before he was forty.

The transcendent talents of Vandyke could not fail to call forth artists worthy to multiply his works by the graver. Robert de Voerst and Luke Vostermans established themselves in England, and are both well known by their admirable transcripts of his works. These engravers appear also to have been the first who executed historical works in England; the latter, especially, did some excellent plates from the collections of the king and the Earl of Arundel.

In the year 1637 England became the adopted country of an engraver who, although he never attained to any great degree of perfection beyond a limited range of art, has yet, by his unwearied industry and the great variety and usefulness of his labours, acquired a distinguished and deserved reputation. This was the indefatigable and ill-used Winceslaus Hollar. He was a native of Prague, and was bred to the law, which he deserted to follow the bent of his genius, and soon distinguished himself by his views of the various cities he visited in his travels. At Cologne he was so fortunate as to meet with the Earl of Arundel, then on his way to the Imperial Court, who took him into his train, and remained his patron and protector as long as he lived. Shortly before the Civil War he was introduced to the service of the royal family, and employed as drawing-master to Prince Charles. It was at this time he engraved several heads after Vandyke, but to the treatment of that master his style was by no means equal.

Hollar's prosperity was fatally affected by the downfall of the royal cause. The Earl of Arundel was compelled to take refuge abroad, and Hollar, after suffering greatly from the fortune of war, made his escape from a prison and joined his patron at Antwerp. After the death of the earl, in 1646, he remained in obscurity till 1652, when he returned to England, and occupied himself during several years upon plates for various books, among which the illustrations of Dugdale's works are well known; but he was so miserably paid, that he could never succeed in raising himself from a state of absolute indigence.* Being sent (after the Restoration) to assist in making a survey of the town and fortifications of Tangier, the government treated him no better than the booksellers; and for a year's labour, attended with infinite danger and difficulty, he obtained no more, after long solicitation and loss of time, than one hundred pounds. His painful and laborious life was extended to the term of seventy years, and ended in misery.

The engravings of Hollar, according to Vertue's

* See ante, p. 110.

* "It has been stated to me," says Vertue, speaking of Hollar's view of Greenwich, one of his long prints in two sheets, "that Stent, the printseller, paid him no more than thirty shillings for the drawing and engraving, which two plates might be worth five times as much, taking advantage of the poor man's necessity in the sickness time, 1665, which put a stop to all works of the kind, and the fire of London happening the year after stagnated all affairs of prints and books, and reduced him to such difficulties as he could never overcome." What would a modern engraver say even to Vertue's estimate?

catalogue, in which they are arranged in fourteen classes, amount to the incredible number of 2384, many of which, moreover, are from his own drawings. His maps, plans, views, churches, and monuments —a mine of information and delight to the English antiquary and topographer—are no less than 840, and his portraits 355. Some of his views are very large: his great view of London is in seven sheets, and extends two yards and a half in length, and several others are on two sheets. In panoramic views of this kind he excelled; but Hollar had little of the painter's feeling, and praise is chiefly due to him as a draughtsman and antiquary, and for the scrupulous fidelity with which he rendered the objects before him. In minute works he is the finished artist. His engraving of muffs has never been equalled as a representation of fur; and his shells from the Arundel collection are no less perfect. Hollar had several scholars, among whom Gaywood is his closest imitator.

The history of engraving may be concluded for the present with the mention of Peter Lombart, a native of Paris, and a very excellent artist. He came to England before 1654, and remained until after the Restoration. He engraved after Vandyke with great success, and is well known by the set of female half-lengths from that master, called "The Lombart Beauties." It is related of this artist that he erased the face from his plate of Charles I. on horseback, in order to insert that of Cromwell, and replaced the king's at the Restoration.

It is remarkable that the period of the commonwealth, so unfavourable to the arts in general, should be illustrated by the most exquisite coinage which has appeared in modern times. This, as already mentioned, was the work of an Englishman, the celebrated Thomas Simon. He was a pupil of Nicolas Briot, a native of Lorraine, engraver to the Mint in the time of Charles I., and succeeded him in his office in 1646. His first known work, the Admiralty seal, dates ten years earlier. In 1648 he executed the parliament seal, and, remaining in his post after the death of the king, has transmitted the features of Oliver Cromwell to posterity on the obverse of the commonwealth money in a style which has never been excelled in modern art, unless by some of the best in the series of papal medals. He was employed to execute the Restoration medals, but was superseded at the Mint in 1662. Being thus thrown out of occupation, he presented a petition to the king, accompanied by a crown piece, which he had executed for the purpose of proving his superiority over the Roetiers, who filled his place, and which is undoubtedly one of the finest specimens of the art of medalling ever produced. Simon is believed to have died of the plague in 1665, nothing being known of him after that time. His elder brother, Abraham Simon, was also a good artist.

Excluding from view the productions of the last fifty years, as not yet ripe for the verdict of history, we may affirm that our National literature, properly so called, that is, whatever of our literature by right of its poetic shape or spirit is to be held as peculiarly belonging to the language and the country, had its noon-day in the space comprehended within the last quarter of the sixteenth and the first of the seventeenth centuries. A splendid afternoon flush also succeeded this meridian blaze, which lasted for a third of a century longer, or down to the Restoration. Paradise Lost, indeed, did not appear till some years after that event; but the poetry of the old age of Milton really did not belong to the time in which it was produced,—the "evil days" of frivolity and imitation on which the poet had fallen: he was of the race of the old giants, and apprehended rightly that he had come "an age too late." The same thing may be said of the prose poetry of Jeremy Taylor, although of those of his writings that were not given to the world till after the Restoration the greatest were actually the produce of the preceding age. Milton, and Taylor, and Sir Thomas Browne, and Cudworth, and Henry More, and Cowley, the most eminent of our English writers in the period from the Restoration to the Revolution (if we except Dryden, the founder of a new school, and Barrow, whose writings, full as they are of thought, have not much of the poetical or untranslatable), were all of them, it is worthy of observation, born before the close of the reign of James I., or within the age which has been just described as the noon-day of our literature. The light of that golden time did not utterly depart so long as any of them lived. A boyhood or youth passed in the days of Shakspeare and Bacon, and a manhood in those of the Great Rebellion, formed a training which could not fail to rear high powers to their highest reach of achievement.

We will now proceed to follow the history of our dramatic literature from the point to which we sketched its rise and progress in the last Book. Both Moral plays, and even the more ancient Miracle plays, continued to be occasionally performed down to the very end of the sixteenth century. One of the last dramatic representations at which Elizabeth was present was a Moral play, entitled 'The Contention between Liberality and Prodigality,' which was performed before her majesty in 1600, or 1601. This production was printed in 1602, and was probably written not long before that time: it has been attributed to Robert Greene, who died in 1592. The only three manuscripts of the Chester Miracle plays now extant were written in 1600, 1604, and 1607, most probably while the plays still continued to be acted. There is evidence that the ancient annual Miracle plays were acted at Tewkesbury at least till 1585, at Coventry till 1591, at Newcastle till 1598, and at Kendal down even to the year 1603.

As has been observed, however, by Mr. Collier, the latest and best historian of the English drama, the Moral plays were enabled to keep possession of the stage so long as they did, partly by means

of the approaches they had for some time been making to a more improved species of composition, "and partly because, under the form of allegorical fiction and abstract character, the writers introduced matter which covertly touched upon public events, popular prejudices, and temporary opinions."* He mentions, in particular, the Moral entitled 'The Three Ladies of London,' printed in 1584, and its continuation, 'The Three Lords and Three Ladies of London,' which appeared in 1590 (both by R. W.), as belonging to this class.

Meanwhile, long before the earliest of these dates, the ancient drama had, in other hands, assumed wholly a new form. Mr. Collier appears to consider the Interludes of John Heywood, the earliest of which must have been written before 1521, as first exhibiting the Moral play in a state of transition to the regular tragedy and comedy. "John Heywood's dramatic productions," he says, "almost form a class by themselves: they are neither Miracle plays nor Moral plays, but what may be properly and strictly called Interludes, a species of writing of which he has a claim to be considered the inventor, although the term interlude was applied generally to theatrical productions in the reign of Edward IV." A notion of the nature of these compositions may be collected from the plot of one of them,—'A Mery Play betwene the Pardoner and the Frere, the Curate and neighbour Pratte,' printed in 1533, of which Mr. Collier gives the following account:—"A pardoner and a friar have each obtained leave of the curate to use his church,—the one for the exhibition of his relics, and the other for the delivery of a sermon, the object of both being the same, that of procuring money. The friar arrives first, and is about to commence his discourse when the pardoner enters and disturbs him: each is desirous of being heard, and, after many vain attempts by force of lungs, they proceed to force of arms, kicking and cuffing each other unmercifully. The curate, galled by the disturbance in his church, endeavours, without avail, to part the combatants; he therefore calls in neighbour Pratte to his assistance, and, while the curate seizes the friar, Pratte undertakes to deal with the pardoner, in order that they may set them in the stocks. It turns out that both the friar and the pardoner are too much for their assailants; and the latter, after a sound drubbing, are glad to come to a composition, by which the former are allowed quietly to depart."† Here, then, we have a dramatic fable, or incident at least, conducted, not by allegorical personifications, but by characters of real life, which is the essential difference that distinguishes the true tragedy or comedy from the mere moral. Heywood's Interludes, however, of which there are two or three more of the same description with this (besides others partaking more of the allegorical character), are all only single acts, or, more properly, scenes, and exhibit, therefore, nothing more than the mere rudiments or embryo of the regular comedy.

* Hist. of Dramatic Poetry, ii. 413. Idem, p. 386.

The earliest English comedy, properly so called, that has yet been discovered, is that of Ralph Roister Doister, the production of Nicholas Udall, an eminent classical scholar in the earlier part of the sixteenth century, and one of the masters, first at Eton, and afterwards at Westminster. Its existence was unknown till a copy was discovered in 1818, which was perhaps not printed earlier than 1566 (for the title-page was gone); but the play is mentioned in Thomas Wilson's 'Rule of Reason,' first printed in 1551, and other considerations make it probable that it may have been written some fifteen or twenty years before.* This hypothesis would carry it back to about the same date with the earliest of Heywood's Interludes; and it certainly was produced while that writer was still alive and in the height of his popularity. It may be observed that Wilson calls Udall's play an interlude, which would therefore seem to have been at this time the common name for any dramatical composition, as indeed it appears to have been for nearly a century preceding. The author himself, however, in his prologue, announces it as a "Comedy, or Interlude," and as an imitation of the classical models of Plautus and Terence.

And, in truth, both in character and in plot, Ralph Roister Doister has every right to be regarded as a true comedy, showing, indeed, in its execution, the rudeness of the age, but in its plan, and in reference to the principle upon which it is constructed, as regular and as complete as any comedy in the language. It is divided into acts and scenes, which very few of the Moral plays are; and, according to Mr. Collier's estimate, the performance could not have been concluded in less time than about two hours and a half, while few of the Morals would require more than about an hour for their representation.† The dramatis personæ are thirteen in all, nine male and four female; and the two principal ones at least, Ralph himself, a vain, thoughtless, blustering fellow, whose ultimately baffled pursuit of the gay and rich widow Custance forms the action of the piece, and his servant, Matthew Merrygreek, a kind of flesh-and-blood representative of the Vice of the old Moral plays, are strongly discriminated, and drawn altogether with much force and spirit. The story is not very ingeniously involved, but it moves forward through its gradual development, and onwards to the catastrophe, in a sufficiently bustling, lively manner; and some of the situations, though the humour is rather farcical than comic, are very cleverly conceived and managed. The language also may be said to be, on the whole, racy and characteristic, if not very polished. A few lines from a speech of one of the widow's handmaidens, Tibet Talkapace, in a conversation with her fellow-servants on the approaching marriage of their masters, may be quoted as a specimen:—

"I hearde our nourse speake of an husband to-day
Ready for our mistresse, a rich man and a gay:

* See Collier, ii. 446. † Idem, p. 451.

And we shall go in our Frenche hoodes every day,
In our silke cassocks (I warrant you) freshe and gay;
In our tricke ferdigews and billiments of golde,
Brave in our sutes of chaunge seven double folde.
Then shall ye see Tibet, sirs, treade the mosse so trimme;
Nay, why sayd I treade? ye shall see her glide and swimme,
Not lumperdee, clumperdee, like our Spanel Rig.

Ralph Roister Doister is in every way a very superior production to Gammer Gurton's Needle, which, before the discovery of Udall's piece, had the credit of being the first regular English comedy. At the same time it must be admitted that the superior antiquity assigned to Ralph Roister Doister is not very conclusively made out. All that we know with certainty with regard to the date of the play is, that it was in existence in 1551. The oldest edition of Gammer Gurton's Needle is dated 1575: but how long the play may have been composed before that year is uncertain. The title-page of the 1575 edition describes it as "played on the stage not long ago in Christ's College in Cambridge;" and Warton, on the authority of what he calls "MSS. Oldys," meaning, apparently, some manuscripts left by Oldys, the eminent antiquary, says that it was written and first printed in 1551.* Wright also, in his *Historia Histrionica*, first printed in 1699, states it as his opinion that it was written in the reign of Edward VI. In refutation of all this it is alleged that "it could not have been produced so early, because John Still (afterwards bishop of Bath and Wells), the author of it, was not born until 1543; and, consequently, in 1552, taking Warton's latest date, would only have been nine years' old."† But the evidence that Bishop Still was the author of Gammer Gurton's Needle is really exceedingly slight. The play is merely stated on the title-page to have been "made by Mr. S., Master of Arts;" but even if there was, as is asserted, no other master of arts of Christ's College whose name began with S. at the time when this title-page was printed, the author of the play is not stated to have been of that College, nor, if he were, is it necessary to assume that he was living in 1575. On the whole, therefore, while there is no proof that Ralph Roister Doister is older than the year 1551, it is by no means certain that Gammer Gurton's Needle was not written in that same year.

This "right pithy, pleasant, and merie comedie," as it is designated on the title-page, is, like Udall's play, regularly divided into acts and scenes, and, like it too, is written in rhyme—the language and versification being, on the whole, perhaps rather more easy and flowing—a circumstance which, more than any external evidence that has been produced, would incline us to assign to it a somewhat later date. But it is in all respects a very tame and poor performance—the plot, if so it can be called, meagre to insipidity and silliness, the characters only a few slightly distinguished varieties of the lowest life, and the dialogue in general as feeble and undramatic as the merest monotony can make it. Its merriment is of the coarsest and most boisterous description, even where it is not otherwise offensive; but the principal ornament wherewith the author endeavours to enliven his style is a brutal filth and grossness of expression, which is the more astounding when we consider that the piece was the production, in all probability, of a clergyman, at least, if not of one who afterwards became a bishop, and that it was certainly represented before a learned and grave university. There is nothing of the same high seasoning in Ralph Roister Doister, though that play seems to have been intended only for the amusement of a common London audience. The Second Act of Gammer Gurton's Needle is introduced by a song,

I cannot eat but little meat,
My stomach is not good, &c.

which is the best thing in the whole play, and which is well known from having been quoted by Warton, who describes it as the earliest chanson à boire, or drinking ballad, of any merit in the language; and observes that "it has a vein of ease and humour which we should not expect to have been inspired by the simple beverage of those times." Instead of this, however, we shall give, as a specimen of the language of Gammer Gurton's Needle, the following introductory speech to the First Act, which is put into the mouth of a character called Diccon the Bedlam,—that is, one of those mendicants who affected a sort of half-madness, and were known by the name of Bedlam Beggars,*—

"Many a myle have I walked, divers and sundry waies,
And many a good man's house have I bin at in my dais:
Many a gossip's cup in my tyme have I tasted,
And many a broche and spyt have I both turned and basted:
Many a peece of bacon have I had out of thir balkes,
In ronnyng over the countrey with long and wete walkes;
Yet came my foote never within those doore cheekes,
To seek flesh or fysh, garlyke, onyons or leekes,
That ever I saw a sorte in such a plyght,
As here within this house appereth to my syght.
There is howlynge and schowlyng, all cast in a dumpe,
With whewling and pewling, as though they had lost a trumpe:
Syghing and sobbing, they wepe and they wayle;
I marvel in my mynd what the devil they ayle.
The olde trot syts groning, with alas, and alas,
And Tib wringes her hands, and takes on in worse case;
With poore Cocke, theyr boye, they be dryven in such fyts
I feare mee the folkes be not well in theyr wyts.
Aske them what they ayle, or who brought them in this staye?
They aunswer not at all, but alacke and welaway!
When I saw it booted not, out at doores I hyed mee,
And caught a slyp of bacon, when I saw none spyed mee,
Which I intend not far hence, unles my purpose fayle,
Shall serve for a shoing horne to draw on two pots of ale."

Probably of earlier date than Gammer Gurton's Needle is another example of the regular drama,

* History of English Poetry, iv. 32. He adds, that it was "soon afterwards acted at Christ's College in Cambridge." And elsewhere (iii. 205) he says, that it was acted in that society about the year 1552. We do not understand how Mr. Collier (ii. 444) collects from a comparison of these two passages that "Warton states in one place that *Gammer Gurton's Needle* was printed in 1551, and in another that it was not written till 1552." Mr. Collier, it may be perceived, is also mistaken in adding, that Warton seems to have had no other evidence for these assertions than the opinion of Wright, the author of the *Historia Histrionica*.

† Collier, ii. 444.

* Diccon is the ancient abbreviation of Richard. It may be noticed that there is an entry in the Stationers' Books of a play entitled *Diccon of Bedlam* under the year 1563, which is in all probability the same piece we are now considering. If so, this fact affords an additional presumption that Gammer Gurton's Needle was printed, or at least written, some years before the date of the earliest edition of it now extant.

which, like Ralph Roister Doister, has been but lately recovered, a play entitled Misogonus, the only copy of which is in manuscript, and is dated 1577. An allusion, however, in the course of the dialogue would seem to prove that the play must have been composed about the year 1560. To the prologue is appended the name of Thomas Rychardes, who has therefore been assumed to be the author. The play, as contained in the manuscript, consists only of the unusual number of four acts, but the story, nevertheless, appears to be completed. For a further account of Misogonus, however, we must refer the reader to Mr. Collier's very elaborate analysis;* only remarking that the piece is written throughout in rhyming quatrains, not couplets, and that the language would indicate it to be of about the same date with Gammer Gurton's Needle. It contains a song, which for fluency and spirit may very well bear to be compared with the drinking song in that drama. Neither in the contrivance and conduct of the plot, however, nor in the force with which the characters are exhibited, does it evince the same free and skilful hand with Ralph Roister Doister, although it is interesting for some of the illustrations which it affords of the manners of the time. One of the dramatis personæ, in particular, who is seldom absent from the stage, Cacurgus, the buffoon or fool kept by the family whose fortunes form the subject of the piece, must, as Mr. Collier remarks, "have been a very amusing character in his double capacity of rustic simpleton and artful mischief-maker." "There are few pieces," Mr. Collier adds, "in the whole range of our ancient drama which display the important character of the domestic fool in anything like so full and clear a light."

If the regular drama thus made its first appearance among us in the form of comedy, the tragic muse was at least not far behind. There is some ground for supposing, indeed, that one species of the graver drama of real life may have begun to emerge rather sooner than comedy out of the shadowy world of the old allegorical representations; that, namely, which was long distinguished from both comedy and tragedy by the name of History, or Chronicle History, consisting, to quote Mr. Collier's definition, "of certain passages or events detailed by annalists put into a dramatic form, often without regard to the course in which they happened; the author sacrificing chronology, situation, and circumstance to the superior object of producing an attractive play."† Of what may be called at least the transition from the moral play to the history we have an example in Bale's lately recovered drama of 'Kynge Johan,'‡ written in all probability some years before the middle of the sixteenth century, in which, while many of the characters are still allegorical abstractions, others are real personages; King John himself, Pope Innocent, Cardinal Pandulphus, Stephen Langton, and other historical figures, moving about in odd intermixture with such mere notional spectres as the Widowed Britannia, Imperial Majesty, Nobility, Clergy, Civil Order, Treason, Verity, and Sedition. The play is accordingly described by Mr. Collier, the editor, as occupying an intermediate place between moralities and historical plays; and "it is," he adds, "the only known existing specimen of that species of composition of so early a date." The other productions that are extant of the same mixed character are all of the latter half of the century; such as that entitled Tom Tiler and his Wife supposed to have been first printed about 1578, although the oldest known edition is a reprint dated 1661; The Conflict of Conscience (called a comedy), by Nathaniel Woodes, minister of Norwich, 1581; &c.*

But the era of genuine tragedies and historical plays had already commenced some years before these last-mentioned pieces saw the light. On the 18th of January, 1562, was "shown before the Queen's most Excellent Majesty," as the title-page of the printed play informs us, "in her Highness' Court of Whitehall, by the Gentlemen of the Inner Temple," the Tragedy of Gorboduc, otherwise entitled the Tragedy of Ferrex and Porrex, the production of Thomas Sackville, afterwards Lord Buckhurst and Earl of Dorset, the same who has been already mentioned as one of the writers of the collection of historical legends in verse entitled The Mirror for Magistrates, and of Thomas Norton, who is said to have been a puritan clergyman, and who had already acquired a poetic reputation, though in a different province of the land of song, as one of the coadjutors of Sternhold and Hopkins in their metrical version of the Psalms. On the title-page of the first edition, printed in 1565, which however was surreptitious, it is stated that the three first acts were written by Norton and the two last by Sackville; and although this announcement was afterwards withdrawn, it was never expressly contradicted, and it is not improbable that it may have a general foundation of truth. It must be confessed, however, that no change of style gives any indication which it is easy to detect of a succession of hands; and that, judging by this criterion, we should rather be led to infer that, in whatever way the two writers contrived to combine their labours, whether by the one retouching and improving what the other had rough-sketched, or by the one taking the quieter and humbler, and the other the more impassioned, scenes or portions of the dialogue, they pursued the same method throughout the piece. Charles Lamb expresses himself "willing to believe that Lord Buckhurst

* Hist. Dram. Poet., ii. 463—481. † Idem, p. 414.
‡ Published by the Camden Society, under the care of Mr. Collier. See vol. ii. p. 726.

* See an account of these and other pieces of the same kind in Collier, Hist. Dram. Poet., ii. 353, &c. In assigning the first publication of Tom Tiler and his Wife to the year 1578, Mr. Collier professes to follow Ritson (Ancient Songs, ii. 31, edit. 1829), who, he observes, was no doubt as correct as usual. But, whatever may have been Ritson's correctness in matters of mere transcription, it is proper to note that in the present case he merely offers a conjecture; so that we are left to depend, not upon his correctness, but upon his sagacity. That very little dependence is to be placed upon that they will feel most who know Ritson best.

supplied the more vital parts."* At the same time he observes that "the style of this old play is stiff and cumbersome, like the dresses of its times;" and that though there may be flesh and blood underneath, we cannot get at it. In truth, Gorboduc is a drama only in form. In spirit and manner it is wholly undramatic. The story has no dramatic capabilities, no evolution either of action or of character, although it affords some opportunities for description and eloquent declamation; and neither was there aught of dramatic power about the genius of Sackville (to whom we may safely attribute whatever is most meritorious in the composition), any more than there was about that of his follower Spenser, illustrious as the latter stands in the front line of the poets of his country and of the world. Gorboduc, accordingly, is a most unaffecting and uninteresting tragedy; as would also be the noblest book of the Fairy Queen, or of Paradise Lost—the portion of either poem that soars the highest—if it were to be attempted to be transformed into a drama by merely being divided into acts and scenes, and cut up into the outward semblance of dialogue. In whatever abundance all else of poetry might be outpoured, the spirit of dialogue and of dramatic action would not be there. Gorboduc, though a dull play, is in some other respects a remarkable production for the time. The language is not dramatic, but it is throughout singularly correct, flowing, and perspicuous; in many parts it is even elevated and poetical; and there are some passages of strong painting not unworthy of the hand to which we owe the Induction to the Legend of the Duke of Buckingham in the Mirror for Magistrates. The piece has accordingly won much applause in quarters where there was little feeling of the true spirit of dramatic writing, as the exposition of passion in action, and where the chief thing demanded in a tragedy was a certain orderly pomp of expression and monotonous respectability of sentiment, to fill the ear, and tranquillise rather than excite and disturb the mind. Sir Philip Sidney, while he finds fault with Gorboduc for its violation of the unities of time and place, declares it to be "full of stately speeches and well-sounding phrases, climbing to the height of Seneca in his style, and as full of notable morality, which it doth most delightfully teach, and so obtain the very end of poesy." It grieves him, he adds, that it is so "very defectuous in the circumstances,"—that is, the unities,—because that must prevent it from remaining for ever "as an exact model of all tragedies."† Rymer terms it "a fable better turned for tragedy than any on this side the Alps;" and affirms that it might have been a better direction to Shakspeare and Ben Jonson than any guide they have had the luck to follow."‡ Pope has delivered his opinion to the like effect, telling us that "the writers of the succeeding age might have improved by copying from this drama a propriety in the sentiments and dignity in the sentences, and an unaffected perspicuity of style, which are essential to tragedy." One peculiarity of the more ancient national drama retained in Gorboduc is the introduction, before every act, of a piece of machinery called the Dumb Show, in which was shadowed forth, by a sort of allegorical exhibition, the part of the story that was immediately to follow. This custom survived on the English stage down to a considerably later date: the reader may remember that Shakspeare, though he rejected it in his own dramas, has introduced the play acted before the King and Queen in Hamlet by such a prefigurative dumb show.

Another expedient, which Shakspeare has also on two occasions made use of, namely, the assistance of a chorus, is also adopted in Gorboduc; but rather by way of mere decoration, and to keep the stage from being at any time empty, as in the old Greek drama, than to carry forward or even to explain the action, as in Henry the Fifth and Pericles. It consists, to quote the description given by Warton, "of Four Ancient and Sage Men of Britain, who regularly close every act, the last excepted, with an ode in long lined stanzas, drawing back the attention of the audience to the substance of what has just passed, and illustrating it by recapitulatory moral reflections and poetical or historical allusions."* These effusions of the chorus are all in rhyme, as being intended to be of the same lyrical character with those in the Greek plays; but the dialogue in the rest of the piece is in blank verse, of the employment of which in dramatic composition it affords the earliest instance in the language. The first experiment in this "strange metre," as it was then called, had been made only a few years before by Lord Surrey, in his translation of the Second and Fourth Books of the Æneid, which was published in 1557, but must have been written more than ten years before, Surrey having been put to death in January, 1547. In the mean time the new species of verse had been cultivated in several original compositions by Nicholas Grimoald, from whom, in the opinion of Warton, the rude model exhibited by Surrey received "new strength, elegance, and modulation.†" Grimoald's pieces in blank verse were first printed in 1557, along with Surrey's translation, in Tollett's "Songs and Sonnets of Uncertain Authors;" and we are not aware that there was any more English blank verse written or given to the world till the production of Gorboduc. In that case Sackville would stand as our third writer in this species of verse; in the use of which, also, he may be admitted to have surpassed Grimoald fully as much as the latter improved upon Surrey. Indeed, it may be said to have been Gorboduc that really established blank verse in the language; for its employment from the time of the appearance of that tragedy became common in dramatic composition, while in other kinds of poetry, notwithstanding two or three early

* Specimens of Eng. Dram. Poets, i 6 (edit. of 1835).
† Defence of Poesy, p. 84. (edit. of 1810.)
‡ Short View of Tragedy, p. 84.

* Hist. Eng. Poet. iv. 181. † Id. iii. 346.

attempts, such as Gascoigne's "Steel Glass," in 1576, Aske's "Elizabetha Triumphans," in 1588, and Vallans's "Tale of Two Swans," in 1590, it never made head against rhyme, nor acquired any popularity, till it was brought into repute by the Paradise Lost, published a full century after Sackville's play. It is remarkable that blank verse is never mentioned or alluded to by Sir Philip Sidney in his Defence of Poetry, which could not have been written more than a few years before 1586, the date of Sidney's death, at the age of thirty-two. Yet he was acquainted with Gorboduc, as it appears; and in one part of his tract he treats expressly on the subject of versification, of which, he says, "there are two sorts—the one ancient, the other modern; the ancient marked the quantity of each syllable, and, according to that, framed his verse; the modern observing only number, with some regard to the accent, the chief life of it standeth in that like sounding of the words, which we call rhyme."* Even in dramatic composition the use of blank verse appears to have been for some time confined to pieces not intended for popular representation. Gorboduc, as we have seen, was brought out before the queen at Whitehall; and, although after that example, Mr. Collier observes, "blank verse was not unfrequently employed in performances written expressly for the court and for representation before select audiences, many years elapsed before this heroic measure without rhyme was adopted on the public stages of London."†

Within a fortnight after the first performance of Gorboduc, it is recorded that another historical play, entitled Julius Cæsar, was acted at court; but of this piece—affording "the earliest instance on record," Mr. Collier apprehends, "in which events from the Roman history were dramatized in English"‡—nothing is known beyond the name. To about the same time, or it may be even a year or two earlier, is probably to be assigned another early drama, founded on the story of Romeo and Juliet; as is inferred from the assertion of Arthur Brooke, in an advertisement prefixed to his poem upon that subject printed in 1562, that he had seen "the same argument lately set forth on the stage." But whether this was a regular tragedy, or only a moral play, we have no data for conjecturing. "From about this date," says Mr. Collier, "until shortly after the year 1570, the field, as far as we have the means of judging, seems to have been pretty equally divided between the later morals, and the earlier attempts in tragedy, comedy, and history. In some pieces of this date (as well as subsequently) we see endeavours made to reconcile or combine the two different modes of writing; but morals afterwards generally gave way, and yielded the victory to a more popular and more intelligible species of performance. The license to James Burbage and others in 1574 mentions comedies, tragedies, interludes, and stage plays; and in the act of common council against their performance in the city, in the following year, theatrical performances are designated as interludes, tragedies, comedies, and shows; including much more than the old miracle-plays, or more recent moral-plays, which would be embraced by the words interludes, shows, and even stage plays, but to which the terms tragedies and comedies, found in both instruments, could not be so properly applicable."* We may add, in order to finish the subject here, that in the license granted by James I., in 1603, to Burbage, Shakspeare, and their associates, they are authorized to play "comedies, tragedies, histories, interludes, morals, pastorals, stage plays, and such other like;" and that exactly the same enumeration is found in the patent granted to the Prince Palatine's players in 1612; in a new patent granted to Burbage's company in 1620;† and also in Charles I.'s patent to Hemings and Condell in 1625. Morals, properly so called, however, had disappeared from the stage long before this last date, though something of their peculiar character still survived in the pageant or masque. It may be observed that there is no mention of morals, any more than of miracle-plays, in the catalogue of the several species of dramatic entertainments which Shakspeare has put into the mouth of Polonius in Hamlet, and in which he seems to glance slyly at the almost equally extended string of distinctions in the royal patents.

Of the greater number of the plays that are recorded to have been produced in the first twenty years after the appearance of Gorboduc, only the names have been preserved, from which it cannot in all cases be certainly determined to what class the piece belonged. From the lists, extracted from the accounts of the Master of the Revels, of those represented before the court between 1568 and 1580, and which no doubt were mostly the same that were exhibited in the common playhouses, it appears probable that, out of fifty-two, about

* Def. of Poesy, p. 98.
† Hist. Dram. Poet. ii. 485.
‡ Id. 415.

* Hist. ii. 417. Mr. Collier adds in a note, as an instance of how the names designating the different kinds of plays were still misapplied, or what vague notions were as yet attached to them, that so late as in 1578, Thomas Lupton called his moral of *All for Money* both a tragedy and a comedy. He calls it in the title "a moral and pitiful comedy," and in the prologue, "a pleasant tragedy," but he seems, nevertheless, to use the words in their common acceptation—meaning by these quaint phrases that the piece is a mixture of tragedy and comedy. The catastrophe is sufficiently tragical; Judas, in the last scene, coming in, says the stage direction "like a damned soul in black, painted with flames of fire and with a fearful vizard," followed by Dives, "with such like apparel as Judas hath;" while Damnation (another of the *dramatis personæ*) pursuing them, drives them before him, and they pass away, "making a pitiful noise," into perdition. A few years before, in like manner, Thomas Preston had called his play of Cambyses, King of Persia, which is a mixture of moral and history, "a lamentable tragedy full of pleasant mirth" on the title-page, and in the running title "A Comedie of King Cambises." Another play of about the same date, and of similar character, that of Appius and Virginia, by R. B., is styled "a tragical comedy." At a still earlier period, both in our own and in other languages, the terms tragedy and comedy were applied to other narrative compositions as well as to those in a dramatic form. The most illustrious instance of such a use of the term comedy is its employment by Dante for the title of his great poem, because—as he has himself expressly told us in his dedication of the Paradise to Cane della Scala, Prince of Verona,—the story, although it began sadly, ended prosperously. Even the narratives in the Mirror for Magistrates, published, as we have seen, in the latter part of the sixteenth century, were still called tragedies.

† See it, printed for the first time, in Collier, i. 416.

eighteen were founded upon subjects of ancient history or fable, twenty-one upon modern history, romances, and stories of a more general kind; and that of the remainder, seven were comedies, and six morals.* "Of these fifty-two dramatic productions," Mr. Collier observes, "not one can be said to have survived, although there may be reason to believe that some of them formed the foundation of plays acted at a later period." Among the very few original plays of this period that have come down to us is one entitled Damon and Pytheas, which was acted before the queen at Christ Church, Oxford, in September, 1566, and was the production of Richard Edwards, who, in the general estimation of his contemporaries, seems to have been accounted the greatest dramatic genius of his day, at least in the comic style. His Damon and Pytheas does not justify their laudation to a modern taste; it is a mixture of comedy and tragedy, between which it would be hard to decide whether the grave writing or the gay is the rudest and dullest. The play is in rhyme, but some variety is produced by the measure or length of the line being occasionally changed. Mr. Collier thinks that the notoriety Edwards attained may probably have been in great part owing to the novelty of his subjects; Damon and Pytheas being one of the earliest attempts to bring stories from profane history upon the English stage. Edwards, however, besides his plays, wrote many other things in verse, some of which have an ease and even an elegance that neither Surrey himself nor any other writer of that age has excelled. Most of these shorter compositions are contained in the miscellany called the Paradise of Dainty Devices, which, indeed, is stated on the title-page to have been "devised and written for the most part" by Edwards, who had, however, been dead ten years when the first edition appeared in 1576. Among them are the very beautiful and tender lines, which have been often reprinted, in illustration of Terence's apophthegm,—

"Amantium iræ amoris redintegratio est;"

or, as it is here rendered in the burthen of each stanza,—

"The falling out of faithful friends renewing is of love."

Edwards, who, towards the end of his life, was appointed one of the gentlemen of the Chapel Royal and master of the queen's singing boys, "united," says Warton, "all those arts and accomplishments which minister to popular pleasantry: he was the first fiddle, the most fashionable sonnetteer, the readiest rhymer, and the most facetious mimic of the court."† Another surviving play produced during this interval is the Tragedy of Tancred and Gismund, founded upon Boccaccio's well-known story, which was presented before Elizabeth at the Inner Temple in 1568, the five acts of which it consists being severally written by five gentlemen of the society, of whom one, the author of act third, was Christopher Hatton, afterwards the celebrated dancing lord chancellor. The play, however, was not printed till 1592, when Robert Wilmot, the writer of the fifth act, gave it to the world, as the title-page declares, "newly revived, and polished according to the decorum of these days." The meaning of this announcement, Mr. Collier conceives to be, that the piece was in the first instance composed in rhyme; but rhymed plays having by the year 1592 gone out of fashion even on the public stage, Wilmot's reviving and polishing consisted chiefly in cutting off many of the "tags to the lines," or turning them differently. The tragedy of Tancred and Gismund, which, like Gorboduc, has a dumb show at the commencement and a chorus at the close of every act, is, he observes, "the earliest English play extant, the plot of which is known to be derived from an Italian novel."* To this earliest stage in the history of the regular drama belong, finally, some plays translated or adapted from the ancient and from foreign languages, which doubtless also contributed to excite and give an impulse to the national taste and genius in this department. There is extant an old English printed version, in rhyme, of the *Andria* of Terence, which, although without date, is believed to have been published before 1530; and the moral, or interlude, called *Jack Juggler*, which is founded upon the Amphitruo of Plautus, appears from internal evidence to have been written in the reign of Edward VI. or Mary, though not printed till after the accession of Elizabeth. These early and very rude attempts were followed by a series of translations of the tragedies of Seneca, all likewise in rhyme, the first of which, the *Troas*, by Jasper Heywood, son of the celebrated John Heywood, was published in 1559; the second, the *Thyestes*, also by Heywood, in 1560; the third, the *Hercules Furens*, by the same hand, in 1561; the fourth, the *Œdipus*, by Alexander Nevyle, in 1563; the fifth and sixth, the *Medea* and the *Agamemnon*, by John Studley, in 1566. The *Octavia*, by Thomas Nuce, was entered on the Stationers' Books in the same year, but no copy of that date is now known to exist. Versions of the *Hippolytus* and the *Hercules Oetaeus* by Studley, and of the *Thebais* by Thomas Newton, were added when the whole were republished together in 1581 under the title of "Seneca his Ten Tragedies translated into English." Of the authors of these translations, Heywood and Studley in particular "have some claim," as Mr. Collier remarks, "to be viewed in the light of original dramatic poets; they added whole scenes and choruses wherever they thought them necessary." But Heywood and his coadjutors in this undertaking do not appear to have had any view of bringing Seneca upon the English stage; nor is it probable that any of their translated dramas were ever acted. In 1566, however, "The Supposes," a prose translation by George

* See the lists in Collier, iii. 24, 25.
† Hist. of Eng. Poet. iv. 110.

* Hist. Dram. Poet. iii. 18.

Gascoigne from *Gli Suppositi* of Ariosto, and another play, in blank verse, entitled "Jocasta," taken from the *Phœnissæ* of Euripides, by Gascoigne and Francis Kinwelmarsh, were both represented at Gray's Inn. The Jocasta was, therefore, the second English play written in blank verse. "It is," says Warton, "partly a paraphrase and partly an abridgment of the Greek tragedy. There are many omissions, retrenchments, and transpositions. The chorus, the characters, and the substance of the story are entirely retained, and the tenor of the dialogue is often preserved through whole scenes. Some of the beautiful odes of the Greek chorus are neglected, and others substituted in their places, newly written by the translators."* These substitutions, however, sometimes display considerable poetic power; and the versification throughout the piece, both in the old metre (in which the choral passages are written) and in the new, flows with a facility and smoothness which, as contrasted with any English verse written twenty years before, marks a rate of progress during that space, in the subsidence of the language into comparative regularity of grammatical and syntactical forms, which is very surprising. Warton remarks, as a proof of the rapidity with which the work of refinement or change went on in the language at this time, that "in the second edition of this play, printed again with Gascoigne's poems in 1587, it was thought necessary to affix marginal explanations of many words, not long before in common use, but now become obsolete and unintelligible." In the present instance this was done, as the author tells us, at the request of a lady, who did not understand "poetical words or terms." But it was a practice occasionally followed down to a much later date. To all the quarto editions, for example, of Joshua Sylvester's metrical translation of Du Bartas (1605, 1608, 1613) there is appended "A brief Index, explaining most of the hardest words scattered through this whole work, for ease of such as are least exercised in those kind of readings." It consists of thirty double-columned pages, and may contain about six hundred words.†

It thus appears that numerous pieces, entitled by their form to be accounted as belonging to the regular drama, had been produced before the year 1580; but nevertheless no dramatic work had yet been written which can be said to have taken its place in our literature, or to have almost any interest for succeeding generations on account of its intrinsic merits and apart from its mere antiquity. The next ten years disclose a new scene. Within that space a crowd of dramatists arose whose writings still form a portion of our living poetry, and present the regular drama, no longer only painfully struggling into the outward shape proper to that species of composition, but having the breath of life breathed into it, and beginning to throb and stir with the pulsations of genuine passion. We can only here shortly notice some of the chief names in this numerous company of our early dramatists, properly so called. One to whom much attention has been recently directed is George Peele, the first of whose dramatic productions, "The Arraignment of Paris," a sort of masque or pageant which had been represented before the queen, was printed anonymously in 1584. But Peele's most celebrated drama is his "Love of King David and Fair Bethsabe," first published in 1599, two or three years after the author's death. This play Mr. Campbell has called "the earliest fountain of pathos and harmony that can be traced in our dramatic poetry;" and he adds, "there is no such sweetness of versification and imagery to be found in our blank verse anterior to Shakspeare."* David and Bethsabe was, in all probability, written not anterior to Shakspeare, but after he had been at least six or seven years a writer for the stage, and had produced perhaps ten or twelve of his plays, including some of those in which, to pass over all other and higher things, the music of the verse has ever been accounted the most perfect and delicious. We know at least that the Midsummer Night's Dream, Romeo and Juliet, the Merchant of Venice, Richard II., King John, and Richard III. were all written and acted at least, if not all printed, before Peele's play was given to the world.† But, independently of this consideration, it must be admitted that the best of Peele's blank verse, though smooth and flowing, and sometimes tastefully decorated with the embellishments of a learned and imitative fancy, is alike deficient in richness or even variety of modulation, and without any pretensions to the force and fire of original poetic genius. It may be true, nevertheless, as is conceded by Mr. Collier, one of the modern critics with whom Peele has not found so much favour as with Mr. Campbell and his late editor Mr. Dyce, that "he had an elegance of fancy, a gracefulness of expression, and a

Hist. Eng. Poet. iv. 197.

† Most of these are proper names; many others are scientific terms. Among the explanations are the following:—*Annals*, Histories from year to year.—*Anchises' pheere*, Venus (*pheere* itself is not explained, and may therefore be supposed to have been still in common use).—*Bacchanalian frows*, Women-priests of Bacchus, the God of Cups.—*Barr-geese* and *Barnacles*, a kind of fowls that grow of rotten trees and broken ships.—*Demain*, possessions of inheritance, time out of mind continued in the possession of the lord.—*Duel*, single combat.—*Metaphysical*, supernatural.—*Poetasters*, base, counterfeit, unlearned, witless, and wanton poets, that pester the world either with idle vanities or odious villanies.—*Patagons*, Indian cannibals, such as eat man's flesh.—*Scaliger, Josephus*, now living, a Frenchman admirable in all languages for all manner of learning (so in edition of 1613, though Jos. Scaliger died in 1609). These explanatory vocabularies are sometimes, also, found appended to prose works of the sixteenth and seventeenth centuries. Mr Hallam, in a note to his Introduction to the Literature of Europe, vol. iii. p. 653, has observed that, in Pratt's edition of Bishop Hall's works, we have a glossary of obsolete or unusual words employed by him, which amount to more than 1100, some of which are Gallicisms, but the greater part of Latin or Greek origin. This book was published after the Restoration. By that time we see the difficulty ordinary readers had was, to understand the old words that were going out of fashion; whereas, that of their ancestors, in the days of Elizabeth and James, was to understand the new words that were flowing so fast into their mother-tongue. This little circumstance is very curiously significant, not only of the opposite directions in which the language was moving at the two periods, but of the difference, also, in other respects between an age of advancement and hope, and one of weariness, retrogression, and decrepitude.

* Spec. of Eng. Poet. i. 140.

† This is established by the often quoted passage in Meres's *Wit's Treasury*, published in 1598, in which these and others of Shakspeare's plays are enumerated.

melody of versification which, in the earlier part of his career, was scarcely approached."* Another of Peele's pieces, entitled "The Old Wives' Tale, a Pleasant conceited Comedy," printed in 1595, has excited some curiosity from a resemblance it bears in the story, though in little or nothing else, to Milton's Masque of Comus.† Contemporary with Peele was Robert Greene, most notorious as the writer of a multitude of prose tales and other pamphlets, chiefly controversial, or rather satirical, in which torrents of scurrility are poured out with considerable fluency and liveliness, but also the author of five plays, besides one written in conjunction with a friend. Greene died in 1592, and he appears only to have begun to write for the stage about 1587. Mr. Collier thinks that, in facility of expression, and in the flow of his blank verse, he is not to be placed below Peele. But Greene's most characteristic attribute is his turn for merriment, of which Peele in his dramatic productions shows little or nothing. His comedy, or farce rather, is no doubt usually coarse enough, but the turbid stream flows at least freely and abundantly. Among his plays is a curious one on the subject of the History of Friar Bacon and Friar Bungay, which is supposed to have been written in 1588 or 1589, though first published in 1594. This, however, is not so much a story of diableric as of mere legerdemain, mixed, like all the rest of Greene's pieces, with a good deal of farcical incident and dialogue; even the catastrophe, in which one of the characters is carried off to hell, being so managed as to impart no supernatural interest to the drama.

Of a different and far higher order of poetical and dramatic character is another play of this date upon a similar subject, the Tragical History of the Life and Death of Doctor Faustus, by Christopher Marlow. Marlow died at an early age in 1593, the year after Greene, and three or four years before Peele. He had been a writer for the stage at least since 1586, in which year, or before, was brought out the play of *Tamburlaine the Great*, his claim to the authorship of which has been conclusively established by Mr. Collier, who has further shown that this was the first play written in blank verse that was exhibited on the public stage.‡ "Marlow's mighty line" has been celebrated by Ben Jonson in his famous verses on Shakspeare; but Drayton, the author of the Polyolbion, has extolled him in the most glowing description,—in words the most worthy of the theme:—

> Next Marlow, bathed in the Thespian springs,
> Had in him those brave translunary things
> That the first poets had: his raptures were
> All air and fire, which made his verses clear;
> For that fine madness still he did retain
> Which rightly should possess a poet's brain.*

Marlow is, by nearly universal admission, our greatest dramatic writer before Shakspeare. He is frequently, indeed, turgid and bombastic, especially in his earliest play, Tamburlaine the Great, which has just been mentioned, where his fire, it must be confessed, sometimes blazes out of all bounds and becomes a mere wasting conflagration—sometimes only raves in a furious storm of sound, filling the ear without any other effect. But in his fits of truer inspiration, all the magic of terror, pathos, and beauty flashes from him in streams. The gradual accumulation of the agonies of Faustus, in the concluding scene of that play, as the moment of his awful fate comes nearer and nearer, powerfully drawn as it is, is far from being one of those coarse pictures of wretchedness that merely oppress us with horror: the most admirable skill is applied throughout in balancing that emotion by sympathy and even respect for the sufferer,—

> - for he was a scholar once admired
> For wondrous knowledge in our German schools,—

and yet without disturbing our acquiescence in the justice of his doom; till we close the book, saddened, indeed, but not dissatisfied, with the pitying but still tributary and almost consoling words of the Chorus on our hearts,—

> Cut is the branch that might have grown full straight,
> And burned is Apollo's laurel bough
> That sometime grew within this learned man.

Still finer, perhaps, is the conclusion of another of Marlow's dramas,—his tragedy of Edward II. "The reluctant pangs of abdicating royalty in Edward," says Charles Lamb, "furnished hints which Shakspeare scarce improved in his Richard II.; and the death-scene of Marlow's king moves pity and terror beyond any scene, ancient or modern, with which I am acquainted."† Much splendour of poetry, also, is expended upon the delineation of Barabas, in the Rich Jew of Malta; but "Marlow's Jew," as Lamb has observed, "does not approach so near to Shakspeare's (in the Merchant of Venice) as his Edward II." We are more reminded of some of Barabas's speeches by the magnificent declamation of Mammon in Jonson's Alchymist.

Marlow, Greene, and Peele are the most noted names among those of our dramatists who belong exclusively to the age of Elizabeth; but some others that have less modern celebrity may perhaps be placed at least on the same line with the two latter. John Lyly, the Euphuist, as he is called, has been already mentioned in the preceding Book in connexion with the prose literature

* Mr. Hallam's estimate is, perhaps, not quite so high: "Peele has some command of imagery, but in every other quality it seems to me that he has scarce any claim to honour; and I doubt if there are three lines together in any of his plays that could be mistaken for Shakspeare's . . . The versification of Peele is much inferior to that of Marlowe; and though sometimes poetical, he seems rarely dramatic."—Lit. of Eur. ii. 378.

† This was first pointed out by Isaac Reed in the appendix to his edition of Baker's Biographia Dramatica, 1782, vol. ii. p. 441. The subject has been examined at length by Warton in his edition of the Minor Poems of Milton, pp. 135, 136; and again, pp. 575—577. (2nd Edit. Lon. 1791). He observes, "That Milton had an eye on this ancient drama, which might have been the favourite of his early youth, perhaps may be at least affirmed with as much credibility as that he conceived the *Paradise Lost* from seeing a mystery at Florence, written by Andrelin, a Florentine, in 1617, entitled *Adamo*."

‡ Hist. Dram. Poet. iii. pp. 107—126.

* Elegy, "To my dearly beloved friend Henry Reynolds, of Poets and Poesy."

† Spec. of Eng. Dram. Poets, i. 31.

of the period.* As a poet he is, in his happiest efforts, elegant and fanciful; but his genius was better suited for the lighter kinds of lyric poetry than for the drama. He is the author of nine dramatic pieces, but of these seven are in prose, and only one in rhyme and one in blank verse. All of them, according to Mr. Collier, "seem to have been written for court entertainments, although they were also performed at theatres, most usually by the children of St. Paul's and the Revels." They were fitter, it might be added, for beguiling the listlessness of courts than for the entertainment of a popular audience, athirst for action and passion, and very indifferent to mere ingenuities of style. All poetical readers, however, remember some songs and other short pieces of verse with which some of them are interspersed, particularly a delicate little anacreontic in that entitled Alexander and Campaspe, beginning—

> Cupid and my Campaspe played
> At cards for kisses, &c.

Mr. Collier observes that Malone must have spoken from a very superficial acquaintance with Lyly's works when he contends that his plays are comparatively free from those affected conceits and remote allusions that characterise most of his other productions. Thomas Kyd, the author of the two plays of *Jeronimo* and the *Spanish Tragedy* (which is a continuation of the former), besides a translation of another piece from the French, appears to be called "Sporting Kyd" by Jonson, in his verses on Shakspeare, in allusion merely to his name. There is, at least, nothing particularly sportive in the little that has come down to us from his pen. Kyd was a considerable master of language; but his rank as a dramatist is not very easily settled, seeing that there is much doubt as to his claims to the authorship of by far the most striking passages in the Spanish Tragedy, the best of his two plays. Lamb, quoting the scenes in question, describes them as "the very salt of the old play, which, without them," he adds, "is but a *caput mortuum*." It has been generally assumed that they were added by Ben Jonson, who certainly was employed to make some additions to this play; and Mr. Collier attributes them to him as if the point did not admit of a doubt—admitting, however, that they represent Jonson in a new light, and that "certainly there is nothing in his own entire plays equalling in pathetic beauty some of his contributions to *The Spanish Tragedy*." Nevertheless, it does not seem to be perfectly clear that the supposed contributions by another hand might not have been the work of Kyd himself. Lamb says, "There is nothing in the undoubted plays of Jonson which would authorise us to suppose that he could have supplied the scenes in question. I should suspect the agency of some 'more potent spirit.' Webster might have furnished them. They are full of that wild, solemn, preternatural cast of grief which bewilders us in the Duchess of Malfy." The last of these early dramatists we shall notice, Thomas Lodge, who was born about 1556, and began to write for the stage about 1580, is placed by Mr. Collier "in a rank superior to Greene, but in some respects inferior to Kyd." His principal dramatic work is entitled "The Wounds of Civil War, lively set forth in the true Tragedies of Marius and Sylla," and is written in blank verse with a mixture of rhyme. It shows him, Mr. Collier thinks, to have unquestionably the advantage over Kyd as a drawer of character, though not equalling that writer in general vigour and boldness of poetic conception. His blank verse is also much more monotonous than that of Kyd. Another strange drama in rhyme, written by Lodge in conjunction with Greene, is entitled "A Looking-glass for London and England," and has for its object to put down the puritanical outcry against the immorality of the stage, which it attempts to accomplish by a grotesque application to the city of London of the scriptural story of Nineveh. The whole performance, in Mr. Collier's opinion, "is wearisomely dull, although the authors have endeavoured to lighten the weight by the introduction of scenes of drunken buffoonery between 'a clown and his crew of ruffians,' and between the same clown and a person disguised as the devil, in order to frighten him, but who is detected and well beaten." Mr. Hallam, however, pronounces that there is great talent shown in this play, "though upon a very strange canvas."* Lodge, who was an eminent physician, has left a considerable quantity of other poetry besides his plays, partly in the form of novels or tales, partly in shorter pieces, many of which may be found in the miscellany called England's Helicon, from which a few of them have been extracted by Mr. Ellis, in his Specimens. They are, perhaps, on the whole, more creditable to his poetical powers than his dramatic performances. One of his tales, first printed in 1590, under the title of "Rosalynde: Euphues' Golden Legacie, found in his cell at Silextra" (for Lodge was one of Lyly's imitators), is famous as the source from which Shakspeare appears to have taken the story of his *As You Like It*. "Of this production it may be said," observes Mr. Collier, "that our admiration of many portions of it will not be diminished by a comparison with the work of our great dramatist."†

It is worthy of remark, that all these founders and first builders-up of the regular drama in England were, nearly if not absolutely without an exception, classical scholars and men who had received a university education. Nicholas Udal was of Corpus Christi College, Oxford; John Still (if he is to be considered the author of *Gammer Gurton's Needle*) was of Christ's College, Cambridge; Sackville was educated at both universities; so was Gascoigne; Richard Edwards was of Corpus Christi, Oxford; Marlow was of Benet College, Cambridge; Greene, of St. John's, Cambridge;

* See vol. ii. p. 835.

* Literature of Eur. ii. 379.

† Hist. of Dram. Poet., iii. 213.

Peele, of Christ's Church, Oxford; Lyly, of Magdalen College, and Lodge, of Trinity College, in the same university. Kyd was also probably a university man, though we know nothing of his private history. To the training received by these writers the drama that arose among us after the middle of the sixteenth century may be considered to owe not only its form, but in part also its spirit, which had a learned and classical tinge from the first, that never entirely wore out. The diction of the works of all these dramatists betrays their scholarship; and they have left upon the language of our higher drama, and indeed of our blank verse in general, of which they were the main creators, an impress of Latinity, which, it can scarcely be doubted, our vigorous but still homely and unsonorous Saxon speech needed to fit it for the requirements of that species of composition. Fortunately, however, the greatest and most influential of them were not mere men of books and readers of Greek and Latin. Greene, and Peele, and Marlow, all spent the noon of their days (none of them saw any afternoon) in the busiest haunts of social life, sounding in their reckless course all the depths of human experience, and drinking the cup of passion and suffering to the dregs. And of their greater successors, those who carried the drama to its height among us in the next age, while some were also accomplished scholars, all were men of the world—men who knew their brother men by an actual and intimate intercourse with them in their most natural and open-hearted moods, and over a remarkably extended range of conditions. We know, from even the scanty fragments of their history that have come down to us, that Shakspeare, and Jonson, and Beaumont, and Fletcher, all lived much in the open air of society, and mingled with all ranks from the highest to the lowest; some of them, indeed, having known what it was actually to belong to classes very far removed from each other at different periods of their lives. But we should have gathered, though no other record or tradition had told us, that they must have been men of this genuine and manifold experience from their drama alone,—various, and rich, and glowing as that is, even as life itself.

William Shakspeare, born in 1564, is enumerated as one of the proprietors of the Blackfriars Theatre in 1589; is sneered at by Robert Greene, in 1592, in terms which seem to imply that he had already acquired a considerable reputation as a dramatist and a writer in blank verse, though the satirist insinuates that he was enabled to make the show he did chiefly by the plunder of his predecessors;* and in 1598 is spoken of by a critic of the day as indisputably the greatest of English dramatists, both in tragedy and comedy, and as having already produced his Two Gentlemen of Verona, Comedy of Errors, Love's Labours Lost, Love's Labours Won (that is, All's Well that Ends Well), Midsummer Night's Dream, Merchant of Venice, Richard II., Richard III., Henry IV., King John, Titus Andronicus, and Romeo and Juliet.* There is no ground, however, for feeling assured, and indeed it is rather improbable, that we have here a complete catalogue of the plays written by Shakspeare up to this date; nor is the authority of so evidently loose a statement, embodying, it is to be supposed, the mere report of the town, sufficient even to establish absolutely the authenticity of every one of the plays enumerated. It is very possible, for example, that Meres may be mistaken in assigning Titus Andronicus to Shakspeare; and, on the other hand, he may be the author of Pericles, and may have already written that play and some others, although Meres does not mention them. The only other direct information we possess on this subject is, that Titus Andronicus (if we may suppose it to be Shakspeare's) was first published in 1594; Richard II., Richard III., and Romeo and Juliet in 1597; Love's Labours Lost and the First Part of Henry IV. in 1598 (the latter, however, having been entered at Stationers' Hall the preceding year); a "corrected and augmented" edition of Romeo and Juliet in 1599; the Second Part of Henry IV., Henry V., the Midsummer Night's Dream, Much Ado about Nothing, and the Merchant of Venice in 1600 (the last having been entered at Stationers' Hall in 1598); the Second and Third Parts of Henry VI. (if they are by Shakspeare) the same year (but entered at Stationers' Hall in 1594); the Merry Wives of Windsor in 1602 (but entered at Stationers' Hall the year before); Hamlet in 1603 (entered likewise the year before); a second and greatly enlarged edition of Hamlet in 1604; Lear in 1608, and Troilus and Cressida, and Pericles, in 1609 (each being entered the preceding year); Othello not till 1622, six years after the author's death; and all the other plays, namely, The Two Gentlemen of Verona, The Winter's Tale, The Comedy of Errors, King John, All's Well that Ends Well, As You Like It, King Henry VIII., Measure for Measure, Cymbeline, Macbeth, The Taming of the Shrew, Julius Cæsar, Antony and Cleopatra, Coriolanus, Timon of Athens, The Tempest, and Twelfth Night, not till they appeared together, and along with those formerly printed, in the first folio, in 1623. That collection also contained the First Part of Henry VI., of which it may be confidently affirmed Shakspeare never wrote a line.

Such is the sum of the treasure that Shakspeare has left us; but the revolution which his genius wrought upon our national drama is placed in the clearest light by comparing his earliest plays with the best which the language possessed before his time. He has made all his predecessors obsolete. While his Merchant of Venice, and his Midsummer Night's Dream, and his Romeo and Juliet,

* "There is an upstart crow, beautified with our feathers, that, with his tyger's heart wrapt in a player's hide, supposes he is as well able to bombast out a blank verse as the best of you; and being an absolute *Johannes Factotum*, is, in his own conceit, the only *Shakescene* in a country."—*Greene's Groatsworth of Wit*, 1592.

* Palladis Tamia; Wit's Treasury. Being the Second Part of Wit's Commonwealth. By Francis Meres. 1598. p. 282.

and his King John, and his Richard II., and his Henry IV., and his Richard III., all certainly produced, as we have seen, before the year 1598, are still the most universally familiar compositions in our literature, no other dramatic work that had then been written is now popularly read, or familiar to anybody except to a few professed investigators of the antiquities of our poetry. Where are now the best productions even of such writers as Greene, and Peele, and Marlow, and Decker, and Marston, and Webster, and Thomas Heywood, and Middleton? They are to be found among our 'Select Collections of Old Plays,'—publications intended rather for the mere preservation of the pieces contained in them, than for their diffusion among a multitude of readers. Or, if the entire works of a few of these elder dramatists have recently been collected and republished, this has still been done only to meet the demand of a comparatively very small number of curious students, anxious to possess and examine for themselves whatever relics are still recoverable of the old world of our literature. Popularly known and read the works of these writers never again will be; there is no more prospect or probability of this than there is that the plays of Shakspeare will ever lose their popularity among his countrymen. In that sense, everlasting oblivion is their portion, as everlasting life is his. In one form only have they any chance of again attracting some measure of the general attention—namely, in the form of such partial and very limited exhibition as Lamb has given us an example of in his 'Specimens.' And herein we see the first great difference between the plays of Shakspeare and those of his predecessors, and one of the most immediately conspicuous of the improvements which he introduced into dramatic writing. He did not create our regular drama, but he regenerated and wholly transformed it, as if by breathing into it a new soul. We possess no dramatic production anterior to his appearance that is at once a work of high genius and of anything like equably sustained power throughout. Wonderful bursts of poetry there are in many of the pieces of our earlier dramatists; but the higher they soar in one scene, the lower they generally seem to think it expedient to sink in the next. Their great efforts are made only by fits and starts: for the most part it must be confessed that the best of them are either merely extravagant and absurd, or do nothing but trifle or dose away over their task with the expenditure of hardly any kind of faculty at all. This may have arisen in part from their own want of judgment or want of painstaking, in part from the demands of a very rude condition of the popular taste; but the effect is to invest all that they have bequeathed to us with an air of barbarism, and to tempt us to take their finest displays of successful daring for mere capricious inspirations, resembling the sudden impulses of fury by which the listless and indolent man of the woods will sometimes be roused on the instant from his habitual laziness and passiveness to an exhibition of superhuman strength and activity. From this savage or savage-looking state our drama was first redeemed by Shakspeare. Even Milton has spoken of his "wood-notes wild;" and Thomson, more unceremoniously, has baptized him "wild Shakspeare,"*—as if a sort of half insane irregularity of genius were the quality that chiefly distinguished him from other great writers. If he be a "wild" writer, it is in comparison with some dramatists and poets of succeeding times, who, it must be admitted, are sufficiently tame: compared with the dramatists of his own age and of the age immediately preceding,—with the general throng of the writers from among whom he emerged, and the coruscations of whose feebler and more desultory genius he has made pale,—he is distinguished from them by nothing which is more visible at the first glance than by the superior regularity and elaboration that mark his productions. Marlow, and Greene, and Kyd, may be called wild, and wayward, and careless; but the epithets are inapplicable to Shakspeare, by whom, in truth, it was that the rudeness of our early drama was first refined, and a spirit of high art put into it, which gave it order and symmetry as well as elevation. It was the union of the most consummate judgment with the highest creative power that made Shakspeare the miracle that he was,—if, indeed, we ought not rather to say that such an endowment as his of "the vision and the faculty divine" necessarily implied the clearest and truest discernment as well as the utmost productive energy,—even as the most intense heat must illuminate as well as warm. But, undoubtedly, his dramas are distinguished from those of his predecessors by much more than merely this superiority in the general principles upon which they are constructed. Such rare passages of exquisite poetry, and scenes of sublimity or true passion, as sometimes brighten the dreary waste of their productions, are equalled or excelled in almost every page of his;—"the highest heaven of invention," to which they ascend only in far distant flights, and where their strength of pinion never sustains them long, is the familiar home of his genius. Other qualities, again, which charm us in his plays are nearly unknown in theirs. He first informed our drama with true wit and humour. Of boisterous, uproarious, blackguard merriment and buffoonery there is no want in our earlier dramatists, nor of mere gibing and jeering and vulgar personal satire; but of true airy wit there is little or none. In the comedies of Shakspeare the wit plays and dazzles like dancing light. This seems to have been the excellence, indeed, for which he was most admired by his contemporaries; for quickness and felicity of repartee they placed him above all other playwriters. But his humour was still more his own than his wit. In that rich but delicate and subtle spirit of drollery, moistening and softening whatever it touches like a gentle oil, and penetrating

* Is not wild Shakspeare thine and Nature's boast?
Thomson's Summer.

through all enfoldings and rigorous encrustments into the kernel of the ludicrous that is in everything, which mainly created Malvolio, and Shallow, and Slender, and Dogberry, and Verges, and Bottom, and Lancelot, and Launce, and Costard, and Touchstone, and a score of other clowns, fools, and simpletons, and which, gloriously overflowing in Falstaff, makes his wit exhilarate like wine, Shakspeare has had almost as few successors as he had predecessors. Sterne is, of modern English writers, the one who has come nearest to him in this quality. It is often said that the drama should be a faithful picture or representation of real life; or, if this doctrine be given up in regard to the tragic or more impassioned drama, because even kings and queens in the actual world never do declaim in the pomp of blank verse, as they do on the stage, still it is insisted that in comedy no character is admissible that is not a transcript,—a little embellished perhaps,—but still substantially a transcript from some genuine flesh and blood original. But Shakspeare has shown that it belongs to such an imagination as his to create in comedy, as well as in tragedy or in poetry of any other kind. Most of the characters that have just been mentioned are as purely the mere creations of the poet's brain as are Ariel, or Caliban, or the Witches in Macbeth. If any modern critic will have it that Shakspeare must have actually seen Malvolio, and Launce, and Touchstone, before he could or at least would have drawn them, we would ask the said critic if he himself has ever seen such characters in real life; and if he acknowledge, as he needs must, that he never has, we would then put it to him to tell us why the contemporaries of the great dramatist might not have enjoyed them in his plays without ever having seen them elsewhere, just as we do,—or, in other words, why such delineations might not have perfectly fulfilled their dramatic purpose then as well as now, when they certainly do not represent anything that is to be seen upon earth, any more than do Don Quixote and Sancho Panza. There might have been professional clowns and fools in the age of Shakspeare such as are no longer extant; but at no time did there ever actually exist such fools and clowns as his. These and other similar personages of the Shakspearian drama are as much mere poetical phantasmata as are the creations of the kindred humour of Cervantes. But are they the less amusing or interesting on that account?—do we the less sympathise with them?—nay, do we feel that they are the less naturally drawn?—that they have for us less of a truth and life than the most faithful copies from the men and women of the real world? But in these, too, there is no other drama so rich as that of Shakspeare. He has exhausted the old world of our actual experience as well as imagined for us new worlds of his own.* What other anatomist of the human heart has ever searched its hidden core, and laid bare all the strength and weakness of our mysterious nature, as he has done in the gushing tenderness of Juliet, and the "fine frenzy" of the discrowned Lear, and the sublime melancholy of Hamlet, and the wrath of the perplexed and tempest-torn Othello, and the eloquent misanthropy of Timon, and the fixed hate of Shylock? What other poetry has given shape to anything half so terrific as Lady Macbeth, or so winning as Rosalind, or so full of gentlest womanhood as Desdemona? In what other drama do we behold so living a humanity as in his? Who has given us a scene either so crowded with diversities of character, or so stirred with the heat and hurry of actual existence? The men and the manners of all countries and of all ages are there: the lovers and warriors, the priests and prophetesses of the old heroic and kingly times of Greece,—the Athenians of the days of Alcibiades and Pericles,—the proud patricians and turbulent commonalty of the earliest period of republican Rome,—Cæsar, and Brutus, and Cassius, and Antony, and Cleopatra, and the other splendid figures of that later Roman scene,—the kings and queens, and princes and courtiers of barbaric Denmark, and Roman Britain, and Britain before the Romans,—those of Scotland in the time of the English Heptarchy,—those of England and France at the era of Magna Charta,—all ranks of the people of almost every reign of our subsequent history from the end of the fourteenth to the middle of the sixteenth century,—not to speak of Venice, and Verona, and Mantua, and Padua, and Illyria, and Navarre, and the Forest of Arden, and all the other towns and lands which he has peopled for us with their most real inhabitants. But Shakspeare is not a mere dramatist. Apart altogether from his dramatic power he is the greatest poet that ever lived. His sympathy is the most universal, his imagination the most plastic, his diction the most expressive, ever given to any writer. His poetry has in itself the power and varied excellencies of all other poetry. While in grandeur, and beauty, and passion, and sweetest music, and all the other higher gifts of song, he may be ranked with the greatest,—with Spenser, and Chaucer, and Milton, and Dante, and Homer,—he is at the same time more nervous than Dryden, and more sententious than Pope, and almost more sparkling and of more abounding conceit, when he chooses, than Donne, or Cowley, or Butler. In whose handling was language ever such a flame of fire as it is in his? His wonderful potency in the use of this instrument would alone set him above all other writers. Language has been called the costume of thought: it is such a costume as leaves are to the tree or blossoms to the flower, and grows out of what it adorns. Every great and original writer accordingly has distinguished, and as it were individualised, himself as much by his diction as by even the sentiment which it embodies; and the invention of such a distinguishing style is one of the most unequivocal evidences of genius. But

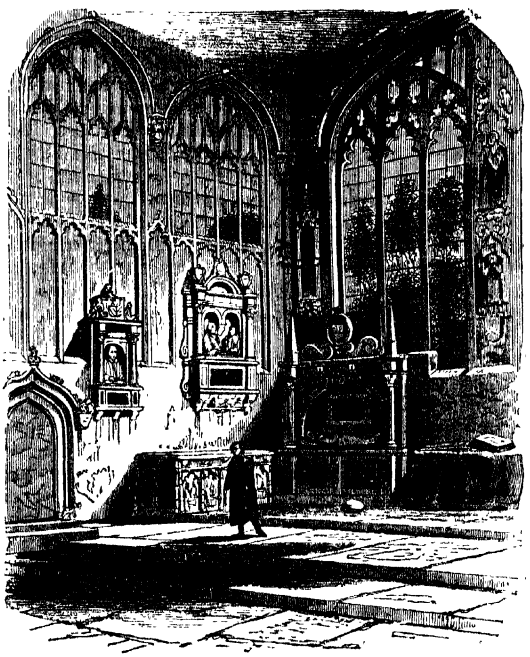
* Each change of many-coloured life he drew,
Exhausted worlds, and then imagined new.
Johnson.

Shakspeare has invented twenty styles. He has a style for every one of his great characters, by which that character is distinguished from every other as much as Pope is distinguished by his style from Dryden, or Milton from Spenser.

Shakspeare died in 1616. The space of a quarter of a century, or more, over which his career as a writer for the stage extends, is illustrated also by the names of a crowd of other dramatists, many of them of very remarkable genius; but Shakspeare is distinguished from the greater number of his contemporaries nearly as much as he is from his immediate predecessors. With regard to the latter it has been well observed, by a late critic of eminent justness and delicacy of taste, that while they "possessed great power over the passions, had a deep insight into the darkest depths of human nature, and were, moreover, in the highest sense of the word, poets, of that higher power of creation with which Shakspeare was endowed, and by which he was enabled to call up into vivid existence all the various characters of men, and all the events of human life, Marlow and his contemporaries had no great share,—so that their best dramas may be said to represent to us only gleams and shadowings of mind, confused and hurried actions, from which we are rather led to guess at the nature of the persons acting before us, than instantaneously struck with a perfect knowledge of it; and even amid their highest efforts, with them the fictions of the drama are felt to be but faint semblances of reality. If we seek for a poetical image,—a burst of passion,—a beautiful sentiment,—a trait of nature,—we seek not in vain in the works of our very oldest dramatists. But none of the predecessors of Shakspeare must be thought of along with him, when he appears before us like Prometheus, moulding the figures of men, and breathing into them the animation and all the passions of life."* "The same," proceeds this writer, "may be said of almost all his illustrious contemporaries. Few of them ever have conceived a consistent character, and given a perfect drawing and colouring of it: they have rarely, indeed, inspired us with such belief in the existence of their personages as we often feel towards those of Shakspeare, and which makes us actually unhappy unless we can fully understand everything about them, so like are they to living men. . . . . The plans of their dramas are irregular and confused,—their characters often wildly distorted,—and an air of imperfection and incompleteness hangs in general over the whole composition;—so that the attention is wearied out,—the interest flags,—and we rather hurry on, than are hurried, to the horrors of the final catastrophe."† In other words, the generality of the dramatic writers who were contem-

* Analytical Essays on the Early English Dramatists, in Blackwood's Magazine (understood to be by the late Henry Mackenzie), vol ii. p 657.

† Ibid.



SHAKSPEARE'S BURIAL PLACE AND MONUMENT, STRATFORD-UPON-AVON CHURCH.

From an Original Drawing.

porary with Shakspeare still belong to the semi-barbarous school which subsisted before he began to write.

George Chapman was born six or seven years before Shakspeare, but did not begin to write for the stage till about the year 1595, after which he produced sixteen plays that have survived, besides one in the composition of which he was assisted by Ben Jonson and Marston, and two others in which he joined Shirley. One anonymous play, The Second Maiden's Tragedy (printed for the first time in 1824), and five others that are lost, have also been attributed to him. All these pieces were probably produced before the year 1620; and he died in 1634. Chapman's best-known, and probably also his best plays, are his tragedy of Bussy d'Ambois, printed in the third volume of Dilk's Old Plays (1814), his comedy of Monsieur d'Olive, in the same collection, and his comedies of All Fools, the Widow's Tears, and Eastward Hoe (the last the piece in which he was assisted by Jonson and Marston), in Dodsley's collection.* "Of all the English play-writers," says Lamb, "Chapman perhaps approaches nearest to Shakspeare in the descriptive and didactic,—in passages which are less purely dramatic. Dramatic imitation was not his talent. He could not go out of himself, as Shakspeare could shift at pleasure, to inform and animate other existences, but in himself he had an eye to perceive and a soul to embrace all forms."† Besides his dramas, Chapman is the author of various poetical works, of which his translations of the Iliad and the Odyssey are by far the greatest. "He would have made a great epic poet," continues Lamb, "if, indeed, he has not abundantly shown himself to be one; for his Homer is not so properly a translation as the stories of Achilles and Ulysses re-written. The earnestness and passion which he has put into every part of these poems would be incredible to a reader of mere modern translations. His almost Greek zeal for the honour of his heroes is only paralleled by that fierce spirit of Hebrew bigotry with which Milton, as if personating one of the zealots of the old law, clothed himself when he sat down to paint the acts of Samson against the uncircumcised. The great obstacle to Chapman's translations being read is their unconquerable quaintness. He pours out in the same breath the most just and natural and the most violent and forced expressions. He seems to grasp whatever words come first to hand during the impetus of inspiration, as if all other must be inadequate to the divine meaning. But passion (the all in all in poetry) is everywhere present, raising the low, dignifying the mean, and putting sense into the absurd. He makes his readers glow, weep, tremble, take any affection which he pleases, be moved by words, or in spite of them, be disgusted and overcome that disgust." Chapman's Homer is worthy of this fine tribute. Few writers have been more copiously inspired with the genuine frenzy of poetry—with that "fine madness," which, as Drayton has said in his lines on Marlow, "rightly should possess a poet's brain." Indeed, in the character of his genius, out of the province of the drama, Chapman bears a considerable resemblance to Marlow, whose unfinished translation of Musæus's Hero and Leander he completed. With more judgment and more care he might have given to his native language, in his version of the Iliad, one of the very greatest of the poetical works it possesses. But what, except the most extreme irregularity and inequality,—a rough sketch rather than a finished performance,—was to be expected from his boast of having translated half the poem—namely, the last twelve books—in fifteen weeks? Yet, rude and negligent upon the whole as it is, Chapman's is by far the most Homeric Iliad we yet possess. The enthusiasm of the translator for his original is uncompromising to a degree of the ludicrous. "Of all books," he exclaims in his Preface, "extant in all kinds, Homer is the first and best;" and in the same spirit, in quoting a passage from Pliny's Natural History in another portion of his preliminary matter, he proceeds first to turn it into verse, "that no prose may come near Homer." In spite, however, of all this eccentricity, and of a hurry and impetuosity which betray him into many mistranslations, and, on the whole, have the effect perhaps of giving a somewhat too tumultuous and stormy representation of the Homeric poetry, the English into which Chapman transfuses the meaning of the mighty ancient is often singularly and delicately beautiful. He is the author of nearly all the happiest of the compound epithets which Pope has adopted, and of many others equally musical and expressive. "Far-shooting Phœbus,"—"the ever-living gods,"—"the many-headed hill,"—"the ivory-wristed queen,"—are a few of the felicitous combinations with which he has enriched his native tongue. Carelessly executed, indeed, as the work for the most part is, there is scarcely a page of it that is not irradiated by gleams of the truest poetic genius. Often in the midst of a long paragraph of the most chaotic versification, the fatigued and distressed ear is surprised by a few lines,—or it may be sometimes only a single line,—"musical as is Apollo's lute,"—and sweet and graceful enough to compensate for ten times as much ruggedness. Such, for instance, is the following version of part of the description of the visit paid by Ulysses and his companions to the shrine of Apollo at Chrysa, in the First Book:—

—— The youths crowned cups of wine
Drank off, and filled again to all: that day was held divine,
And spent in paeans to the sun; who heard with pleased ear:
When whose bright chariot stooped to sea, and twilight hid the clear,
All soundly on their cables slept, even till the night was worn;
And when the Lady of the Light, the rosy-fingered morn,
Rose from the hills, all fresh arose, and to the camp retired,
While Phœbus with a fore-right wind their swelling bark inspired.

And here are a few more verses steeped in the

* The Comedy of All Fools appeared for the first time in the second (Reed's) edition of Dodsley.

† Specimens, i. 107.

same liquid beauty from the catalogue of the ships in the second Book :—

> Who dwelt in Pylos' sandy soil, and Arene* the fair,
> In Thryon near Alpheus' flood, and Aepy full of air,
> In Cyparisseus, Amphygen, and little Pteleon,
> The town where all the Eleots dwelt, and famous Doreon;
> Where all the Muses, opposite, in strife of poesy,
> To ancient Thamyris of Thrace, did use him cruelly:
> He coming from Eurytus' court, the wise Oechalian king,
> Because he proudly durst affirm he could more sweetly sing
> Than that Pierian race of Jove, they, angry with his vaunt,
> Bereft his eyesight and his song, that did the ear inchant,
> And of his skill to touch his harp disfurnished his hand:—
> All these in ninety hollow keels grave Nestor did command.

Almost the whole of this Second Book, indeed, is admirably translated: in the harangues, particularly, of Agamemnon and the other generals, in the earlier part of it, all the fire of Homer burns and blazes in English verse.

Webster, Middleton, Decker, Marston, Robert Tailor, Tourneur, and Rowley, may also be reckoned among the dramatic writers of considerable note who were the contemporaries of Shakspeare, though most, or all, of them survived him, and none of them began to write so early as he did. John Webster is said to have been parish clerk of St. Andrew's, Holborn, and a member of the Merchant Tailors' Company. Of four dramatic pieces of which he is the sole author, besides two comedies which he wrote in conjunction with Rowley, and other two in which he assisted Decker, his tragedies of The White Devil, and The Duchess of Malfy, are the most celebrated. The character of Vittoria Corombona, the White Devil, is drawn with great spirit; and the delineation of the Duchess of Malfy displays not only remarkable power and originality of imagination, but a dramatic skill and judgment which perhaps no one of the other writers we have named along with Webster has anywhere matched. None of them has either so little extravagance, or so much of the true terrific. "To move a horror skilfully," says Lamb,—"to touch a soul to the quick,—to lay upon fear as much as it can bear,—to wean and weary a life till it is ready to drop, and then step in with mortal instruments to take its last forfeit,—this only a Webster can do. Writers of an inferior genius may 'upon horror's head horrors accumulate,' but they cannot do this."† Webster seems to have been a slow writer, which it may be presumed few of his contemporaries were. In an advertisement prefixed to his White Devil, he says, "To those who report I was a long time in finishing this tragedy, I confess I do not write with a goose-quill winged with two feathers; and, if they will needs make it my fault, I must answer them with that of Euripides to Alcestides, a tragic writer. Alcestides objecting that Euripides had only in three days composed three verses, whereas himself had written three hundred; thou tell'st truth, quoth he; but here's the difference—thine shall only be read for three days, whereas mine shall continue three ages." It will be seen, from this passage, that Webster was not wanting in a due sense of his own merits; he seems also to have had a sufficient contempt for the public taste of his day, or at least for that of the ordinary audiences of the theatre where his piece had been brought out; "I have noted," he says, "most of the people that come to that play-house resemble those ignorant asses who, visiting stationers' shops, their use is not to inquire for good books, but new books;" and he adds, "Should a man present to such an auditory the most sententious tragedy that ever was written, observing all the critical laws, as height of style and gravity of person,—enrich it with the sententious Chorus, and, as it were, enliven death in the passionate and weighty Nuntius; yet, after all this divine rapture, ... the breath that comes from the uncapable multitude is able to poison it." We cannot discern in all this the modesty which Mr. Lamb so much praises.* Neither does Webster greatly shine as a critic of the performances of others in a subsequent paragraph of his advertisement or preface, in which he gives us his opinion of some of his contemporaries:—"I have ever," he observes, "truly cherished my good opinion of other men's worthy labours, especially of that full and heightened style of Master Chapman; the laboured and understanding works of Master Jonson; the no less worthy composures of the most worthily excellent Master Beaumont and Master Fletcher; and lastly, without wrong last to be named, *the right happy and copious industry of Master Shakspeare, Master Decker, and Master Heywood.*" All this may be frank enough, as Lamb calls it, but it is certainly not particularly discriminating. Thomas Middleton is the author, in whole or in part, of between twenty and thirty dramatic pieces, his associates in those which he did not write entirely himself being Decker, Rowley, Jonson, Fletcher, and Massinger. One of his plays, a comedy called The Old Law, which he wrote in conjunction with Rowley (and which was afterwards improved by Massinger), appears to have been acted so early as 1599; and another was published in 1602. The greater number of his pieces are comedies, and, compared with most of his contemporaries, he has a good deal of comic talent; but his most noted dramatic production is his tragi-comedy of The Witch, which remained in manuscript till a small impression of it was printed, in 1778, by Isaac Reed, after it had been suggested by Steevens that it had pro-

* This name is incorrectly accented, but Pope has copied the error. Warton had a copy of Chapman's translation which had belonged to Pope, and in which the latter had noted many of the interpolations of his predecessor, of whom, indeed, as Warton remarks, a diligent observer will easily discern that he was no careless reader. —*Hist. Eng. Poet.* iv. 272. In the Preface to his own Iliad, Pope has allowed to Chapman "a daring fiery spirit that animates his translation, which is something like what one might imagine Homer himself might have writ before he arrived to years of discretion." Dryden has told us also that Waller used to say he never could read it without incredible transport. In a note upon Warton, by the late Mr. Park, it is stated that "Chapman's own copy of his translation of Homer, corrected by him throughout for a future edition, was purchased for five shillings from the shop of Edwards, by Mr. Steevens, and at the sale of his books, in 1800, was transferred to the invaluable library of Mr. Heber." Chapman's Iliad, in a complete form, was first printed without date, but certainly after the accession of James I., to whose son, Prince Henry, it is dedicated. The Odyssey was published in 1614.

† Specimens, i. 234.

* Specimens, i. 236.

bably been written before Macbeth, and might have been the source from which Shakspeare borrowed his Witches in that play. The commentators would have everything, in Shakspeare and everybody else, to be borrowed or stolen: they have the genius and the zeal of thief-catchers in ferreting out and exposing all transferences among writers, real and imaginary, of thoughts, words, and syllables; and in the present case, as in many others, their professional ardour seems to have made a great deal out of very little. Lamb, in an admirable criticism, has pointed out the essential differences between the witches of Shakspeare and those of Middleton;* from whose play, however, Shakspeare appears to have taken a few lines of his incantations; unless, indeed—which we think not improbable—the verses in question were common popular rhymes, preserved among the traditions of the nursery or the country fireside. Middleton's witches have little of the supernatural awfulness of Shakspeare's. "Their names, and some of the properties," as Lamb observes, "which Middleton has given to his hags, excite smiles. The Weird Sisters are serious things. Their presence cannot co-exist with mirth. But, in a lesser degree, the witches of Middleton are fine creations. Their power, too, is, in some measure, over the mind. They raise jars, jealousies, strifes, *like a thick scurf o'er life.*" Still another and lower species of witch—"the plain, traditional, old woman witch, of our ancestors," as Lamb has called her, "poor, deformed, and ignorant; the terror of villages, herself amenable to a justice," is the heroine of the tragi-comedy of the The Witch of Edmonton, the joint production of Rowley, Ford, and Decker. Thomas Decker was the author of, or a contributor to, more than thirty plays in all, nearly two-thirds of which, however, have perished. He has not much high imagination, but considerable liveliness of fancy. His best pieces are his comedies of Old Fortunatus and The Honest Whore; and his spirited Satiromastix, the principal character in which, Horace Junior, is a humorous caricature of Ben Jonson, who had previously ridiculed Decker upon the stage, in Crispinus, the hero of his satirical comedy of The Poetaster. John Marston is the author of eight plays, and appears to have enjoyed in his own day a great reputation as a dramatist. He is to be classed, however, with Sackville and Chapman, as having more poetical than dramatic genius; although he has given no proof of a creative imagination equal to what is displayed in the early poetry of the former, and the best of Chapman's is instinct with a divinier fire. But he is, nevertheless, a very imposing declaimer in verse. Besides his plays, Marston published two volumes of poetry: the second, by which he is best known, a collection of satires, in three books, entitled "The Scourge of Villainy," a set of very vigorous and animated Juvenalian chants. Of Robert Tailor nothing is known, except that he is the author of one play, a comedy, entitled The Hog hath lost his Pearl, which was acted in 1613, and published the following year. It is reprinted in Dodsley's Collection, and Mr. Lamb has extracted from it the most interesting scenes, which, however, derive their interest rather from the force of the situation (one that has been turned to better account in other hands) than from anything very impressive in its treatment. The merit of a perspicuous style is nearly all that can be awarded to this writer. Cyril Tourneur is known as the author of two surviving dramas—The Revenger's Tragedy, and The Atheist's Tragedy, besides a tragi-comedy, called The Nobleman, which is lost.* The Revenger's Tragedy, in particular, which is reprinted in Dodsley's Collection, both in the development of character and the conduct of the action evinces a rare dramatic skill, and the dialogue in parts is wonderfully fine—natural and direct as that of real passion, yet ennobled by the breathing thoughts and burning words of a poetic imagination,—by images and lines that plough into the memory and the heart. William Rowley, whose co-operation in the Witch of Edmonton with Decker and Ford has been already noticed, owes the greater part of his reputation to his having been taken into partnership, in the composition of some of their pieces, by Middleton, Webster, Massinger and other writers more eminent than himself; but he has also left us a tragedy and three comedies of his own. He has his share of the cordial and straightforward manner of our old dramatists; but not a great deal more that is of much value. Of the style of his comedy a judgment may be formed from the fact, recorded by Langbaine, that certain of the scenes of one of his pieces, "A Shoemaker 's a Gentleman," used to be commonly performed by the strolling actors at Bartholomew and Southwark fairs. Though he appears to have begun to write at least in association with others, some ten years before the death of Shakspeare, Rowley probably survived the middle of the century. So, also, may we suppose, did Thomas Heywood, the most rapid and voluminous of English writers, who appears to have written for the stage as early as 1596, but whose last-published piece, written in conjunction with Rowley, was not printed till 1655.† Heywood, according to his own account, in an Address to the Reader prefixed to the tragi-comedy of The English Traveller, published in 1633, had then, as he phrases it, "had either an entire hand, or, at the least, a main finger," in the incredible number of two hundred and twenty dramatic productions! "True it is," he adds, "that my plays are not exposed unto the world in volumes, to bear the title of Works, as others. One reason is that

Specimens, i. 187.

* Drake, in his work entitled Shakspeare and his Times (vol. ii. p. 570), speaks of The Nobleman as if he had read it—telling us that it, as well as Tourneur's two tragedies, contains "some very beautiful passages and some entire scenes of great merit." In fact, the play is believed never to have been printed; but a manuscript copy of it was in the collection of Mr. Warburton, the Somerset herald, which was destroyed by his cook.

† See Dodsley's Old Plays, Edit. of 1826; vii. 218 and 222.

many of them, by shifting and change of companies, have been negligently lost; others of them are still retained in the hands of some actors, who think it against their peculiar profit to have them come in print; and a third, that it never was any great ambition in me to be in this kind voluminously read." Besides his plays, too, Heywood, who was an actor, and engaged in the practice of his profession for a great part of his life, wrote numerous other works, several of them large volumes in quarto and folio. Among them are a translation of Sallust; a folio volume entitled "The Hierarchy of the Blessed Angels;" a "General History of Women;" and another work entitled "Nine Books of Various History concerning Women," a folio of between four and five hundred pages, which, in a Latin note on the last page, he tells us was all excogitated, written, and printed in seventeen weeks. Of his plays above twenty are still extant,—about a tithe of the prodigious litter. Two of them, his tragedy of A Woman Killed with Kindness, and his historical play of The Four 'Prentices of London, are in Dodsley; and three more, his tragi-comedies of The English Traveller, The Royal King and Loyal Subject, and A Challenge for Beauty, are in Dilk's Collection. Lamb has very happily characterised Heywood in a few words: "Heywood is a sort of *prose* Shakspeare. His scenes are to the full as natural and affecting. But we miss *the poet*, that which in Shakspeare always appears out and above the surface of *the nature*." His plays, however, are for the greater part in verse, which at least has ease of flow enough; and he may be styled not only a prose Shakspeare, but a more poetical Richardson. If he has not quite the power of Lillo in what has been called the domestic tragedy, which is the species to which his best pieces belong, he excels that modern dramatist both in facility and variety.*

But the names of the dramatic writers of the present period that hold rank the nearest to Shakspeare still remain to be mentioned. Those of Beaumont and Fletcher must be regarded as indicating one poet rather than two, for it is impossible to make anything of the contradictory accounts that have been handed down as to their respective shares in the plays published in their conjoint names, and the plays themselves furnish no evidence that is more decisive. The only ascertained facts relating to this point are the following:—that John Fletcher was about ten years older than his friend Francis Beaumont, the former having been born in 1576, the latter in 1585; that Beaumont, however, as far as is known, came first before the world as a writer of poetry, his translation of the story of Salmacis and Hermaphroditus, from the Fourth Book of Ovid's Metamorphoses, having been published in 1602, when he was only in his seventeenth year; that the Masque of the Inner Temple and Gray's Inn (consisting of only a few pages), produced in 1612, was written by Beaumont alone; that the pastoral drama of the Faithful Shepherdess is entirely Fletcher's; that the first-published of the pieces which have been ascribed to the two associated together, the comedy of The Woman-Hater, appeared in 1607; that Beaumont died in March, 1616; and that, between that date and the death of Fletcher, in 1625, there were brought out, as appears from the note-book of Sir Henry Herbert, Deputy Master of the Revels, at least eleven of the plays found in the collection of their works, besides two others that were brought out in 1626, and two more that are lost. Deducting the fourteen pieces which thus appear certainly to belong to Fletcher exclusively (except that in one of them, the Maid in the Mill, he is said to have been assisted by Rowley), there still remain thirty-seven or thirty-eight which it is possible they may have written together in the nine or ten years over which their poetical partnership is supposed to have extended.* Eighteen of Beaumont and Fletcher's plays, including the Masque by the former and the Pastoral by the latter, were published separately before 1640; thirty-four more were first published together in a folio volume in 1647; and the whole were reprinted, with the addition of a comedy, supposed to have been lost (The Wild Goose Chase),† making a collection of fifty-three pieces in all, in another folio, in 1679. Beaumont and Fletcher want altogether that *white heat* of passion by which Shakspeare fuses all things into life and poetry at a touch, often making a single brief utterance flash upon us a full though momentary view of a character, which all that follows deepens and fixes, and makes the more like to actual seeing with the eyes and hearing with the ears. His was a deeper, higher, in every way more extended and capacious, nature than theirs. They want his profound meditative philosophy as much as they do his burning poetry. Neither have they avoided nearly to the same degree that he has done the degradation of their fine gold by the intermixture of baser metal. They have given us all sorts of writing, good, bad, and indifferent, in abundance. Without referring in particular to what we now deem the indecency and licentiousness which pollutes all their plays, but which, strange to say, seems not to have been looked upon in that light by anybody in their own age, simply because it is usually wrapped in very transparent *double entendre*, they might, if judged by nearly one-half

* Mr. Hallam (Introd to Lit. of Eur. iii. 618) states that between forty and fifty plays are ascribed to Heywood; in fact, only twenty-six existing plays have been ascribed to him, and only twenty-three can be decisively said to be his. (See Dodsley, edit. of 1826, vii. 218, *et seq.*) Mr. Hallam is also not quite correct in elsewhere stating (ii. 382) that Heywood's play of A Woman Killed with Kindness bears the date of 1600, and in speaking of it as certainly his earliest production. The earliest known edition, which is called the third, is dated 1617; and the earliest notice of the play being acted is in 1603. Two other plays, the First and Second parts of The Death of Robert Earl of Huntingdon, otherwise called Robin Hood, which have been ascribed to Heywood, were published in 1601. But there is some doubt as to his claim to these pieces.

* One, the comedy of the Coronation, is also attributed to Shirley.

† This play, one of the best of Fletcher's comedies, for it was not produced till some years after Beaumont's death, had been previously recovered and printed by itself in 1652.

of all they have left us, be held to belong to almost the lowest rank of our dramatists instead of to the highest. There is scarcely one of their dramas that does not bear marks of haste and carelessness, or of a blight in some part or other from the playhouse tastes or compliances to which they were wont too easily to give themselves up when the louder applause of the day and the town made them thoughtless of their truer fame. But fortunately, on the other hand, in scarcely any of their pieces is the deformity thus occasioned more than partial: the circumstances in which they wrote have somewhat debased the produce of their fine genius, but their genius itself suffered nothing from the unworthy uses it was often put to. It springs up again from the dust and mud as gay a creature of the elements as ever, soaring and singing at heaven's gate as if it had never touched the ground. Nothing can go beyond the flow and brilliancy of the dialogue of these writers in their happier scenes; it is the richest stream of real conversation, edged with the fire of poetry. For the drama of Beaumont and Fletcher is as essentially poetical and imaginative, though not in so high a style, as that of Shakspeare; and they, too, even if they were not great dramatists, would still be great poets. Much of their verse is among the sweetest in the language; and many of the lyrical passages, in particular, with which their plays are interspersed, have a diviner soul of song in them than almost any other compositions of the same class. As dramatists they are far inferior to Shakspeare, not only, as we have said, in striking development and consistent preservation of character,—in other words, in truth and force of conception,—but also both in the originality and the variety of their creations in that department; they have confined themselves to a comparatively small number of broadly distinguished figures, which they delineate in a dashing, scene-painting fashion, bringing out their peculiarities rather by force of situation, and contrast with one another, than by the form and aspect with which each individually looks forth and emerges from the canvass. But all the resources of this inferior style of art they avail themselves of with the boldness of conscious power, and with wonderful skill and effect. Their invention of plot and incident is fertile in the highest degree; and in the conduct of a story for the mere purposes of the stage,—for keeping the attention of an audience awake and their expectation suspended throughout the whole course of the action,—they excel Shakspeare, who, aiming at higher things, and producing his more glowing pictures by fewer strokes, is careless about the mere excitement of curiosity, whereas they are tempted to linger as long as possible over every scene, both for that end, and because their proper method of evolving character and passion is by such delay and repetition of touch upon touch. By reason principally of this difference, the plays of Beaumont and Fletcher, in the great days of the stage, and so long as the state of public manners tolerated their licence and grossness, were much greater favourites than those of Shakspeare in our theatres; two of theirs, Dryden tells us, were acted in his time for one of Shakspeare's; their intrigues,—their lively and florid but not subtle dialogue,—their strongly-marked but somewhat exaggerated representations of character,—their exhibitions of passion, apt to run a little into the melodramatic,—were more level to the general apprehension, and were found to be more entertaining, than his higher art and grander poetry. Beaumont and Fletcher, as might be inferred from what has already been said, are, upon the whole, greater in comedy than in tragedy; and they seem themselves to have felt that their genius led them more to the former,—for, of their plays, only ten are tragedies, while their comedies amount to twenty-four or twenty-five, the rest being what were then called tragi-comedies—in many of which, however, it is true, the interest is, in part at least, of a tragic character, although the story ends happily.† But, on the other hand, all their tragedies have also some comic passages; and, in regard to this matter, indeed, their plays may be generally described as consisting, in the words of the prologue to one of them,* of

"Passionate scenes mixed with no vulgar mirth."

Undoubtedly, taking them all in all, they have left us the richest and most magnificent drama we possess after that of Shakspeare; the most instinct and alive both with the true dramatic spirit and with that of general poetic beauty and power; the most brilliantly lighted up with wit and humour; the freshest and most vivid as well as various picture of human manners and passions; the truest mirror, and at the same time the finest embellishment, of nature.

Ben Jonson was born in 1574, or two years before Fletcher, whom he survived twelve years, dying in 1637. He is supposed to have begun to write for the stage so early as 1593; but nothing that he produced attracted any attention till his comedy of Every Man in his Humour was brought out at the Rose Theatre in 1596. This play, greatly altered and improved, was published in 1598; and between that date and his death Jonson produced above fifty more dramatic pieces in all, of which ten are comedies, three what he called comical satires, only two tragedies, and all the rest masques, pageants, or other court entertainments. His two tragedies of Sejanus and Catiline are admitted on all hands to be nearly worthless; and his fame rests almost entirely upon his first comedy, his three subsequent comedies of Volpone or The Fox, Epicoene

* The Custom of the Country.

† The following definition of what was formerly understood by the term tragi-comedy, or tragic-comedy, is given by Fletcher in the preface to his Faithful Shepherdess:—"A tragic-comedy is not so called in respect of mirth and killing, but in respect it wants deaths (which is enough to make it no tragedy): yet brings some near to it (which is enough to make it no comedy): which [*viz.* tragic-comedy] must be a representation of familiar people, with such kind of trouble as no life can be without; so that a god is as lawful in this as in a tragedy; and mean people as in a comedy."

or The Silent Woman, and The Alchemist, his court masques, and a pastoral entitled The Sad Shepherd, which was left unfinished at his death. Ben Jonson's comedies admit of no comparison with those of Shakspeare or of Beaumont and Fletcher: he belongs to another school. His plays are professed attempts to revive, in English, the old classic Roman drama, and aim in their construction at a rigorous adherence to the models afforded by those of Plautus, and Terence, and Seneca. They are admirable for their elaborate art, which is, moreover, informed by a power of strong conception of a decidedly original character; they abound both in wit and eloquence, which in some passages rises to the glow of poetry; the figures of the scene stand out in high relief, every one of them, from the most important to the most insignificant, being finished off at all points with the minutest care; the dialogue carries on the action, and is animated in many parts with the right dramatic reciprocation; and the plot is in general contrived and evolved with the same learned skill, and the same attention to details, that are shown in all other particulars. But the execution, even where it is most brilliant, is hard and angular; nothing seems to flow naturally and freely; the whole has an air of constraint, and effort, and exaggeration; and the effect that is produced by the most arresting passages is the most undramatic that can be,—namely, a greater sympathy with the performance as a work of art than as anything else. It may be added that Jonson's characters, though vigorously delineated, and though not perhaps absolutely false to nature, are most of them rather of the class of her occasional excrescences or eccentricities than samples of any general humanity; they are the oddities and perversions of a particular age or state of manners, and have no universal truth or interest. What is called the humour of Jonson consists entirely in the exhibition of the more ludicrous kinds of these morbid aberrations: like everything about him, it has force and raciness enough, but will be most relished by those who are most amused by dancing bears and other shows of that class. It seldom or never makes the heart laugh, like the humour of Shakspeare,—which is, indeed, a quality of altogether another essence. As a poet, Jonson is greatest in his masques and other court pageants. The airy elegance of these compositions is a perfect contrast to the stern and rugged strength of his other works; the lyrical parts of them in particular have often a grace and sportiveness, a flow as well as a finish, the effect of which is very brilliant. Still, even in these, we want the dewy light and rich, coloured irradiation of the poetry of Shakspeare and Fletcher: the lustre is pure and bright, but at the same time cold and sharp, like that of crystal. In Jonson's unfinished pastoral of The Sad Shepherd there is some picturesque description and more very harmonious verse, and the best parts of it (much of it is poor enough) are perhaps in a higher style than anything else he has written; but to compare it, as has sometimes been done, either as a poem or as a drama, with The Faithful Shepherdess of Fletcher, seems to us to evince a deficiency of true feeling for the highest things, equal to what would be shown by preferring, as has also been done by some critics, the humour of Jonson to that of Shakspeare. Fletcher's pastoral, blasted as it is in some parts by fire not from heaven, is still a green and leafy wilderness of poetical beauty; Jonson's, deformed also by some brutality more elaborate than anything of the same sort in Fletcher, is at the best but a trim garden, and, had it been ever so happily finished, would have been nothing more.

After Shakspeare, Beaumont and Fletcher, and Jonson, the next great name in our drama is that of Philip Massinger, who was born in 1584, and is supposed to have begun to write for the stage soon after 1606, although his first published play, his tragedy of The Virgin Martyr, in which he was assisted by Decker, did not appear till 1622. Of thirty-eight dramatic pieces which he is said to have written, only eighteen have been preserved; eight others were in the collection of Mr. Warburton, which his servant destroyed. Massinger, like Jonson, had received a learned education, and his classic reading has coloured his style and manner; but he had scarcely so much originality of genius as Jonson. He is a very eloquent writer, but has little either of high imagination or pathos, and still less wit or comic power. He could rise, however, to a vivid conception of a character moved by some single aim or passion; and he has drawn some of the darker shades of villany in particular with great force. His Sir Giles Overreach, in A New Way to Pay Old Debts, and his Luke, in The City Madam, are perhaps his most successful delineations in this style. In the conduct of his plots, also, he generally displays much skill. In short, all that can be reached by mere talent and warmth of susceptibility he has achieved; but his province was to appropriate and decorate rather than to create.

John Ford, the author of about a dozen plays that have survived, and one of whose pieces is known to have been acted so early as 1613, has one quality, that of a deep pathos, perhaps more nearly allied to high genius than any Massinger has shown; but the range of the latter in the delineation of action and passion is so much more extensive, that we can hardly refuse to regard him as the greater dramatist. Ford's blank verse is not so imposing as Massinger's; but it has often a delicate beauty, sometimes a warbling wildness and richness, beyond anything in Massinger's fuller swell.

The only other name that remains to be mentioned to complete our sketch of the great age of the English drama, is that of James Shirley, born about the year 1594, and whose first play, the comedy of The Wedding, was published in 1629. He is the author of about forty dramatic pieces which have come down to us. "Shirley," observes Lamb, "claims a place amongst the

worthies of this period, not so much for any transcendant genius in himself, as that he was the last of a great race, all of whom spoke nearly the same language, and had a set of moral feelings and notions in common. A new language and quite a new turn of tragic and comic interest came in with the Restoration."* Of this writer we shall avail ourselves of the account that has been given, in a few comprehensive words, by Mr. Hallam:—"Shirley has no originality, no force in conceiving or delineating character, little of pathos, and less, perhaps, of wit; his dramas produce no deep impression in reading, and of course can leave none in the memory. But his mind was poetical: his better characters, especially females, express pure thoughts in pure language; he is never tumid or affected, and seldom obscure; the incidents succeed rapidly; the personages are numerous, and there is a general animation in the scenes, which causes us to read him with some pleasure."†

A preface by Shirley is prefixed to the first collection of part of the plays of Beaumont and Fletcher, which, as already mentioned, appeared in 1647. "Now, reader," he says, "in this tragical age, where the theatre hath been so much outacted, congratulate thy own happiness that, in this silence of the stage, thou hast a liberty to read these inimitable plays,—to dwell and converse in these immortal groves,—which were only showed our fathers in a conjuring-glass, as suddenly removed as represented." At this time all theatrical amusements were prohibited; and the publication of these and of other dramatic productions which were their property, or rather the sale of them to the booksellers, was resorted to by the players as a way of making a little money when thus cut off from the regular gains of their profession; the eagerness of the public to possess the said works in print being of course also sharpened by the same cause. Before the commencement of the civil war there appear to have been no fewer than five different companies of public players in London:—1. That called the King's Company (the same that Shakspeare had belonged to), which acted at the Globe, on the Bankside in Southwark, in the summer, and at the Blackfriars Theatre in winter. 2. The Queen's Players, who occupied the Cockpit (or the Phœnix, as it was also called), in Drury Lane, the origin of the present theatre royal there. 3. The Prince's Players, who played at the Fortune Theatre, in Golden or Golding Lane, in the parish of St. Giles, Cripplegate. 4. The Salisbury Court Company. 5. The Children of the Revels, who are supposed to have performed at the theatre called the Red Bull, at the upper end of St. John's Street. It had been usual to shut up the theatres when the plague was in London, with the view of preventing such concourses of the people as it was thought might help to spread the disease, and on such occasions the players were wont to go down and act in the provinces; but their absence from town when protracted beyond a few weeks was very impatiently borne. In May, 1636, when the plague was raging with great violence, an order was issued by the privy council, forbidding the representation of all "stage-plays, interludes, shows, and spectacles;" and the prohibition was not removed till the end of February in the following year. In the mean time, it appears, the craving of the public for their customary enjoyment in one shape, if not in another, had tempted certain booksellers to print a number of plays, surreptitiously procured, as we learn from an edict of the lord chamberlain addressed to the Stationers' Company, in June, 1637, in which he states that complaints to that effect had been made to him by the players, the legal proprietors of those "books of comedies, tragedies, interludes, histories, and the like, which they had (for the special service of his majesty and for their own use) bought and provided at very dear and high rates." The players added, that, by these unfair publications, "not only they themselves had much prejudice, but the books much corruption, to the injury and disgrace of the authors."* At this time the most favourite acting plays were in general carefully withheld from the press by the theatrical companies whose property they were; and the only way in which a perusal of them could be obtained was by paying a considerable sum for a loan of the manuscript or a transcript of it. Humphrey Moseley, the publisher of the collection of Beaumont and Fletcher's plays in 1647, after observing, in his prefatory address, that his charges in bringing out the volume had been very great, seeing that the owners of the manuscripts too well knew their value to make a cheap estimate of any of them, adds, "Heretofore, when gentlemen desired but a copy of any of these plays, the meanest piece here (if any may be called mean where every one is best) cost them more than four times the price you pay for the whole volume." The missing comedy of The Wild Goose Chace had been lost, he tells us, in another passage, by being borrowed from the actors many years before by a person of quality, and, owing to the neglect of a servant, never returned. Sometimes, too, it appears from another of his remarks, an individual actor would write out his part for a private friend, or, probably, for any one who would pay him for it.

The permanent putting down of theatrical entertainments was the act of the Long Parliament. An ordinance of the Lords and Commons passed on the 2nd of September, 1642,—after setting forth that "public sports do not well agree with public calamities, nor public stage-plays with the seasons of humiliation, this being an exercise of sad and pious solemnity, and the other being spectacles of pleasure, too commonly expressing lascivious mirth and levity,"—ordained "that while these sad causes and set times of humiliation do continue, public

* Specimens, ii. 119. † Lit. of Eur. iii. 617.

* See the edict in Chalmers's Apology for the Believers in the Shakspeare Papers, p. 513.

stage-plays shall cease and be forborne." It has been plausibly conjectured that this measure originated, "not merely in a spirit of religious dislike to dramatic performances, but in a politic caution, lest play-writers and players should avail themselves of their power over the minds of the people to instil notions and opinions hostile to the authority of a puritanical parliament."* This ordinance certainly put an end at once to the regular performance of plays; but it is known to have been occasionally infringed; and there is reason to believe that after a few years it began to be pretty frequently and openly disregarded. This would appear to have been the case from a new ordinance of the Lords and Commons published in October, 1647, entitled, "For the better suppression of stage plays, interludes, and common players," by which the lord mayor, justices of the peace, and sheriffs of the city of London and Westminster, and of the counties of Middlesex and Surrey, were authorised and required to enter into all houses and other places within their jurisdiction where stage-plays were acted, and to seize the players and commit them for trial at the next sessions, "there to be punished as rogues, according to law." On the 22nd of January following, however, the House of Commons was informed that many stage-plays were still acted in various places in the city of London and in the county of Middlesex, notwithstanding this ordinance. The subject was then taken up with furious zeal both by Commons and Lords; and, after a great bustle of message-sending, debating, and consulting in committees, an act was agreed upon and published on the 11th of February, 1648, which, after declaring stage-plays, interludes, and common plays to be "condemned by ancient heathens, and much less to be tolerated amongst professors of the Christian religion," and denouncing them as being "the occasion of many and sundry great vices and disorders, tending to the high provocation of God's wrath and displeasure, which lies heavy upon this kingdom, and to the disturbance of the peace thereof," proceeded to ordain—first, that all players should be taken to be rogues within the meaning of the statutes of the 39th of Elizabeth and 7th of James; secondly, that the authorities of the city of London and counties of Middlesex and Surrey should "pull down and demolish, or cause and procure to be pulled down and demolished, all stage galleries, seats, and boxes, erected or used, or which shall be erected or used, for the acting or playing, or seeing acted or played," any species of theatrical performance within their jurisdictions; thirdly, that convicted players should be punished for the first offence with open and public whipping, and, for the second, should be dealt with according to law as incorrigible rogues; fourthly, that all the money collected from the spectators of any stage-plays should be seized for the use of the poor of the parish; and, lastly, that every person present at any such performance should forfeit the sum of five shillings to the use of the poor. Even this severe measure was not perfectly effectual; for, in the following September, we find the House of Commons appointing a provost-marshal, with authority, among other things, "to seize upon all ballad-singers, sellers of malignant pamphlets, and to send them to the several militias, and to suppress stage-plays." And, more than a year after this, namely, in December, 1649, it is noted by Whitelock that "some stage-players in St. John's Street were apprehended by troopers, their clothes taken away, and themselves carried to prison." It appears, also, that in some of the country parts of the kingdom strolling players continued for some years to set the law at defiance, and to be connived at in their disregard of it. As so late a date as February, 1654, it is recorded that plays were performed by a company of strollers at Witney and other places in Oxfordshire.* It is, perhaps, more probable, however, that the statute had only in course of time come to be less rigidly enforced, than that it had been thus violated from the first. We are told by the historians of the stage, that, though the public exhibition of stage-plays in London was effectually put down by the act of 1648, yet the players "still kept together, and, by connivance of the commanding officer at Whitehall, sometimes represented privately a few plays at a short distance from town." They also, it is added, were permitted to act at the country-houses of some of the nobility; and even obtained leave at particular festivals to resume their public performances at the Red Bull. Finally, we are told, "amidst the gloom of fanaticism, and whilst the royal cause was considered as desperate, Sir William Davenant, without molestation, exhibited entertainments of declamation and music, after the manner of the ancients, at Rutland House. He began in the year 1656, and two years afterwards removed to the Cockpit, Drury Lane, where he performed until the eve of the Restoration."† Rutland House was in Charter House Square; and it is said that Davenant's performances there were countenanced by Whitelock, Sir John Maynard, and other persons of influence. At first he called his representations operas; but, at length growing bolder, it is affirmed, he wrote and caused to be acted several regular plays.‡

Of poets of all other kinds except dramatic the industry of Dr. Drake has collected the names of above two hundred and thirty who flourished in the lifetime of Shakspeare, or in the half century preceding the year 1616.§ If the catalogue were to be extended to the Restoration, or over another fifty years, it certainly would not be doubled in length—for that half century was not nearly so

* Collier, Hist. Dram. Poet., ii. 106.

* See the facts connected with the shutting of the theatres for the first time accurately stated in Mr. Collier's History, ii. 104—119.

† View of the Rise and Progress of the English Stage, prefixed to Reed's edition of Baker's Biographia Dramatica, p. xxii. Mr. Collier (ii. 119) says, "The performance of Davenant's 'opera,' as he himself calls it, of *The Siege of Rhodes*, in 1656, is to be looked upon as the first step towards the revival of dramatic performances."

‡ Biog. Dram. ii. 115.

§ Shakspeare and his Times, i. 594—735.

much an age of song as the preceding—but the number of names might probably be raised to not far from four hundred. And of the whole, perhaps, between two and three hundred might be classed as belonging to the period between the accession of James I. and the restoration of Charles II. Of course, out of so numerous a throng, we can here select for notice only a very few of those of the greatest eminence.

The three authors of the poems of most pretension that appeared within the present period, or only a few years before its commencement, are, Warner, Drayton, and Daniel. William Warner is supposed to have been born about the year 1558; he died in 1609. His only known poetical work is his Albion's England, first published in part in 1586, but not in a complete form till 1606. This is, in fact, a legendary history of England from the Deluge to the reign of Elizabeth, written in the old verse of fourteen syllables, and comprised in thirteen books. It was one of the most popular poetical works of its day; and its author was by his contemporaries considered to be as great a poet as Spenser. The form and subject of the poem would account for its popularity, which was perhaps, after all, no greater than that of the Mirror for Magistrates, a work of somewhat the same description, though certainly constructed on a less ambitious plan; but the high admiration that was felt for Warner's poetical powers seems to have been excited principally by his style, which was thought a model of elegance. He is a very unequal writer; but in his happiest passages the expression is certainly wonderfully easy and lucid for that age. Some of his verses, too, without the rudeness, have much of the simplicity and tenderness of the old ballad. On the whole, however, he is but a tame and prosaic writer, and the poetry of the greater part of his work consists chiefly in its rhymes. Michael Drayton, who was born in 1563, and died in 1631, is one of the most voluminous of our old poets, being the author, besides many minor productions, of three works of great length: his Mortimeriados, commonly called his Barons' Wars, on the subject of the civil wars of the reign of Edward II., first printed in 1596; his England's Heroical Epistles, 1598; and his Polyolbion, the first eighteen books of which appeared in 1612, and the whole, consisting of thirty books, and extending to about as many thousand lines, in 1622. This last is the work on which his fame principally rests. It is a most elaborate and minute topographical description of England, written in Alexandrine rhymes; and is a very remarkable work for the varied learning it displays, as well as its poetic merits. The genius of Drayton is neither very imaginative nor very pathetic; but he is an equable and weighty writer, with a sparkling, if not a very warm, fancy. His most graceful poetry, however, is perhaps to be found in some of his shorter pieces—in his Pastorals, his very elegant and lively little poem entitled Nymphidia, or The Court of Fairy, and his verses On Poets and Poesy, in which occur the lines on Marlow that have been quoted above. The great work of Samuel Daniel, who was born in 1562, and died in 1619, is his "Civil Wars between the Two Houses of Lancaster and York," in eight books, the first four published in 1595, the fifth in 1599, the sixth in 1602, and the two last in 1609. He is also the author of various minor poetical productions, of which the principal are a collection of sonnets entitled Delia, a philosophical poem in dialogue entitled Musophilus, and several tragedies and other dramatic pieces, which last are of very small estimation. The language of Daniel has more of a modern air than even that of the best passages of Warner, and he is by much the more equable and generally careful of the two. It must be admitted, too, that, notwithstanding the occasional charm of simple and natural feeling in Warner, Daniel's poetry is altogether of a higher tone and more vigorous animation. The imagination of the one as well as of the other keeps to a very humble flight: but there is often a quiet dignity and easy strength in Daniel's verse to which that of Warner scarcely ever rises. On the whole, of these three contemporaries, while the first rank decidedly belongs to Drayton, Daniel must be placed next to him, and Warner last in order, though perhaps nearer to Daniel than the latter is to Drayton.*

Along with these names, though of somewhat later date, may be mentioned those of the two brothers, Giles and Phineas Fletcher, cousins of the dramatist, and both clergymen. Giles, who died in 1623, is the author of a poem entitled Christ's Victory and Triumph in Heaven and Earth over and after Death, which was published in a quarto volume in 1610. It is divided into four parts, and is written in stanzas somewhat like those of Spenser, only containing eight lines each instead of nine; both the Fletchers, indeed, were professed disciples and imitators of the great author of the Fairy Queen. Phineas, who survived till 1650, published in 1633, along with a small collection of Piscatory Eclogues and other Poetical Miscellanies, a long allegorical poem, entitled The Purple Island, in twelve books or cantos, written in a stanza of seven lines. The idea upon which this performance is founded is one of the most singular that ever took possession of the brain even of an allegorist: the *purple island* is nothing else than the human body, and the poem is, in fact, for the greater part, a system of anatomy, nearly as minute in its details as if it were a scientific treatise, but wrapping up everything in a fantastic guise of double meaning, so as to produce a languid sing-song of laborious riddles, which are mostly unintelligible without the very

* Some notion of the manner of each of these poets may be obtained from the specimens Percy has inserted in his Reliques, of the pastoral or eclogue of Dowsabel, by Drayton (i. 320), the poem of Ulysses and the Syren, by Daniel (i. 328), and the tales of the Patient Countess (i. 311), and Argentile and Curan (ii. 328), by Warner. The extracts from Warner and Daniel, however, are more favourable specimens than that from Drayton, of whose poetry, in either its variety or its highest range, the eclogue of Dowsabel conveys no impression.

knowledge they make a pretence of conveying. After he has finished his anatomical course, the author takes up the subject of psychology, which he treats in the same luminous and interesting manner. Such a work as this has no claim to be considered a poem even of the same sort with the Fairy Queen. In Spenser, the allegory, whether historical or moral, is little more than formal: the poem, taken in its natural and obvious import, as a tale of "knights' and ladies' gentle deeds"—a song of their "fierce wars and faithful loves"—has meaning and interest enough, without the allegory at all, which, indeed, except in a very few passages, is so completely concealed behind the direct narrative, that we may well suppose it to have been nearly as much lost sight of and forgotten by the poet himself as it is by his readers: here, the allegory is the soul of every stanza and of every line—that which gives to the whole work whatever meaning, and consequently whatever poetry, it possesses—with which, indeed, it is sometimes hard enough to be understood, but without which it would be absolute inanity and nonsense. The Purple Island is rather a production of the same species with Dr. Darwin's Botanic Garden; but, forced and false enough as Darwin's style is in many respects, it would be doing an injustice to his poem to compare it with Phineas Fletcher's, either in regard to the degree in which nature and propriety are violated in the principle and manner of the composition, or in regard to the spirit and general success of the execution. Of course, there is a good deal of ingenuity shown in Fletcher's poem; and it is not unimpregnated by poetic feeling, nor without some passages of considerable merit. But in many other parts it is quite grotesque; and, on the whole, it is fantastic, puerile, and wearisome. Mr. Hallam thinks that Giles Fletcher, in his poem of Christ's Victory and Triumph, has shown more vigour than Phineas,* "but less sweetness, less smoothness, and more affectation in his style."†

It ought to be added, to the honour of these two writers, that the works of both of them appear to have been studied by Milton, and that imitations of some passages in each are to be traced in his poetry. Milton was undoubtedly a diligent reader of the English poetry of the age preceding his own; and his predecessors of all degrees, Ben Jonson and Fletcher the dramatists, as well as the two cousins of the latter, and, as we have seen above, the earlier dramatic writer, George Peele, had contributed something to the awakening or directing of his feeling for the grand and beautiful, and to the forming of his melodious and lofty note. Another of his favourites among the poets of this date is supposed to have been Joshua Sylvester, the translator of the Divine Weeks and Works of the French poet, Du Bartas.‡ Sylvester, who in one of his publications styles himself a Merchant-Adventurer, seems to have belonged to the Puritan party, which may have had some share in influencing Milton's regard. Nothing can be more uninspired than the general run of Joshua's verse, or more fantastic and absurd than the greater number of its more ambitious passages; for he had no taste or judgment, and, provided the stream of sound and the jingle of the rhyme were kept up, all was right in his notion. His poetry consists chiefly of translations from the French; but he is also the author of some original pieces, the title of one of which, a courtly offering from the poetical Puritan to the prejudices of King James, may be quoted as a lively specimen of his style and genius:—"Tobacco battered, and the pipes shattered, about their ears, that idly idolize so base and barbarous a weed, or at leastwise overlove so loathsome a vanity, by a volley of holy shot thundered from Mount Helicon."* But, with all his general flatness and frequent absurdity, Sylvester has an uncommon flow of harmonious words at times, and occasionally even some fine lines and felicitous expressions. His contemporaries called him the "Silver-tongued Sylvester," for what they considered the sweetness of his versification—and some of his best passages justify the title. Indeed, even when the substance of what he writes approaches nearest to nonsense, the sound is often very graceful, soothing the ear with something like the swing and ring of Dryden's heroics. But, after a few lines, is always sure to come in some ludicrous image or expression which destroys the effect of the whole. The translation of Du Bartas is inscribed to King James in a most adulatory and elaborate dedication, consisting of a string of sonnet-shaped stanzas, ten in all, of which the two first are a very fair sample of the mingled good and bad of Sylvester's poetry:—

"To England's, Scotland's, France, and Ireland's king;
  Great Emperor of Europe's greatest isles;
Monarch of hearts, and arts, and everything
  Beneath Bootes, many thousand miles;
  Upon whose head honour and fortune smiles,
About whose brows clusters of crowns do spring;
  Whose faith him Champion of the Faith enstyles;
Whose wisdom's fame o'er all the world doth ring:
Mnemosyne and her fair daughters bring
  The Daphnean crown to crown him laureate;
Whole and sole sovereign of the Thespian spring
  Prince of Parnassus and Pierian state;
And with their crown their kingdom's arms they yield,
Thrice three peas sunbike in a Cynthian field;
Signed by themselves and their High Treasurer
Bartas, the Great, engrossed by Sylvester.

Our sun did set, and yet no night ensued;
  Our woeful loss so joyful gain did bring.
  In tears we smile, amid our sighs we sing;
So suddenly our dying light renewed.
As when the Arabian only bird doth burn
  Her aged body in sweet flames to death,
  Out of her cinders a new bird hath breath,
In whom the beauties of the first return;
From spicy ashes of the sacred urn
  Of our dead Phenix, dear Elizabeth,
  A new true Phenix lively flourisheth,
Whom greater glories than the first adorn.
So much, O King, thy sacred worth presume I on,
  James, thou just heir of England's joyful union."

It is not to be denied that there is considerable skill in versification here, and also some ingenious

* Called, by mistake, his *elder* brother.

† Lit. of Eur. iii. 487.

‡ Milton's obligations to Sylvester were first pointed out in "Considerations on Milton's early Reading, and the prima stamina of his Paradise Lost, together with Extracts from a Poet of the Sixteenth Century;" by the Rev. Charles Dunster. 1800.

* 8vo. Lond. 1615.

rhetoric: but, not to notice the pervading extravagance of the sentiment, some of the best-sounding of the lines and phrases have next to no meaning; and the close of each stanza, that of the last in particular, is in the manner of a ludicrous travesty. Of the translators of ancient and foreign poetry in this age, besides Sylvester, Chapman has been already mentioned. Another very eminent name in this line is that of Edward Fairfax, whose translation of Tasso's great epic was first published under the title of "Godfrey of Bulloigne, or the Recoverie of Jerusalem," in 1600. This is a work of true genius, full of passages of great beauty; and although by no means a perfectly exact or servile version of the Italian original, is throughout executed with as much care as taste and spirit. Another poetical translator of this period, less celebrated than Fairfax, but in some things still superior to him, is Sir Richard Fanshawe, the author of versions of Camoens's Lusiad, of Guarini's Pastor Fido, of the Fourth Book of the Æneid, of the Odes of Horace, and of the "Querer por Solo Querer," (To love for love's sake,) of the Spanish dramatist Mendoza. Some passages from the last-mentioned work, which was published in 1649, may be found in Lamb's Specimens,* the ease and flowing gaiety of which never have been excelled even in original writing. The Pastor Fido is also rendered with much spirit and elegance. Fanshawe is, besides, the author of a Latin translation of Fletcher's Faithful Shepherdess, and of some original poetry. His genius, however, was sprightly and elegant rather than lofty, and perhaps he does not succeed so well in translating poetry of a more serious style: at least Mickle, the modern translator of Camoens, in the discourse prefixed to his own version, speaks with great contempt of that of his predecessor; affirming not only that it is exceedingly unfaithful, but that Fanshawe had not "the least idea of the dignity of the epic style, or of the true spirit of poetical translation." He seems also to sneer at Fanshawe's Lusiad, because it was "published during the usurpation of Cromwell,"—as if even the poets and translators of that time must have been a sort of illegitimates and usurpers in their way. But Fanshawe was all his life a steady royalist, and served both Charles I. and his son in a succession of high employments. Mickle, in truth, was not the man to appreciate either Fanshawe or Cromwell.

One of the most graceful poetical writers of the reign of James I. is William Drummond, of Hawthornden, near Edinburgh; and he is further deserving of notice as the first of his countrymen, at least of any eminence, who aspired to write in English. He has left us a quantity of prose as well as verse; the former very much resembling the style of Sir Philip Sydney in his Arcadia,—the latter, in manner and spirit, formed more upon the model of Surrey, or rather upon that of Petrarch and the other Italian poets, whom Surrey and many of his English successors imitated. No English imitator of the Italian poetry, however, has excelled Drummond, either in the sustained melody of his verse, or the chaste fancy that decorates his song, or the rich vein of thoughtful tenderness that modulates its cadences. We will transcribe one of his sonnets as a specimen of the fine moral painting, tinged with the colouring of scholarly recollections, in which he delights to indulge:—

Trust not, sweet soul, those curled waves of gold
  With gentle tides that on your temples flow,
Nor temples spread with flakes of virgin snow,
  Nor snow of cheeks with Tyrian grain enrolled.
Trust not those shining lights which wrought my woe
  When first I did their azure rays behold,
Nor voice whose sounds more strange effects do show
  Than of the Thracian harper have been told;
Look to this dying lily, fading rose,
  Dark hyacinth, of late whose blushing beams
Made all the neighbouring herbs and grass rejoice,
  And think how little is 'twixt life's extremes:
The cruel tyrant that did kill those flowers
  Shall once, ay me, not spare that spring of yours.

One of the most remarkable poems of this age, as it may be considered, for it was four or five times reprinted in the reign of James, although first published, in 1599, is the "Nosce Teipsum"* of Sir John Davies, who was successively James's solicitor and attorney general, and had been appointed to the place of chief justice of the King's Bench, when he died, before he could enter upon its duties, in 1626. Davies is also the author of a poem on dancing entitled "Orchestra," and of some minor pieces, all distinguished by vivacity as well as precision of style; but he is only now remembered for his philosophical poem, the earliest of the kind in the language. It is written in rhyme, in the common heroic ten-syllable verse, but disposed in quatrains, like the early play of Misogonus already mentioned,† and other poetry of the same era, or like Sir Thomas Overbury's poem of the Wife, the Gondibert of Sir William Davenant, and the Annus Mirabilis of Dryden, at a later period. No one of these writers has managed this difficult stanza so successfully as Davies: it has the disadvantage of requiring the sense to be in general closed at certain regularly and quickly recurring turns, which yet are very ill adapted for an effective pause; and even all the skill of Dryden has been unable to free it from a certain air of monotony and languor,—a circumstance of which that poet may be supposed to have been himself sensible, since he wholly abandoned it after one or two early attempts. Davies, however, has conquered its difficulties; and, as has been observed, "perhaps no language can produce a poem, extending to so great a length, of more condensation of thought, or in which fewer languid verses will be found."‡ In fact, it is by this condensation and sententious brevity, so carefully filed and elaborated, however, as to involve no sacrifice of perspicuity or fulness of expression, that he has

* Vol. ii. pp. 242—253.

* The full title is "Nosce Teipsum. This oracle expounded in two elegies:—1. Of human knowledge.—2. Of the soul of man and the immortality thereof."

† See ante, p. 580.

‡ Hallam, Lit. of Europe, ii. 314.

attained his end. Every quatrain is a pointed expression of a separate thought, like one of Rochefoucault's Maxims; each thought being, by great skill and painstaking in the packing, made exactly to fit and to fill the same case. It may be doubted, however, whether Davies would not have produced a still better poem if he had chosen a measure which would have allowed him greater freedom and real variety; unless, indeed, his poetical talent was of a sort that required the suggestive aid and guidance of such artificial restraints as he had to cope with in this, and what would have been a bondage to a more fiery and teeming imagination was rather a support to his. He wrote, among other things, a number of acrostics upon the name of Queen Elizabeth; which, says Ellis, "are probably the best acrostics ever written, and all equally good; but they seem to prove that their author was too fond of struggling with useless difficulties."* Perhaps he found the limitations of the acrostic, too, a help rather than a hindrance.

Along with Sir John Davies's poem may be noticed the "Cooper's Hill" of Sir John Denham, first published in 1643. When this poem appeared it was at once hailed as a most remarkable production, and the more so, as coming from a young man (Denham was then only twenty-seven) nearly unknown till now as a writer of verse. Waller remarked that he had broken out like the Irish rebellion, threescore thousand strong, when nobody was aware or in the least suspected it. Cooper's Hill has not quite all the concentration of Davies's Nosce Teipsum, but it is equally pointed, correct, and stately, with, partly owing to the subject, a warmer tone of imagination and feeling, and a fuller swell of verse. The spirit of the same classical style pervades both; and they are certainly the two greatest poems in that style which had been produced down to the close of the present period. Denham is the author of a number of other compositions in verse, and especially of some songs and other shorter pieces, several of which are very spirited; but the fame of his principal poem has thrown everything else he has written into the shade. It is remarkable that many biographical notices of this poet make him to have survived nearly till the Revolution, and relate various stories of the miseries of his protracted old age; when, the fact is, that he died in 1667, at the age of fifty-two.

The title of the metaphysical school of poetry, which in one sense of the words might have been given to Davies and his imitators, has been conferred by Dryden upon another race of writers whose founder was a contemporary of Davies,—the famous Dr. John Donne, Dean of St. Paul's. Donne, who died at the age of fifty-eight in 1631, is said to have written most of his poetry before the end of the sixteenth century, but none of it was published till late in the reign of James. It consists of lyrical pieces entitled songs and sonnets, epithalamions or marriage songs, funeral and other elegies, satires, epistles, and divine poems. On a superficial inspection Donne's verses look like so many riddles. They seem to be written upon the principle of making the meaning as difficult to be found out as possible—of using all the resources of language not to express thought, but to conceal it. Nothing is said in a direct, natural manner; conceit follows conceit without intermission; the most remote analogies, the most far-fetched images, the most unexpected turns, one after another, surprise and often puzzle the understanding; while things of the most opposite kinds—the harsh and the harmonious, the graceful and the grotesque, the grave and the gay, the pious and the profane—meet and mingle in the strangest of dances. But, running through all this bewilderment, a deeper insight detects not only a vein of the most exuberant wit, but often the sunniest and most delicate fancy, and the truest tenderness and depth of feeling. Donne, though in the latter part of his life he became a very serious and devout poet as well as man, began by writing amatory lyrics, the strain of which is anything rather than devout; and in this kind of writing he seems to have formed his poetic style, which for such compositions would, to a mind like his, be the most natural and expressive of any. The species of lunacy which quickens and exalts the imagination of a lover would, in one of so seething a brain as he was, strive to expend itself in all sorts of novel and wayward combinations,—just as Shakspeare has made it do in his Romeo and Juliet, whose rich intoxication of spirit he has by nothing else set so livingly before us as by making them thus exhaust all the eccentricities of language in their struggle to give expression to that inexpressible passion which had taken captive the whole heart and being of both. Donne's later poetry, in addition to the same abundance and originality of thought, often running into a wildness and extravagance not so excusable here as in his erotic verses, is famous for the singular movement of the versification, which has been usually described as the extreme degree of the rugged and tuneless. Pope has given us a translation of his four Satires into modern language, which he calls "The Satires of Dr. Donne Versified." Their harshness, as contrasted with the music of his lyrics, has also been referred to as proving that the English language, at the time when Donne wrote, had not been brought to a sufficiently advanced state for the writing of heroic verse in perfection.* That this last notion is wholly unfounded numerous examples sufficiently testify; not to speak of the blank verse of the dramatists, the rhymed heroics of Shakspeare, of Fletcher, of Jonson, of Spenser, and of other writers contemporary with and of earlier date than Donne, are for the most part as perfectly smooth and regular as any that have since been written; at all events, whatever irregularity may be detected in them, if they be tested by Pope's narrow gamut, is clearly not to be im-

* Spec. of Early Eng. Poets, ii. 370.

* See an article on Donne in Penny Cyclopædia, vol. ix. p. 85.

puted to any immaturity in the language. These writers evidently preferred and cultivated, deliberately and on principle, a wider compass, and freer and more varied flow of melody, than Pope had a taste or an ear for. Nor can it be questioned, we think, that the peculiar construction of Donne's verse in his satires and many of his other later poems was also adopted by choice and on system. His lines, though they will not suit the see-saw style of reading verse,—to which he probably intended that they should be invincibly impracticable,—are not without a deep and subtle music of their own, in which the cadences respond to the sentiment, when enunciated with a true feeling of all that they convey. They are not smooth or luscious verses, certainly; nor is it contended that the endeavour to raise them to as vigorous and impressive a tone as possible, by depriving them of all over-sweetness or liquidity, has not been carried too far; but we cannot doubt that whatever harshness they have was designedly given to them, and was conceived to infuse into them an essential part of their relish.

Cowley, the most celebrated follower of Donne, as he has been commonly considered, published some of his poems within the present period; but as he survived the Restoration, and obtained his greatest fame as a poet after that date, we shall reserve our notice of him till we have all that he wrote before us. For the same reasons the poetry of Milton, of Waller, and of Dryden, although all of them had published some of their pieces before the expiration of the present period, will be most conveniently considered in the next Book.

A few more of the minor poets of this age, the most distinguished for the originality, the fancy, or the grace of their poetry, can be only very briefly enumerated. Robert Herrick, who, like Donne, was a clergyman, is the author of a large volume published in 1648, under the title of "Hesperides." It consists, like the poetry of Donne, partly of love-verses, partly of pieces of a devotional character, or, as they are styled in the title-page, "Works Human and Divine." The same singular license which even the most reverend personages and the purest and most religious minds in that age allowed themselves to take in light and amatory poetry is found in Herrick as well as in Donne; a good deal of whose quaintness and fondness for conceit Herrick has also caught. Yet some both of his hymns and of his anacreontics—for of such strange intermixture, in truth, does his poetry consist—are beautifully simple and natural. Herrick survived the Restoration, but it is not known in what year he died. Along with his poetry may be mentioned that of another clergyman, George Herbert, a younger brother of the celebrated Edward Lord Herbert of Cherbury, whose volume, entitled "The Temple," was published immediately after his death, in 1633, and was at least six or seven times reprinted in the course of the present period. His biographer, Izaak Walton, tells us that when he wrote, in the reign of Charles II., twenty thousand copies of it had been sold. Herbert was an intimate friend of Donne, and no doubt a great admirer of his poetry; but his own has been to a great extent preserved from the imitation of Donne's style, into which it might in other circumstances have fallen, in all probability by its having been composed with little effort or elaboration, and chiefly to relieve and amuse his own mind by the melodious expression of his favourite fancies and contemplations. His quaintness lies in his thoughts rather than in their expression, which is in general sufficiently simple and luminous. Herbert has considerable fancy and pathos, and, on the whole, may be considered one of the most poetical of our religious lyrical writers. To a different class belong three other eminently graceful and spirited minor poets of this period—Carew, Suckling, and Lovelace. Thomas Carew, styled "one of the gentlemen of the privy chamber, and sewer in ordinary to his majesty," is the author of a small volume of poetry first printed in 1640, the year after his death. Carew is, perhaps, the earliest of our English lyrical poets whose verses exhibit a perfect polish and evenness of movement combined with a diction, elevated, indeed, in its tone, as it must needs be by the very necessities of verse, above that of mere good conversation, but yet having all the ease, nature, and directness of the language of ordinary life. The art which consists in concealing art had scarcely before been exemplified in our lighter poetry: the songs and other short lyrical compositions of preceding writers, however elegant or beautiful, had usually aimed at attracting attention by some brilliant quaintness or other artifice of thought or style, the more curious and obviously elaborate the more admired. Carew preceded Waller in substituting for all this the truer charm of merely natural thoughts in harmonious numbers: he has, indeed, even fewer conceits than Waller; and, while his verse is equally correct, its music is richer, and the tone of his poetry altogether much warmer and more imaginative. Sir John Suckling, who died in 1641, at the age of thirty-two, has none of the pathos of Carew, but all his fluency and natural elegance, with a sprightliness and buoyancy of his own, in which he has scarcely ever been matched. His famous ballad on the wedding of Lord Broghill and Lady Margaret Howard, is the very perfection of poetical gaiety, archness, and grace; not without a smack of rough cordiality, which improves its spirit, and of which he has more on other occasions. Another most elegant writer of songs and other short pieces in the reign of Charles I. was Colonel Richard Lovelace, whose poems are to be found in two small volumes, one entitled "Lucasta," published in 1649; the other entitled "Posthume Poems," published by his brother in 1659, the year after his death. Lovelace's songs, which are mostly amatory, and the produce of a genuine passion, are as exquisitely versified as Carew's, with greater liveliness of expression, and

more variety of fancy: but their distinguishing charm is a spirit of the most chivalrous gentleness and honour, giving to the lightest of them an elevation and pathos beyond the reach of any mere poetic art to bestow. These three last-mentioned writers were all cavaliers; but the cause of Puritanism and the parliament had also its poets as well as that of love and loyalty, and those as sweet singers as any we have yet named. Andrew Marvell, the noble-minded member for Hull in the reign of Charles II., and in that age of brilliant profligacy renowned alike as the first of patriots and of wits, is the author of a number of political satires, in which a rich vein of vigorous though often coarse humour runs through a careless, extemporaneous style, and which did prodigious execution in the party warfare of the day; but some of his earlier poetry is eminent both for the delicate bloom of the sentiment and for grace of form. There are few short poems in the language more tuneful and touchingly beautiful, for example, than his verses beginning—

> Where the remote Bermudas ride
> In the ocean's bosom unespied,
> From a small boat that rowed along
> The listening winds received this song:—

and ending,—

> Thus sang they, in the English boat,
> A holy and a cheerful note;
> And all the way, to guide the chime,
> They with the falling oars kept time.

This description of the boat-song of the exiles—"a holy and a cheerful note"—very well characterises the best of Marvell's own strains. But the greatest of the Puritan poets is George Wither, who was one of the most untiring of English writers both in prose and verse; his first publication, his satires entitled "Abuses Stript and Whipt," having appeared so early as 1611, and some of his last pieces only a short time before his death, in 1667. The entire number of his separate publications, as they have been reckoned up by some of his biographers and modern editors, considerably exceeds an hundred. Of so large and multifarious a mass, a great part, produced hastily for temporary purposes, has now lost all interest; much of his verse, like that of Marvell, consists of scourging party satire and invective, in which his genius shows only its force and fertility, without any of its radiance; but his earlier poetry especially abounds in the finest bursts of sunshine—in the richest outpourings both of fancy and of heart. Two songs or short poems of Wither's inserted by Percy in his Reliques*—the one beginning

> Shall I, wasting in despair,
> Die because a woman's fair?
> Or make pale my cheeks with care
> Cause another's rosy are?
> Be she fairer than the day,
> Or the flowery meads in May;
> If she be not so to me,
> What care I how fair she be?

—the other, entitled "The Stedfast Shepherd," an exquisitely graceful as well as high-thoughted carol, first recalled attention to this forgotten writer; and further specimens of him were afterwards given by Ellis,—among the rest the passage of consummate spirit and beauty from his Shepherd's Hunting, published in 1615, while he was confined in the Marshalsea, in which, breaking out into what we may almost call a hymn or pæan of gratitude and affection, he recounts all that Poetry and his Muse still were and had ever been to him:—

> In my former days of bliss
> Her divine skill taught me this,—
> That from every thing I saw
> I could some invention draw,
> And raise pleasure to her height
> Through the meanest object's sight.
> By the murmur of a spring,
> Or the least bough's rustling;
> By a daisy, whose leaves spread
> Shut when Titan goes to bed;
> Or a shady bush or tree,
> She could more infuse in me
> Than all Nature's beauties can
> In some other wiser man.
> By her help I also now
> Make this chuhish place allow
> Some things that may sweeten gladness
> In the very gall of sadness.
> The dull loneness, the black shade,
> That these hanging vaults have made;
> The strange music of the waves
> Beating on these hollow caves;
> This black den, which rocks emboss,
> Overgrown with eldest moss;
> The rude portals, that give sight
> More to terror than delight,
> This my chamber of neglect,
> Walled about with disrespect;
> From all these, and this dull air,
> A fit object for despair,
> She hath taught me by her might
> To draw comfort and delight.
> Therefore, thou best earthly bliss,
> I will cherish thee for this,—
> Poesy!—thou sweet'st content
> That e'er heaven to mortals lent.
> Though they as a trifle leave thee
> Whose dull thoughts cannot conceive thee;
> Though thou be to them a scorn
> That to nought but earth are born;
> Let my life no longer be
> Than I am in love with thee.
> Though our wise ones call thee madness,
> Let me never taste of gladness
> If I love not thy maddest fits
> More than all their greatest wits.
> And though some, too seeming holy,
> Do account thy raptures folly,
> Thou dost teach me to contemn
> What makes knaves and fools of them.*

One excellence for which all Wither's writings are eminent, his prose as well as his verse, is their genuine English. His unaffected diction, even now, has scarcely a stain of age upon it,—but flows on, ever fresh and transparent, like a pebbled rill.

Even the prose literature of the present period is much of it of so imaginative a character that it may be considered to be a kind of half-poetry. We have already in the last Book noticed the change which English prose-writing underwent in the course of the latter half of the sixteenth century, passing from the familiar but not inelegant simplicity of the style of Sir Thomas More to the more formal and elaborate but still succinct and unincumbered rhetoric of Ascham, from thence to the affectations of Lyly the Euphuist, and his imitators, and finally out of what we may call that sickly and unnatural state of transition to the

[1] Vol. iii. pp. 190 and 264.

* For the beginning of the passage see Ellis, Specimens, iii. 96.

richly ornamented eloquence of Sidney and the stately periods of Hooker.* On the whole, our prose, as exhibited in its highest examples, had lost something in ease and clearness, and had gained in copiousness, in sonorousness, and in splendour. In its inferior specimens, also, a corresponding change is to be traced, but of a modified character. In these the ancient simplicity and directness had given place only to a long-winded wordiness, and an awkwardness and intricacy, sometimes so excessive as to be nearly unintelligible, produced by piling clause upon clause, and involution upon involution, in the endeavour to crowd into every sentence as much meaning or as many particulars as possible. Here the change was nearly altogether for the worse—the loss in one direction was compensated by hardly anything that could be called a gain in another. One additional point of difference, chiefly exemplified in the sermons and other writings of divines, was the introduction towards the close of the reign of Elizabeth of what may be described as at once the most artificial and the most puerile mode of composition ever practised, consisting in an incessant fire of alliteration, punning, and the most jejune verbal conceits, often in a Babylonish dialect, or party-coloured tissue of words, made up of nearly as much Latin, Greek, and Hebrew as native English. This was what had been substituted in popular preaching for the buffoonery of Latimer; whether to the gain or loss of sound religion and theological literature, it might be hard to determine.

The authorised translation of the Bible, on the whole so admirable both for correctness and beauty of style, is apt, on the first thought, to be regarded as exhibiting the actual state of the language in the time of James I., when it was first published. It is to be remembered, however, that the new translation was formed, by the special directions of the king, upon the basis of that of Parker's or the Bishop's Bible, which had been made nearly forty years before, and which had itself been founded upon that of Cranmer made in the reign of Henry VIII.† The consequence is, as Mr. Hallam has remarked, that whether the style of King James's translation be the perfection of the English language or no, it is not the language of his reign. "It may, in the eyes of many," adds Mr. Hallam, "be a better English, but it is not the English of Daniel, or Raleigh, or Bacon, as any one may easily perceive. It abounds, in fact, especially in the Old Testament, with obsolete phraseology, and with single words long since abandoned, or retained only in provincial use."‡ This is, perhaps, rather strongly put; for although the preceding version served as a general guide to the translators, and was not needlessly deviated from, they have evidently modernized its style, not perhaps quite up to that of their own day, but so far, we apprehend, as to exclude nearly all words and phrases that had then passed out even of common and familiar use. In that theological age, indeed, few forms of expression found in the Bible could well have fallen altogether into desuetude, although some may have come to be less apt and significant than they once were, or than others that might now be substituted for them. But we believe the new translators, in any changes they made, were very careful to avoid the employment of any mere words of yesterday, the glare of whose recent coinage would have contrasted offensively with the general antique colour of diction which they desired to retain. If ever their version were to be revised, whether to improve the rendering of some passages by the lights of modern criticism, or to mend some hardness and intricacy of construction in others, it ought to be retouched in the same spirit of affectionate veneration for the genius and essential characteristics of its beautiful style; and a good rule to be laid down might be, that no word should be admitted in the improved renderings which was not in use in the age when the translation was originally made. The language was then abundantly rich enough to furnish all the words that could be wanted for the purpose.

Besides the translation of the Bible, the portion of the English literature of the present period that is theological is very great in point of quantity, and a part of it also possesses distinguished claims to notice in a literary point of view. Religion was the great subject of speculation and controversy in this country throughout the entire space of a century and a half between the Reformation and the Revolution; and the half century preceding the Restoration, which occupied nearly the central portion of that space, witnessed the hottest and thickest of the conflict of opinions upon this subject. Nothing can more strikingly illustrate the universality of the interest that was now taken in theological controversy, than the fact that both the kings whose reigns are comprehended within the present period have left us a considerable quantity of literary manufacture of their own, and that it is almost all theological. King James, whose works were collected and published in a folio volume in 1616, under the care of Dr. Mountague, bishop of Winchester, had published what he called a "Fruitful Meditation" upon part of the Apocalypse, "in form of ane sermon," so early as the year 1588, when he was only a youth of two and twenty. Indeed, according to Bishop Mountague's account, this performance was "written by his majesty before he was twenty years of age." Soon after, on the destruction of the Spanish Armada, he produced another "Meditation" on certain verses of one of the chapters of the First Book of Chronicles. Among his subsequent publications are Meditations on the Lord's Prayer and on some verses of the 27th chapter of St. Matthew. And nearly all his other works, his "Dæmonologie," first published in 1597; his "True Law of Free Monarchies," 1598; his "Basilicon Doron," or

* See vol. ii. 833—836.
† See ante, p. 457; and vol. ii. 712—714.
‡ Lit. of Eur., iii. 134.

advice to his son Prince Henry, 1599; his "Apology for the Oath of Allegiance," 1605,—are, in fact, in the main, theological treatises. It is scarcely necessary to add that they are of little or no value, either theological or literary; though they are curious as illustrating the intellectual and moral character of James, who was certainly a person of no depth either of learning or of judgment, though of some reading in the single province of theology, and also of some shrewdness and readiness, and an inexhaustible flow of words, which he mistook for eloquence and genius. The writings attributed to Charles I. were first collected and published at the Hague soon after his death, in a folio volume without date, under the title of "Reliquiæ Sacræ Carolinæ," and twice afterwards in England, namely, in 1660 and 1687, with the title of "ΒΑΣΙΛΙΚΑ: The Works of King Charles the Martyr." If we except a number of speeches to the parliament, letters, dispatches, and other political papers, the contents of this collection are all theological, consisting of prayers, arguments, and disquisitions on the controversy about church government, and the famous "Eikon Basiliké, or, The Portraiture of his sacred Majesty in his Solitude and Sufferings;" which, having been printed under the care of Dr. Gauden (after the Restoration successively Bishop of Exeter and Worcester), had been first published by itself immediately after the king's execution. It is now generally admitted that the Eikon was really written by Gauden, who, after the Restoration, openly claimed it as his own. Mr. Hallam, although he has no doubt of Gauden being the author, admits that it is, nevertheless, superior to his acknowledged writings. "A strain of majestic melancholy," he observes, "is well kept up; but the personated sovereign is rather too theatrical for real nature; the language is too rhetorical and amplified, the periods too artificially elaborated. None but scholars and practised writers employ such a style as this."* It is not improbable, however, that the work may have been submitted to Charles's revisal, and that it may have received both his approval and his corrections. Charles, indeed, was more in the habit of correcting what had been written by others than of writing anything himself. "Though he was of as slow a pen as of speech," says Sir Philip Warwick, "yet both were very significant; and he had that modest esteem of his own parts, that he would usually say, he would willingly make his own dispatches, but that he found it better to be a cobbler than a shoemaker. I have been in company with very learned men, when I have brought them their own papers back from him with his alterations, who ever confessed his amendments to have been very material. And I once, by his commandment, brought him a paper of my own to read, to see whether it was suitable to his directions, and he disallowed it slightingly: I desired him I might call Dr. Sanderson to aid me, and that the doctor might understand his own meaning from himself; and, with his majesty's leave, I brought him, whilst he was walking and taking the air; whereupon we two went back; but pleased him as little when we returned it: for, smilingly, he said, a man might have as good ware out of a chandler's shop; but afterwards he set it down with his own pen very plainly, and suitably to his own intentions." The most important of the literary productions which are admitted to be wholly Charles's own, are his papers in the controversy which he carried on at Newcastle in June and July, 1646, with Alexander Henderson, the Scotch clergyman, on the question between episcopacy and presbytery, and those on the same subject in his controversy with the parliamentary divines at Newport, in October, 1648. These papers show considerable clearness of thinking and logical or argumentative talent; but it cannot be said that they are written with any remarkable force or elegance. It is not easy to understand the meaning of Horace Walpole's judgment on Charles's style,—that "it was formed between a certain portion of sense, adversity, dignity, and perhaps a little insincerity."* What he says of a copy of verses said to have been written by his majesty during his confinement in Carisbrook Castle, is more to the purpose: "The poetry is most uncouth and inharmonious; but there are strong thoughts in it, some good sense, and a strain of majestic piety." Though not very polished, indeed, or very like the production of a practised versifier, which goes so far to furnish a presumption of its authenticity, this composition, which is entitled "Majesty in Misery, or an Imploration to the King of Kings," indicates considerable poetic power, and an evident familiarity with the highest models. Here are a few of its more striking verses:—

Nature and law, by thy divine decree
The only sort of righteous royalty,
With this dim diadem invested me.

* * * *

The fiercest furies, that do daily tread
Upon my grief, my gray discrowned head,
Are those that owe my bounty for their bread.

* * * *

The Church of England doth all faction foster,
The pulpit is usurped by each impostor;
Extempore excludes the *Pater Noster*.

The Presbyter and Independent seed
Springs with broad blades; to make religion bleed
Herod and Pontius Pilate are agreed.

The corner-stone's misplaced by every paviour:
With such a bloody method and behaviour
Then ancestors did crucify our Saviour.

* * * *

With my own power my majesty they wound;
In the king's name the king himself's uncrowned;
So doth the dust destroy the diamond.

The mass of the theological literature of this period consists of sermons and controversial tracts, all of which, with a very few exceptions, have now passed into complete oblivion. One of the most eminent preachers, perhaps the most eminent, of the age of Elizabeth and James, was Dr. Lancelot Andrews, who, after having held the sees of Chichester and Ely, died bishop of Winchester in 1626. Bishop Andrews was one of the trans-

* Lit. of Eur. iii. 662.

* Royal and Noble Authors.

lators of the Bible, and is the author, among other works, of a folio volume of sermons published by direction of Charles I., soon after his death; of another folio volume of tracts and speeches, which appeared in 1629; of a third volume of lectures on the Ten Commandments, published in 1642; and of a fourth, containing lectures delivered at St. Paul's and at St. Giles's, Cripplegate, published in 1657. He was, perhaps, the most learned of the English theologians of that learned time, and was besides a person of great vigour and acuteness of understanding; so that his death was regarded by scholars both at home and abroad as the extinction of the chief light of the English church. Milton, then a youth of seventeen, bewailed the event in a Latin elegy, full of feeling and fancy; and even in a tract written many years afterwards, when his opinions had undergone a complete change, he admits that "Bishop Andrews of late years, and in these times the primate of Armagh (Usher), for their learning are reputed the best able to say what may be said" in defence of episcopacy.* Both the learning and ability of Andrews, indeed, are conspicuous in everything he has written; but his eloquence, nevertheless, is to a modern taste of the most grotesque description. In his more ambitious passages he is the very prince of verbal posture-masters,—if not the first in date, the first in extravagance, of the artificial, quibbling, syllable-tormenting school of our English pulpit rhetoricians; and he undoubtedly contributed more to spread the disease of that manner of writing than any other individual. Not only did his eminence in this line endear him to the royal tastes of Elizabeth and James; all men admired and strove to copy after him. Fuller declares that he was "an inimitable preacher in his way;" and then he tell us that "pious and pleasant Bishop Felton, his contemporary and colleague, endeavoured in vain in his sermons to assimilate his style, and therefore said merrily of himself, I had almost marred my own natural trot by endeavouring to imitate his artificial amble." Many a "natural trot" Andrews no doubt was the cause of spoiling in his day, and long after it. This bishop is further very notable, in the history of the English church, as the first great assertor of those semi-popish notions touching doctrines, rites, and ecclesiastical government with which Laud afterwards blew up the establishment. Andrews, however, was a very different sort of person from Laud,—as superior to him in sense and policy as in learning and general strength and comprehensiveness of understanding. A well-known story that is told of him proves his moderation as much as his wit and readiness: when he and Dr. Neal, bishop of Durham, were one day standing behind the king's chair, as he sat at dinner (it was the day on which James dissolved his last parliament, and the anecdote is related on the authority of Waller, the poet, who was present), his majesty, turning round, addressed the two prelates—My lords, cannot I take my subjects' money when I want it, without all this formality in parliament? "The Bishop of Durham readily answered, God forbid, Sir, but you should; you are the breath of our nostrils. Whereupon the king turned, and said to the Bishop of Winchester, Well, my lord, what say you? Sir, replied the bishop, I have no skill to judge of parliamentary cases. The king answered, No put-offs, my lord, answer me presently. Then, Sir, said he, I think it is lawful for you to take my brother Neal's money, for he offers it."* Clarendon has expressed his belief that if Archbishop Bancroft had been succeeded in the see of Canterbury by Andrews, instead of Abbot, the infection of the Geneva fire would have been kept out, which could not afterwards be so easily expelled.†

Donne, the poet, was also a voluminous writer in prose; having left a folio volume of sermons, besides a treatise against Catholicism entitled "The Pseudo-Martyr," another singular performance, entitled "Biathanatos," in confutation of the common notion about the necessary sinfulness of suicide, and some other professional disquisitions. His biographer, Izaak Walton, says that he preached "as an angel, *from* a cloud, but not *in* a cloud;" but most modern readers will probably be of opinion that he has not quite made his escape from it. His manner is fully as quaint in his prose as in his verse, and his way of thinking as subtle and peculiar. His sermons are also, as well as those of Andrews, overlaid with learning, much of which seems to be only a useless and cumbersome show. Doubtless, however, there are deep and beautiful things in Donne, for those that will seek for them; as has, indeed, been testified by those who in modern times have made themselves the best acquainted with these neglected theological works of his. Another of the most learned theologians and eloquent preachers of those times was also an eminent poet, Joseph Hall, born in 1524, and successively bishop of Exeter and Norwich, from which latter see having been expelled by the Long Parliament, he died, after protracted sufferings from imprisonment and poverty, in 1656. Hall began his career of authorship by the publication of the first three Books of his Satires, in 1597, while he was a student at Cambridge, and only in his twenty-third year. A continuation followed the next year, under the title of "Virgidemiarum the Three last Books; and the whole were afterwards republished together, as "Virgidemiarum Six Books;" that is, six books of gatherings, or harvests of rods. "These satires," says Warton, who has given an elaborate analysis of them, "are marked with a classical precision to which English poetry had yet rarely attained. They are replete with animation of style and sentiment.... The characters are delineated in strong and lively colouring, and their discriminations are touched with the masterly traces of genuine

* The Reason of Church Government argued against Prelacy (published in 1641), Book i. chap. 3.

* Life of Waller, prefixed to his Poems, 1712.
† Hist. i. 88 (edit. of 1717.)

humour. The versification is equally energetic and elegant, and the fabric of the couplets approaches to the modern standard."* Hall's English prose works, which are very voluminous, consist of sermons, polemical tracts, paraphrases of scripture, casuistical divinity, and some pieces on practical religion, of which his Contemplations, his Art of Divine Meditation, and his Enochismus, or Treatise on the Mode of Walking with God, are the most remarkable. The poetic temperament of Hall reveals itself in his prose as well as in his verse, by the fervour of his piety and the forcible and often picturesque character of his style, in which it has been thought he made Seneca his model. "The writer of the Satires," observes Warton, "is perceptible in some of his gravest polemical or scriptural treatises; which are perpetually interspersed with excursive illustrations, familiar allusions, and observations on life."† It will be perceived, from all this, that both in style and in mind Hall and Donne were altogether opposed; neither in his prose nor in his verse has the former the originality of the latter, or the fineness of thought that will often break out in a sudden streak of light from the midst of his dark sayings; but, on the other hand, he is perfectly free from the dominant vices of Donne's manner, his conceits, his quaintness, his remote and fantastic analogies, his obscurity, his harshness, his parade of a useless and encumbering erudition. From each and all of these faults, indeed, Hall is more exempt than perhaps any other eminent theological writer of his age: his eloquence has a much more modern air than that of any at least of the contemporaries of the earlier part of his life; and, accordingly, he remains the only one of them any of whose writings are still popularly known and read.

A part which Hall took in his old age in the grand controversy of the time brought him into collision with one, with whose name in after ages the world was to resound. John Milton, then in his thirty-third year, and recently returned from his travels in France and Italy, had already, in 1641, lent the aid of his pen to the war of the Puritans against the established church by the publication of his treatise entitled "Of Reformation," in Two Books. The same year Hall published his "Humble Remonstrance" in favour of Episcopacy; which immediately called forth an "Answer by Smectymnuus,"—a word formed from the initial letters of the names of five Puritan ministers by whom the tract was written—Stephen Marshall, Edmund Calamy, Thomas Young, Matthew Newcomen, and William (or, as he was on this occasion reduced to designate himself, Uuilliam) Spurstow. The "Answer" produced a "Confutation" by Archbishop Usher; and to this Milton replied in a treatise entitled "Of Prelatical Episcopacy." Hall then published a "Defence of the Humble Remonstrance;" and Milton wrote "Animadversions" upon that. About the same time he also brought out a performance of much greater pretension, under the title of "The Reason of Church Government urged against Prelacy," in Two Books. This is the work containing the magnificent passage in which he makes the announcement of his intention to attempt something in one of the highest kinds of poetry "in the mother-tongue," long afterwards accomplished in his great epic. Meanwhile a "Confutation of the Animadversions" having been published by Bishop Hall, or his son, Milton replied, in 1642, in an "Apology for Smectymnuus," which was the last of his publications in this particular controversy. But nearly all his other prose writings were given to the world within the present period:—namely, his "Tractate of Education," addressed to his friend Hartlib, and his noble "Areopagitica, a Speech for the Liberty of Unlicenced Printing," in 1644; his "Doctrine and Discipline of Divorce," and his "Judgment of Martin Bucer concerning Divorce," the same year; his "Tetrachordon" and "Colasterion" (both on the same subject), in 1645; his "Tenure of Kings and Magistrates," his "Eikonoclastes," in answer to the Eikon Basilikè, and one or two other tracts of more temporary interest, all, after the execution of the king, in 1649; his "Defence for the People of England," in answer to Salmasius (in Latin) in 1651; his "Second Defence" (also in Latin), in reply to a work by Peter du Moulin, in 1654; two additional Latin tracts in reply to rejoinders of Du Moulin, in 1655; his treatises on "Civil Power in Ecclesiastical Cases," and on "The Means of Removing Hirelings out of the Church," in 1659; his "Letter concerning the Ruptures of the Commonwealth," and "Brief Delineation of a Free Commonwealth," the same year; and, finally, his "Ready and Easy Way to establish a Free Commonwealth," and his "Brief Notes upon a Sermon preached by Dr. Griffith, called The Fear of God and the King," in the spring of 1660, immediately before the king's return. Passages of great poetic splendour occur in some of these productions, and a fervid and fiery spirit breathes in all of them, though the animation is as apt to take the tone of mere coarse objurgation and abuse as of lofty and dignified scorn or of vigorous argument; but, upon the whole, it cannot be said that Milton's English prose is a good style. It is in the first place, not perhaps in vocabulary, but certainly in genius and construction, the most Latinized of English styles; but it does not merit the commendation bestowed by Pope on another style which he conceived to be formed after the model of the Roman eloquence, of being "so Latin, yet so English all the while." It is both soul and body Latin, only in an English dress. Owing partly to this principle of composition upon which he deliberately proceeded, or to the adoption of which his education and tastes or habits led him, partly to the character of his mind, fervid, gorgeous, and soaring, but having little involuntary impulsiveness or self-abandonment, rich as his style often is, it never moves with any degree of rapidity or easy grace even in passages

* Hist. Eng. Poet. iv. 338. † Id. p. 336.

where such qualities are most required, but has at all times something of a stiff, cumbrous, oppressive air, as if every thought, the lightest and most evanescent as well as the gravest and stateliest, were attired in brocade and whalebone. There is too little relief from constant straining and striving; too little repose and variety; in short, too little nature. Many things, no doubt, are happily said; there is much strong and also some brilliant expression; but even such imbedded gems do not occur so often as might be looked for from so poetical a mind. In fine, we must admit the truth of what he has himself confessed—that he was not naturally disposed to "this manner of writing;" "wherein," says he, "knowing myself inferior to myself, led by the genial power of nature to another task, I have the use, as I may account it, but of my left hand."* With all his quick susceptibility for whatever was beautiful and bright, Milton seems to have needed the soothing influences of the regularity and music of verse fully to bring out his poetry, or to sublimate his imagination to the true poetical state. The passion which is an enlivening flame in his verse half suffocates him with its smoke in his prose.

Two other eminent names of theological controversialists belonging to this troubled age of the English church may be mentioned together—those of John Hales and William Chillingworth. Hales, who was born in 1584, and died in 1656, the same year with Hall and Usher, published in his lifetime a few short tracts, of which the most important is a Discourse on Schism, which was printed in 1642, and is considered to have led the way in that bold revolt against the authority of the fathers, so much cried up by the preceding school of Andrews and Laud, upon which has since been founded what many hold to be the strongest defence of the Church of England against that of Rome. All Hales's writings were collected and published after his death, in 1659, in a quarto volume bearing the title of "Golden Remains of the Ever-Memorable Mr. John Hales,"—a designation which has stuck to his name. The main idea of his treatise on Schism was followed up with much greater vigour, and carried much further out, by Chillingworth—the Immortal Chillingworth, as he is styled by his admirers—in his famous work entled "The Religion of Protestants a Safe Way to lvation," published in 1637. This is one of the most closely and keenly argued polemical treatises ever written: the style in which Chillingworth presses his reasoning home is like a charge with the bayonet. He was still only in his early manhood when he produced this remarkably able work; and he died in 1644 at the age of forty-two.

But the greatest name by far among the English divines of the seventeenth century is that of the celebrated Jeremy Taylor. He was born in 1613, and died Bishop of Down and Connor in 1667; but, as most of his works were written, and many of them were also published, before the Restoration, he belongs more properly to this period than to the next. In abundance of thought; in ingenuity of argument; in opulence of imagination; in a soul made alike for the feeling of the sublime, of the beautiful, and of the picturesque; and in a style, answering in its compass, flexibility, and sweetness to the demands of all these powers, Taylor is unrivalled among the masters of English eloquence. He is the Spenser of our prose writers; and his prose is sometimes almost as musical as Spenser's verse. His Sermons, his Golden Grove, his Holy Living, and, still more, his Holy Dying and his Contemplations on the State of Man, all contain many passages, the beauty and splendour of which we should seek in vain to match in any other English prose writer. Another of his most remarkable works, "Theologia Eclectica, a Discourse of the Liberty of Prophesying," first published in 1647, may be placed beside Milton's Areopagitica, published three years before, as doing for liberty of conscience the same service which that did for the liberty of the press. Both remain the most eloquent and comprehensive defences we yet possess of these two great rights.

Barrow, Henry More, and Cudworth, though they all published some of their works before the Restoration, must be reserved till the next Book. Thomas Fuller is the last of the theological writers we can here notice. He was born in 1604, and died in 1661; and in the course of his not very extended life produced a long series of literary works, of which his "Church History of Britain from the Birth of Jesus Christ until the Year 1648," which appeared in 1655, and his "History of the Worthies of England," which was not published till after his death, in 1662, are the most important. He is a most singular writer, full of verbal quibbling and quaintness of all kinds, but by far the most amusing and engaging of all the rhetoricians of this school, inasmuch as his conceits are rarely mere elaborate feats of ingenuity, but are usually informed either by a strong spirit of very peculiar humour and drollery, or sometimes even by a warmth and depth of feeling, of which too, strange as it appears, the oddity of the phraseology is often not an ineffective exponent. He has a good deal of fancy as well as mere wit; and his works contain many passages of true eloquence, though never long sustained, and seldom unmarked by the eccentricities of his characteristic manner.

Undoubtedly the principal figure in English prose literature, as well as in philosophy, during the first quarter of the seventeenth century, is Francis Bacon. Bacon, born in 1561, published the first edition of his "Essays" in 1597; his Two Books of the "Advancement of Learning" in 1605; his "Wisdom of the Ancients" (in Latin) in 1610; a third edition of his "Essays," greatly extended, in 1612; his Two Books of the "Novum Organum," or Second Part of the Instauratio Magna, designed to consist of Six Parts (also in Latin), in 1620; his "History of the Reign of Henry VII." in 1622; his Nine Books "De Augmentis Scien-

* Reason of Church Government, Book II.

tiarum," a Latin translation and extension of his Advancement of Learning, in 1623. He died in 1626. The originality of the Baconian or Inductive method of philosophy, the actual service it has rendered to science, and even the end which it may be most correctly said to have in view, have all been subjects of dispute since Bacon's time, and still are; but, notwithstanding all differences of opinion upon these points, the acknowledgment that he was intellectually one of the most colossal of the sons of men has been nearly unanimous. They who have not seen his greatness under one form have discovered it in another: there is a discordance among men's ways of looking at him, or their theories respecting him; but the mighty shadow which he projects athwart the two bygone centuries lies there immoveable, and still extending as time extends. The very deductions which are made from his merits in regard to particular points thus only heighten the impression of his general eminence,—of that something about him not fully understood or discerned, which, spite of all curtailment of his claims in regard to one special kind of eminence or another, still leaves the sense of his eminence as strong as ever. As for his Novum Organum, or so-called new instrument of philosophy, it must be conceded that it was not really new when he announced it as such, either as a process followed in the practice of scientific discovery or as a theory of the right method of discovery. In the latter sense it was at least as old as Aristotle: in the former it was as old as science itself. Neither was Bacon the first writer, in his own or the immediately preceding age, who recalled attention to the inductive method, or who pointed out the barrenness of what was then called philosophy in the schools. Nor was it he that brought the reign of that philosophy to a close: it was falling fast into disrepute before he assailed it, and would probably have passed away quite as soon as it did, although his writings had never appeared. Nor has he either looked at that old philosophy with a very penetrating or comprehensive eye, or even shown a perfect understanding of the inductive method in all its applications and principles. As for his attempts in the actual practice of the inductive method, they were either insignificant or utter failures; and that, too, while some of his contemporaries, who in no respect acknowledged him as their teacher, were turning it to account in extorting from nature the most brilliant revelations. Nay, can it be doubted that, if Bacon had never lived, or never written, the discoveries and the writings of Galileo, and Kepler, and Pascal, and others who were now extending the empire of science by the very method which he has explained and recommended, but most assuredly without having been instructed in that method by him, would have established the universal recognition of it as the right method of philosophy just as early as such recognition actually took place? That Bacon's Novum Organum has, even down to the present day, affected in any material degree the actual progress of science, may be very reasonably doubted. What great discovery or improvement can be named among all those that have been made since his time, which, from the known facts of its history, we may not fairly presume would have been made at any rate, though the Novum Organum had never been written? What instance can be quoted of the study of that work having made, or even greatly contributed to make, any individual a discoverer in science who would not in all probability have been equally such if he had never seen or heard of it? In point of fact, there is no reason to suppose that very many of those by whom science has been most carried forward since it appeared had either deeply studied Bacon's Novum Organum, or had even acquired any intimate or comprehensive acquaintance with the rules and directions therein laid down from other sources. Nor is it likely that they would have been more successful experimenters or greater discoverers if they had; for there is surely nothing in any part of the method of procedure prescribed by Bacon for the investigation of truth that would not occur of itself to the sagacity and common sense of any person of an inventive genius pursuing such investigation; indeed, every discovery that has been made, except by accident, since science had any being, must have been arrived at by the very processes which he has explained. There can be little doubt that it would be found, on a survey of the whole history of scientific discovery, that its progress has always depended partly upon the remarkable genius of individuals, partly upon the general state of the world and the condition of civilization at different times, and not in any sensible degree upon the mere speculative views as to the right method of philosophy that have at particular eras been taught in schools or books, or otherwise generally diffused. In fact it is much more reasonable to suppose that such speculative views should have been usually influenced by the actual progress of discovery than it by them; for the recognition of sound principles of procedure, in as far as that is implied in their practical application, though not perhaps the contemplation and exposition of them in a systematic form, is necessarily involved, as has been just observed, in the very act of scientific discovery. All this being considered, we cannot attribute to Bacon's Novum Organum any considerable direct share, nor even much indirect influence, in promoting the progress which science has made in certain departments since his time; we think that progress is to be traced to other causes altogether, and that it would have been pretty nearly what it is though the Novum Organum never had been written. Galileo, and not Bacon, is the true father of modern natural philosophy. That, in truth, was not Bacon's province at all; neither his acquirements nor the peculiar character and constitution of his mind fitted him for achieving anything on that ground. The common mistake

regarding him is the same as if it were to be said that not Homer, but Aristotle, was the father of poetry, because he first investigated and explained the principles or philosophy of a part of the art of poetry, although his own mind was one of the most unpoetical that ever existed. Bacon belongs not to mathematical or natural science, but to literature and to moral science in its most extensive acceptation,—to the realm of imagination, of wit, of eloquence, of æsthetics, of history, of jurisprudence, of political philosophy, of logic, of metaphysics and the investigation of the powers and operations of the human mind. For this last in reality, and not the investigation of nature, is the subject of his Novum Organum and his other writings on the advancement of human knowledge. He is in no respect an investigator or expounder of mathematics, or of mechanics, or of astronomy, or of chemistry, or of any other branch of geometrical or physical science (his contributions to natural history are not worth regarding); but he is a most penetrating and comprehensive investigator, and a most magnificent expounder of that higher philosophy, in comparison with which all these things are but a more intellectual sort of legerdemain. Let the mathematicians, therefore, and the mechanicians, and the naturalists find out for themselves some other head: they have no claim to Bacon. All his works, his essays, his philosophical writings, commonly so called, and what he has done in history, are of one and the same character; reflective and, so to speak, poetical, not simply demonstrative, or elucidatory of mere matters of fact. What, then, is his glory?—in what did his greatness consist? In this, we should say;—that an intellect at once one of the most capacious and one of the most profound ever granted to a mortal—in its powers of vision at the same time one of the most penetrating and one of the most far-reaching—was in him united and reconciled with an almost equal endowment of the imaginative faculty; and that he is, therefore, of all philosophical writers, the one in whom are found together, in the largest proportions, depth of thought and splendour of eloquence. His intellectual ambition, also,—a quality of the imagination,—was of the most towering character; and no other philosophic writer has taken up so grand a theme as that on which he has laid out his strength in his greatest works. But with the progress of scientific discovery that has taken place during the last two hundred years we conceive these works to have had hardly anything to do. His Advancement of Learning and his Novum Organum appear to us to be poems rather than scientific treatises; and we should almost as soon think of fathering modern physical science upon Paradise Lost as upon them. Perhaps the calmest and clearest examination of Bacon's philosophy that has yet appeared is that given in one of Mr. Hallam's newly published volumes on the History of European Literature: it forms one of the ablest portions, if not the very ablest, of that great work. Mr. Hallam's estimate of what Bacon has done for science is much higher than ours; but yet the following passage seems to come very near to the admission of, or at least very strongly to corroborate, all that we have just been stating:—"It is evident that he had turned his thoughts to physical philosophy rather for an exercise of his reasoning faculties, and out of his insatiable thirst for knowledge, than from any peculiar aptitude for their subjects, much less any advantage of opportunity for their cultivation. He was more eminently the philosopher of human than of general nature. Hence he is exact as well as profound in all his reflections on civil life and mankind; while his conjectures in natural philosophy, though often very acute, are apt to wander far from the truth in consequence of his defective acquaintance with the phenomena of nature. His Centuries of Natural History give abundant proof of this. He is, in all these inquiries, like one doubtfully, and by degrees, making out a distant prospect, but often deceived by the haze. But if we compare what may be found in the sixth, seventh, and eighth books De Augmentis, in the Essays, the History of Henry VII., and the various short treatises contained in his works, on moral and political wisdom, and on human nature, from experience of which all such wisdom is drawn, with the Rhetoric, Ethics, and Politics of Aristotle, or with the historians most celebrated for their deep insight into civil society and human character,—with Thucydides, Tacitus, Philip de Comines, Machiavel, Davila, Hume,—we shall, I think, find that one man may almost be compared with all of these together. When Galileo is named as equal to Bacon, it is to be remembered that Galileo was no moral or political philosopher, and in this department Leibnitz certainly falls very short of Bacon. Burke, perhaps, comes, of all modern writers, the nearest to him; but, though Bacon may not be more profound than Burke, he is still more copious and comprehensive."*

Hobbes, the famous philosopher of Malmesbury, although some of his publications appeared in the time of Cromwell, rose into so much greater celebrity after the Restoration that our notice of him may be fitly deferred for the present. And we can merely mention Sir James Harrington's po-

* Lit. of Eur. iii. 218. Among many other admirable things thickly scattered over the whole of this section on Bacon (pp. 166—228), Mr. Hallam has taken an opportunity of pointing out an almost universal misapprehension into which the modern expositors of Bacon's Novum Organum have fallen on the subject of his celebrated *Idola*, which, as is here shown, are not at all what we now call idols, that is, false divinities, but merely, in the Greek sense of the word, images or fallacious appearances of things as opposed to realities (pp. 194—197). The reader may also be referred to another disquisition on Bacon, of great brilliancy, which appeared some time ago in the Edinburgh Review (No. 132, for July 1837, pp. 1—104). And in addition to the illustrative expositions of the Novum Organum, of a more scientific character, by the late Professor Playfair, in his Dissertation on the Progress of Mathematical and Physical Science prefixed to the Encyclopædia Britannica (pp. 453—474); and by Sir John Herschell, in his Preliminary Discourse on the Objects, Advantages and Pleasures of the Study of Natural Philosophy, in Dr. Lardner's Cabinet Cyclopædia, we would mention, as containing some views of the greatest importance, the Second Section of Mr. Coleridge's Treatise on Method, forming the Introduction to the Encyclopædia Metropolitana (pp. 24—32). Mr. Coleridge, by-the-by, is one of the very few modern writers who have not fallen into the misconception noticed above about Bacon's Idola. See p. 28.

litical romance entitled Oceana, which was published in 1656. Harrington's leading principles are, that the natural element of power in states is property; and that of all kinds of property that in land is the most important, possessing, indeed, certain characteristics which distinguish it in its nature and political action from all other property. "In general," observes Mr. Hallam, "it may be said of Harrington that he is prolix, dull, pedantic, yet seldom profound; but sometimes redeems himself by just observations."* This is certainly true in so far as respects the style of the Oceana; but a more favourable judgment has sometimes been passed in modern times upon the ingenuity and profoundness of certain of Harrington's views, as well as their originality.

One of the most original and peculiar writers of this period is Sir Thomas Browne, the celebrated author of the "Religio Medici," published in 1642; the "Pseudodoxia Epidemica, or Inquiries into Vulgar and Common Errors," in 1646; and the "Hydriotaphia, Urn Burial, or a Discourse on the Sepulchral Urns found in Norfolk;" and "The Garden of Cyrus, or the Quincuncial Lozenge, or Network Plantations of the Ancients, Artificially, Naturally, Mystically Considered," which appeared together in 1658. Browne died in 1682, at the age of seventy-seven; but he published nothing after the Restoration, though some additional tracts found among his papers were given to the world after his death. The writer of a late spirited review of Browne's literary productions and the characteristics of his singular genius has sketched the history of his successive acts of authorship in a lively and striking passage:—"He had no sympathy with the great business of men. In that awful year when Charles I. went in person to seize five members of the Commons' House,—when the streets resounded with shouts of 'Privilege of parliament,' and the king's coach was assailed by the prophetic cry, 'To your tents, O Israel,'—in that year, in fact, when the civil war first broke out, and when most men of literary power were drawn by the excitement of the crisis into patriotic controversy on either side,—appeared the calm and meditative reveries of the *Religio Medici*. The war raged on. It was a struggle between all the elements of government. England was torn by convulsion, and red with blood. But Browne was tranquilly preparing his *Pseudodoxia Epidemica;* as if errors about basilisks and griffins were the paramount and fatal epidemic of the time; and it was published in due order in that year when the cause which the author advocated, as far as he could advocate anything political, lay at its last gasp. The king dies on the scaffold. The protectorate succeeds. Men are again fighting on paper the solemn cause already decided in the field. Drawn from visions more sublime,—forsaking studies more intricate and vast than those of the poetical Sage of Norwich,—diverging from a career bounded by the most splendid goal,—foremost in the ranks shines the flaming sword of Milton: Sir Thomas Browne is lost in the quincunx of the ancient gardens; and the year 1658 beheld the death of Oliver Cromwell, and the publication of the *Hydriotaphia*."* The writings of Sir Thomas Browne, to be relished or rightly appreciated, must of course be read in the spirit suited to the species of literature to which they belong. If we look for matter-of-fact information in a poem, we are likely to be disappointed; and so are we likewise, if we go for the passionate or pictured style of poetry to an encyclopædia. Browne's works, with all their varied learning, contain very little positive information that can now be accounted of much value; very little even of direct moral or economical counsel by which any person could greatly profit; very little, in short, of anything that will either put money in a man's pocket, or actual knowledge in his head. Assuredly the interest with which they were perused, and the charm that was found to belong to them, could not at any time have been due, except in very small part indeed, to the estimation in which their readers held such pieces of intelligence as that the phœnix is but a fable of the poets, and that the griffin exists only in the zoology of the heralds. It would fare ill with Browne if the worth of his books were to be tried by the amount of what they contain of this kind of information, or, indeed, of any other kind of what is commonly called useful knowledge; for, in truth, he has done his best to diffuse a good many vulgar errors as monstrous as any he had corrected. For that matter, if his readers were to continue to believe with him in astrology and witchcraft, we shall all agree that it was of very little consequence what faith they might hold touching the phœnix and the griffin. Mr. Hallam, we think, has, in a manner which is not usual with him, fallen somewhat into this error of applying a false test in the judgment he has passed upon Browne. It is, no doubt, quite true that the Inquiry into Vulgar Errors "scarcely raises a high notion of Browne himself as a philosopher, or of the state of physical knowledge in England;"† that the Religio Medici shows its author to have been "far removed from real philosophy, both by his turn of mind and by the nature of his erudition;" and likewise that "he seldom reasons," that "his thoughts are desultory," that "sometimes he appears sceptical or paradoxical," but that "credulity and deference to authority prevail" in his habits of thinking.‡ Understanding *philosophy* in the sense in which the term is here used, that is to say, as meaning the sifting and separation of fact from fiction, it may be admitted that there is not much of that in Sir Thomas Browne; his works are all rather marked by a very curious and piquant intermixture of the two. Of course, such being the case, what he writes is not to be considered solely or even principally with

* Lit. of Eur. iv. 367.

* Edinburgh Review for October, 1836; No. 129, p. 34.
† Lit. of Eur. iv. 94.
‡ Id. iv. 346.

reference to its absolute truth or falsehood, but rather with reference to its relative truth and significance as an expression of some feeling, or notion, or other idiosyncracy of the very singular and interesting mind from which it has proceeded. Read in this spirit, the works of Sir Thomas Browne, more especially his "Religio Medici" and his "Urn Burial," will be found among the richest in our literature—full of uncommon thoughts, and trains of meditation leading far away into the dimmest inner chambers of life and death—and also of an eloquence, sometimes fantastic, but always striking, not seldom pathetic, and in its greatest passages gorgeous with the emblazonry of a warm imagination. Out of such a writer the rightly attuned and sympathising mind will draw many things more precious than any mere facts.

Another remarkable work of this age, which may be considered as belonging to the same class with those of Browne, though occupying an inferior place, is Burton's "Anatomy of Melancholy." Robert Burton, who, on his title-page, takes the name of Democritus Junior, died in 1640, and his book was first published in 1621. It is an extraordinary accumulation of out-of-the-way learning, interspersed, somewhat in the manner of Montaigne's Essays, with original matter, but with this, among other differences,—that in Montaigne the quotations have the air of being introduced, as we know that in fact they were, to illustrate the original matter, which is the web of the discourse—they but the embroidery; whereas in Burton the learning is rather the web, upon which what he has got to say of his own is worked in by way of forming a sort of decorative figure. Burton is far from having the variety or abundance of Montaigne; but there is considerable point and penetration in his style, and he says many striking things in a sort of half-splenetic, half-jocular humour, which many readers have found wonderfully stimulating. Dr. Johnson, who is supposed to have in some measure formed his style upon that of Sir Thomas Browne, and who was, at any rate, a warm admirer of the author of the Religio Medici, is said to have declared that Burton's Anatomy of Melancholy was the only book that ever drew him out of bed an hour sooner than he would otherwise have got up.

One other great writer of this period still remains to be mentioned—the all-accomplished Sir Walter Raleigh. Raleigh is the author of a few short poems, and of some miscellaneous pieces in prose; but his great work is his "History of the World," composed during his imprisonment in the Tower, and first published in a folio volume in 1614. It is an unfinished work, coming down only to the first Macedonian war; and there is no reason to suppose that any more of it was ever written, although it has been asserted that a second volume was burnt by the author. Raleigh's History, as a record of facts, has long been superseded; the interest it possesses at the present day is derived almost entirely from its literary merits, and from a few passages in which the author takes occasion to allude to circumstances that have fallen within his own experience. Much of it is written without any ambition of eloquence; but the style, even where it is most careless, is still lively and exciting, from a tone of the actual world which it preserves, and a certain frankness and heartiness coming from Raleigh's profession and his warm impetuous character. It is not disfigured by any of the petty pedantries to some one or other of which most of the writers of books in that age gave way more or less, and it has altogether a more modern air perhaps than the style of any contemporary work; while in some passages the composition, without losing anything of its natural grace and cordiality, is wrought up to great rhetorical polish and elevation. A still greater work than Raleigh's, however, at least considered in reference to its historical merits, is Richard Knolles's History of the Turks, published in 1610. Johnson, in one of his Ramblers, has awarded to Knolles the first place among English historians; and Mr. Hallam concurs in thinking that his style and power of narration have not been too highly extolled by that critic. "His descriptions," continues Mr. Hallam, "are vivid and animated; circumstantial, but not to feebleness; his characters are drawn with a strong pencil. . . . . In the style of Knolles there is sometimes, as Johnson has hinted, a slight excess of desire to make every phrase effective; but he is exempt from the usual blemishes of his age; and his command of the language is so extensive, that we should not err in placing him among the first of our elder writers."* Much of this praise, however, is to be considered as given to the uniformity or regularity of Knolles's style; the chief fault of which perhaps is, that it is too continuously elaborated and sustained for a long work. Another historical work of this age is Samuel Daniel's History of England from the Conquest to the reign of Edward III., which was published in 1618. It is of little historical value, but is remarkable for the same simple ease and purity of language which are the distinguishing qualities of Daniel's verse. The contribution to this department of literature of all those that the early part of the seventeenth century produced, which is at the same time the most valuable as an original authority and the most masterly in its execution, is undoubtedly Bacon's History of the reign of Henry VII. Next to that, but certainly at a great distance below it, may be placed Thomas May's two able works of later date, his "History of the Parliament of England which began November 3, 1640" (the Long Parliament), folio, 1647, and his "Breviary of the History of the Parliament," 8vo., 1650. Hobbes's Behemoth did not appear till long after the Restoration—indeed, not till after the author's death.

The series of popular national chronicles was continued in the preceding period and in this by the publication of Edward Hall's "Union of the

* Lit. of Eur. iii. 656.

Two Noble and Illustrious Families of York and Lancaster," in 1548; of Richard Grafton's "Chronicle at Large, down to the First Year of Queen Elizabeth," in 1569; of Raphael Holinshed's "Chronicles of England, Scotland, and Ireland," in 1577; and of Sir Richard Baker's "Chronicle of the Kings of England," written while its author was confined for debt in the Fleet Prison, where he died in 1645, and first published in a folio volume in 1641. Baker declares his chronicle to be compiled "with so great care and diligence, that, if all others were lost, this only will be sufficient to inform posterity of all passages memorable or worthy to be known." This book was a great favourite with our ancestors for two or three succeeding generations, but has now lost all interest except for a few passages relating to the author's own time. Of much greater value are the various publications of the laborious antiquaries John Stow and John Speed; namely, Stow's "Summary of the English Chronicles," 1565; his "Annals," 1573; his "Chronicle of England," 1580; his "Flores Historiarum" (an enlarged edition of his Chronicle), 1600; his "Survey of London," 1598; and Speed's "Theatre of the Empire of Great Britain," 1606; and his "History of Great Britain," coming down to the accession of James I., 1614. All these works of Stow and Speed rank among the head sources or fountains of our knowledge in the department of national antiquities. Neither Whitelock's Memorials nor the great collections of documents by Rushworth, Thurloe, and Rymer, came from the press till after the termination of the present period.

HEAD OF A NEWSPAPER OF THE PERIOD.

With the first year of the Long Parliament commences the era of English newspapers. The oldest English newspaper that has been discovered is a quarto pamphlet of a few leaves entitled "The Diurnal Occurrences, or Daily Proceedings of Both Houses, in this great and happy parliament, from the 3rd of November, 1640, to the 3rd of November, 1641: London, printed for William Cooke, and are to be sold at his shop at Furnival's Inn Gate, in Holborn, 1641."* More than a hundred newspapers, with different titles, appear to have been published between this date and the death of the king, and upwards of eighty others between that event and the Restoration.* "When hostilities commenced," says the writer from whom we derive this information, "every event, during a most eventful period, had its own historian, who communicated *News* from *Hull*, *Truths* from *York*, *Warranted Tidings* from *Ireland*, and *Special Passages* from *several places*. These were all occasional papers. Impatient, however, as a distracted people were for information, the news were never distributed daily. The various newspapers were published weekly at first; but in the progress of events, and the ardour of curiosity,

* See Chronological List of Newspapers from the Epoch of the Civil Wars, in Chalmers's Life of Ruddiman, pp. 404—442.

* See Chronological List in Chalmers's Life of Ruddiman, p. 114.

they were distributed twice or thrice in every week.* Such were the French Intelligencer, the Dutch Spy, the Irish Mercury, and the Scots Dove, the Parliament Kite, and the Secret Owl. *Mercurius Acheronticus* brought them hebdomadal *News from Hell; Mercurius Democritus* communicated wonderful news from the World in the Moon; the *Laughing Mercury* gave perfect news from the Antipodes; and *Mercurius Mastix* faithfully lashed all Scouts, Mercuries, Posts, Spies, and other Intelligencers."† Besides the newspapers, also, the great political and religious questions of the time were debated in a prodigious multitude of separate pamphlets, which appear to have been read quite as universally and as eagerly. It has been stated that the number of such pamphlets printed in the twenty years from the meeting of the Long Parliament to the Restoration was not less than thirty thousand, which would give a rate of four or five new ones every day.

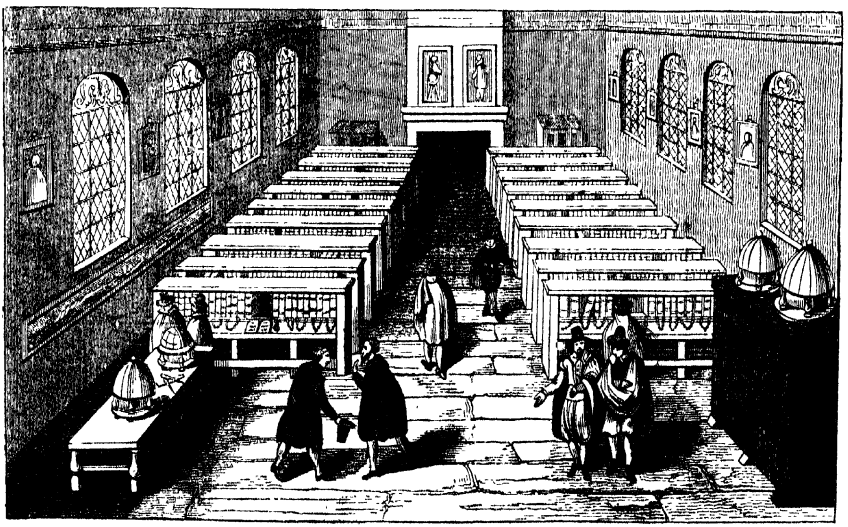
With the exception of a magnificent edition of Chrysostom, in eight volumes folio, by Sir Henry Savile, printed at Eton, where Savile was provost of the College, in 1612, scarcely any great work in the department of ancient scholarship appeared in England during this period. "The Greek language, however," observes Mr. Hallam, "was now much studied; the age of James and Charles was truly learned; our writers are prodigal of an abundant erudition, which embraces a far wider range of authors than are now read; the philosophers of every class, the poets, the historians and orators of Greece, to whom few comparatively had paid regard in the days of Elizabeth, seem as familiar to the miscellaneous writers of her next successors as the fathers of the church are to the theologians. A few, like Jeremy Taylor, are equally copious in their libations from both streams. But, though thus deeply read in ancient learning, our old scholars were not very critical in philology."* The present period, however, produced a number of works written in Latin by Englishmen, which still retain more or less celebrity; among others, the illustrious Camden's Britannia, first published in 1586, but not enlarged to the form in which its author ultimately left it till the appearance of the sixth edition, in 1607; the same writer's "Annales Rerum Anglicarum regnante Elizabetha," the first part of which was printed in 1615, the sequel not till after Camden's death; John Barclay's two political romances of the "Euphormio," the first part of which was published in 1603, and the more famous "Argenis," 1621; Lord Herbert's treatise "De Veritate," 1624; the "Defensio pro Populo Anglicano" and "Defensio Secunda" of Milton, already mentioned; and the "De Primordiis Ecclesiarum Britannicarum" (afterwards styled "Britannicarum Ecclesiarum Antiquitates"), 1639, and the "Annales Utriusque Testamenti," 1650 and 1654, of the learned Archbishop Usher.

The history of science in England in the reign of James I. is illustrated by the two great discoveries of the method of logarithms by Napier, and the circulation of the blood (as is commonly admitted) by Harvey; but we shall reserve our account of the progress both of the mathematical and the physical sciences throughout this century till the next Book.

* In December, 1642, however, Spalding, the Aberdeen annalist, in a passage which Mr. Chalmers has quoted, tells us that "now printed papers *daily* came from London, called *Diurnal Occurrences*, declaring what is done in parliament."—Vol. i. p. 336.

† Chalmers, p. 116.

* Lit. of Europe, iii. 12.



Public Reading-Room.

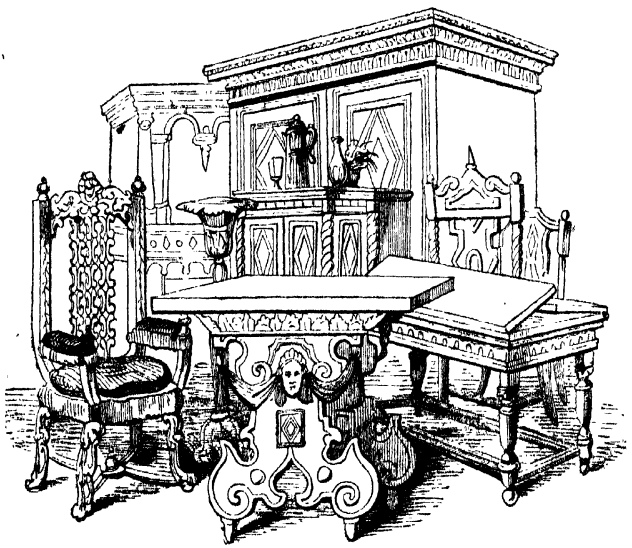
This Cut, copied from a Print of the time in the British Museum, shows the manner in which many of the Books in the Public Libraries were still chained to their places in the shelves.

CHAPTER VI.

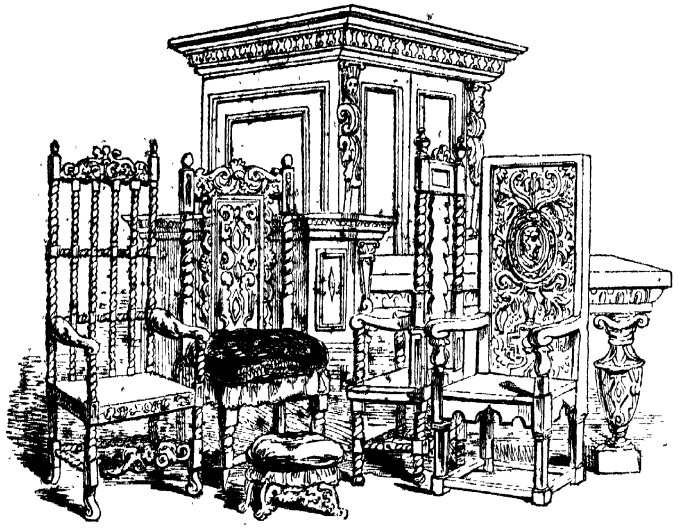
THE HISTORY OF MANNERS AND CUSTOMS.

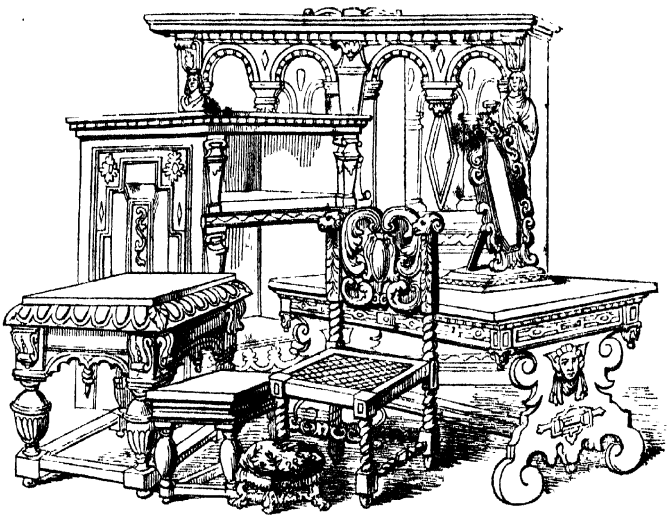
THE furniture of the palaces and mansions of our princes, nobles, and gentry during the seventeenth century acquired a degree of splendour and comfort scarcely surpassed by that of the present day, and certainly much beyond the miserable attempts at imitation of classical models introduced at the commencement of this century. Many of the houses of our nobility, especially those in the country, contain even now rooms which have remained almost in *statu quo* from the days of the Jameses and the Charleses; and the elaborate paintings of the Dutch and Flemish artists of that period, who revelled in *interiors*, enlighten us as to the fittings up of more humble apartments.

In a warrant to the great wardrobe issued by King James I., in 1613, on the occasion of the marriage of the Princess Elizabeth with the Elector Palatine, there is a copious list of articles of furniture and a description of the materials of which they were composed. We will give a few extracts, modernizing the spelling:—"Item, to William Brothericke, our embroiderer, for embroidering one whole suit of hangings upon crimson velvet, richly garnished and broidered all over with cloth of gold and cloth of silver, laces of gold, partly with plates, and chain-lace of gold without plates, Venice twists, and gold and silver and coloured Naples silk; for embroidering the several parts of a sparver bed of crimson velvet as the head part, *ceeler*, double valance, and curtains of velvet and satin; a very large cupboard-cloth of crimson velvet, carpet and screen-cloth, chair, stools and cushions, all very richly garnished all over with cloth of gold, cloth of silver, and coloured satin, &c., &c. . . . Item, to John Baker, our upholsterer, for making a suit of hangings of crimson velvet, containing five pieces and two window-pieces embroidered, lined with died canvas; . . . . for making one cupboard-cloth, one carpet, and one screen-cloth of like crimson velvet, embroidered, all lined with taffeta, and garnished with fringes of gold and silk; for making two large window-curtains of crimson damask, lined with fustian, copper rings, lyer of thread, and other necessaries to them; . . . for one bed, one bolster, and two pillows of Milan fustian filled with down, sewed with silk; three quilts of



FURNITURE OF THE SIXTEENTH CENTURY. Selected from Specimens and Prints of the Period.



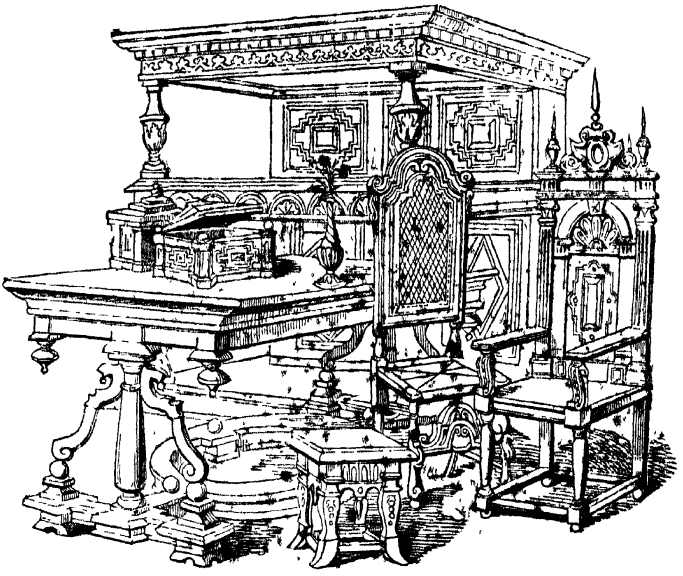


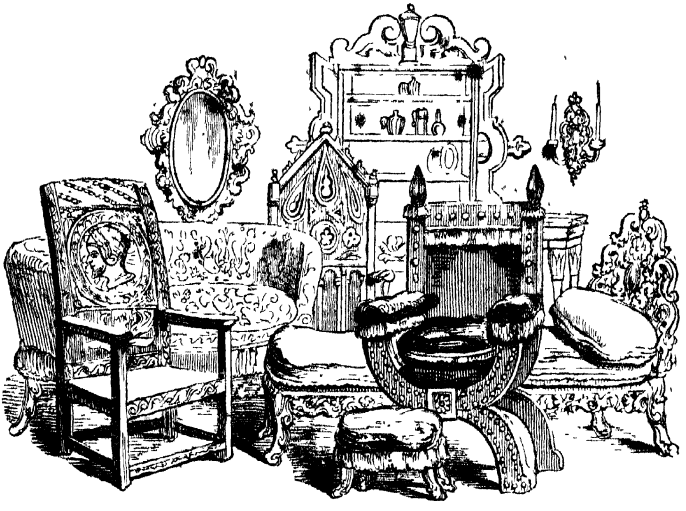
Furniture of the Sixteenth Century. Selected from Specimens and Prints of the Period.

fustian cased with taffeta, filled with wool and sewed with silk; two pair of blankets of Milan fustian of five breadths and five yards long the piece, sewed with silk; two pair of fine Spanish blankets; . . . . two counterpoints of plush, both sides alike sewed with silk. . . . Item, to Henry Waller, joiner, for one frame for a canopy for a cushion-cloth, with iron-work to it, for the timber-work of one chair, two low stools, and two little tables; . . . . . for one folding table of walnut-tree;" &c., &c.*

* Anne, queen of James I., had a walnut-tree chest of drawers in her room.—*Fosbroke, Ency. of Antiq.*

Paper and leather-hangings were invented early in the seventeenth century, and the walls of the wealthier classes were now enriched with the magnificent paintings of Rubens, Vandyke, Teniers, Rembrandt, Terburg, &c., in addition to those of Holbein and Jansen; and the *chefs d'œuvres* of the earlier great masters of Italy were displayed in gorgeous frames, and amidst objects of art and *virtù* worthy of their companionship. Ornaments of china-ware had been brought from Italy in the time of Elizabeth, but, in 1631, they were regular articles of importation by the East India ships. Turkey and Persian carpets are seen in paintings





FURNITURE OF THE SIXTEENTH CENTURY. Selected from Specimens and Prints of the Period.

of this period covering *the tables* of even the middling classes of society, *floors* being still matted or strewed with rushes even in palaces, excepting those of throne or bed-rooms, where carpets were laid down in front of the throne or by the side of the bed. The ceilings of state apartments were also adorned with paintings of historical or allegorical subjects by the first artists.

The costume of the latter part of Elizabeth's reign continued in fashion apparently for some time after the accession of James I. The king himself had his clothing made larger, and even his doublets quilted, through fear of assassination, his breeches in great plaits and full stuffed. The frontispiece to a book of hunting, published in this reign, gives us a good specimen of this style of dress as worn by the monarch, his courtiers, and attendants, when pursuing James's favourite amusement—the chase. In Decker's Gull's Horn Book, first printed in 1609, we are told that the noblest gallants, when "they consecrate their hours to their mistresses and to revelling, wear feathers then chiefly in their hats, being of the fairest ensigns of their bravery." But very rich hatbands and

jewels were worn without feathers as well as with them. For the shape of the hats of this period the reader may turn to a preceding page in this volume, where Guido Fawkes and his companions are engraved from a print published in 1605 or 1606.* John Taylor, the Water Poet, censures the extravagance of those who

> Wear a farm in shoe-strings edged with gold,
> And spangled garters worth a copyhold;
> A hose and doublet which a lordship cost;
> A gaudy cloak three manors' price almost;
> A beaver band and feather for the head
> Prized at the church's tithe,—the poor man's bread.

The print of the Earl of Somerset, given in a preceding chapter,† presents us with all the articles above mentioned. The trunks are of a fashion prevalent towards the middle of James's reign, and such as Prince Henry is represented wearing in the print given below from Drayton's Polyolbion dated 1613.

Silk and thread stockings were now generally worn by the gentry, those of woollen cloth having become quite unfashionable.

Short jackets or doublets, with hanging or false sleeves, were worn towards the end of James's reign; and the ruff was succeeded by the band and the peccadilloe or piccadilly, from a well-known shop for the sale of which the street so called received its name.‡ When James I. visited Cambridge in 1615, the vice-chancellor of that university issued an order prohibiting "the fearful enormity and excess of apparel seen in all degrees, as namely strange peccadilloes, vast bands, huge cuffs, shoe-roses, tufts, locks and tops of hair, unbecoming that modesty and carriage of students in so renowned an university." The bands and ruffs were alike stiffened with yellow starch, a fashion brought, it is said, from France, by Mrs. Turner, who was afterwards executed for poisoning Sir Thomas Overbury, and who, as mentioned in a former page, caused the extinction of the very fashion she had introduced by appearing on the scaffold in a ruff of that colour. Yellow ruffs and bands are continually alluded to by the dramatists of this period.

For the sumptuous materials of which the dresses of this day were made we must refer our readers to the wardrobe accounts of this reign, the details of which are too elaborate for our columns. The warrant to the great wardrobe on the marriage of the Princess Elizabeth, already quoted, contains a curious list of cloths of gold, brocaded silks, velvets, satins, tissues, &c., &c. "*Sugar-loaf* buttons," both large and small, are mentioned in it as much employed for the decoration of dresses; and another item is "to John White, shoemaker, for eight pair of *pumps* for eight pages, with eight pair of roses, edged with copper lace to them." Bugle-lace and bugle-buttons appear also in request, and two and twenty pair of silk stockings and four of worsted are ordered for the pages and footmen. Eighteen yards of black wrought velvet are ordered for a gown for the princess's physician; and there are four suits for four pages, described minutely as consisting of "doublets and hose, the doublets of cloth of gold, lined with taffeta, and laced with gold lace, two and two in a seam, with peckadells of white satin, the hose of tawney velvet, laced thick with gold-lace buttons with small furnishings, as canvas-cotton, baise, fustian for pockets, and stiffening for the same," and "four cloaks of tawney velvet, laced with six gold laces round about, lined with shag, and bordered with buckram." The portrait of Anne of Denmark, queen to James I., engraved in Strutt's "Dresses and Habits," and that of the Countess of Somerset, given in our first chapter,* afford us specimens of the dress of the female nobility of the period. The enormous fardingale was worn throughout this reign by the higher classes. Grogram gowns, lined throughout with velvet, durance petticoats, and silver bodkins are mentioned in the comedy of "Eastward Hoe," as part of the apparel and ornaments of citizens' wives and daughters at this time, as are French hoods and guarded (*i. e.* bordered or laced) gowns in the play of the "London Prodigal," printed in 1605.

The costume of the time of Charles I. has been familiarized to us by the numberless prints of that unfortunate monarch and the most distinguished personages of his reign, engraved from the paintings of Vandyke, whose name has indeed been given to the peculiar and elegant habit his pencil has so often portrayed. At the commencement of Charles's reign, however, the later fashions of his father's time held their ground; and we find Ben Jonson, in his comedy of the "New Inn," first acted in 1629, making a beau declare,—

> "I would put on
> The Savoy chain about my neck; the ruff,
> The cuffs of Flanders then the Naples hat,
> With the Rome hat-band and the Florentine agate,
> The Milan sword, the cloak of Geneva set
> With Brabant buttons: all my given pieces—
> My gloves the natives of Madrid."

Some of the paintings of Charles also represent him in what Jonson calls "long saussage hose," or "breeches pinned up like pudding-bags"—a Dutch fashion, which is to be seen in Holland and in many parts of the continent, particularly Germany and Switzerland, to this day. Another sort of long breeches, which may also have been of Dutch origin, form part of the Vandyke costume before alluded to, but they hang loose below the knee, and are either fringed or adorned with a row of points or ribands meeting the wide tops of the boots, which were ruffled with lace or lawn. Portraits of this period exhibit a curious clog or false sole to the boots, which appear to be excessively high-heeled. They are particularly remarkable in the portrait of the Duke of Lennox, by Vandyke, in the collection of the Earl of Darnley, at Cobham Hall, Kent. The upper part of the

* See ante, p. 23. † See ante, p. 61.

‡ The peccadilloe was sometimes made of satin, and the word was applied to the edge or hem of a garment, whether at the top or bottom, as well as to the collar.

* See ante, p. 61.

Vandyke costume consisted of a short doublet of silk or satin, with slashed sleeves; a falling collar of rich point lace; a short cloak worn carelessly over one shoulder, and a broad-leafed Flemish beaver hat with one or more feathers falling gracefully from it; a very broad and richly embroidered sword-belt, in which usually hung a Spanish rapier. The silk doublet was occasionally exchanged for a buff coat, reaching half way down the thigh, with or without sleeves, and sometimes laced with gold or silver, and the cloak in that case for a scarf or sash of silk or satin worn either round the waist or over the shoulder, and tied in a large bow either behind or on the hip. When over this coat was placed the steel gorget or a breast and back-plate, the wearer was equipped for battle, complete armour being now confined almost entirely to the heavy horse. The intercourse with Spain had in the previous reign changed the name of lancer into cavalier—an appellation which ultimately distinguished the whole royal party from that of the republican, while at the same time the cropped hair of the latter obtained for them the title of Roundheads from their opponents—"the wealthy curled darlings of the isle"—who wore their hair in long ringlets upon their shoulders. The moustache and peaked beard were common to both parties. The Cromwelites eschewed silks and satins, wearing cloths and coarser stuffs of black and sober colours, and adhered to the old high-crowned black hat, in preference to the low-crowned Flemish beaver.

Similar distinctions arose at the same period between the females of opposite parties—the ladies of the royalists wearing ringlets and feathers, while those of the Puritans covered the head closely with hood, cap, coif, or high-crowned hat. The pencil of Hollar has fully illustrated this portion of our subject in his fine works, "Ornatus Muliebris Anglicanus," published in 1640, and "Theatrum Mulierum," published in 1644.

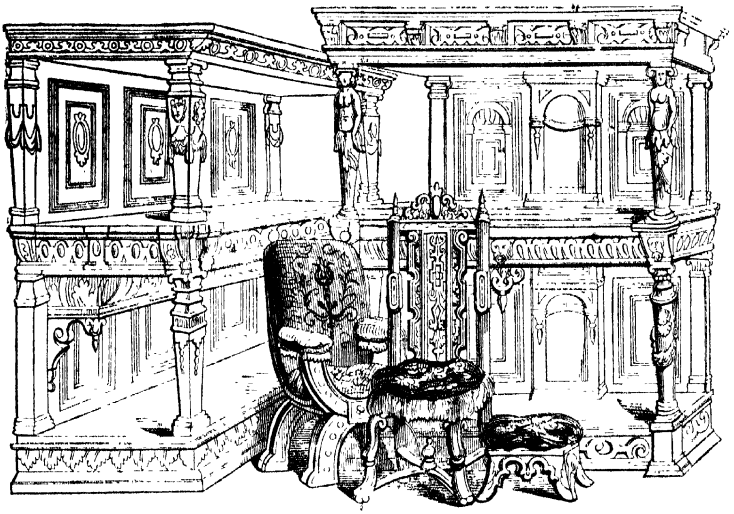
Masks were much worn at this period by females of the higher classes, and mufflers by elderly women of humbler conditions. Muffs of fur and elegant fans composed of ostrich-feathers were carried by women of fashion. With the reign of Charles I. we may be said to take leave of armour. His father, King James, had declared it to be an admirable invention, because it prevented the wearer as much from doing harm to others as from receiving injury himself; and the improvement of fire-arms gradually occasioned the abandonment of it piece by piece, until nothing remained but the back and breast-plates, which were made bullet-proof, and the open steel head-piece or iron pot, as the common sort were called; buff coats, long buff gloves or gauntlets, and high boots of jacked leather, thence called jacked or jack-boots, defending sufficiently the rest of the person. Troops so armed acquired the name of cuirassiers.

In 1632 the English cavalry was divided into four classes: the Lanciers, the Cuirassiers, the Harquebussiers or Carabiniers, and the Dragons or Dragoons.* The first were the fullest armed, wearing a close casque or head-piece, gorget, breast and back-plates (pistol and culiver proof), pauldrons, vambraces, two gauntlets, tassets, culessetts, culets or garde-de-reins, and a buff coat with long skirts to wear between their clothes and their armour. Their weapons were, a good sword, "stiff cutting and sharp pointed," a lance eighteen feet long, one or two pistols of sufficient bore and length, a flask, cartouch-box, and all appurtenances fitting. The Cuirassiers, armed, as we have already stated, with back, breast, and head-piece, only carried swords and pistols. The Harquebussiers, or Carabiniers, were similarly defended, but carried, in addition to sword and pistol, the harquebuss or the carabine, according to their appellation. The Dragoons, first raised in France in 1600, wore only "a buff coat with deep skirts, and an open head-piece with cheeks," and were divided at first into two classes, pikemen and musketeers, so called from the weapons they carried; but in 1645 they changed their muskets for the shorter piece called "the dragon," from which the French troops of this description had originally received their name; and in 1649 the dragon was abandoned for the culiver, or culivet, corrupted from calibre, a fire-arm of the particular bore ordered by government, and lighter than the usual match or wheel-lock. The modern firelock was invented about 1635. The musket-rest and the swine's feather (the precursor of the bayonet) were abandoned during the civil wars.

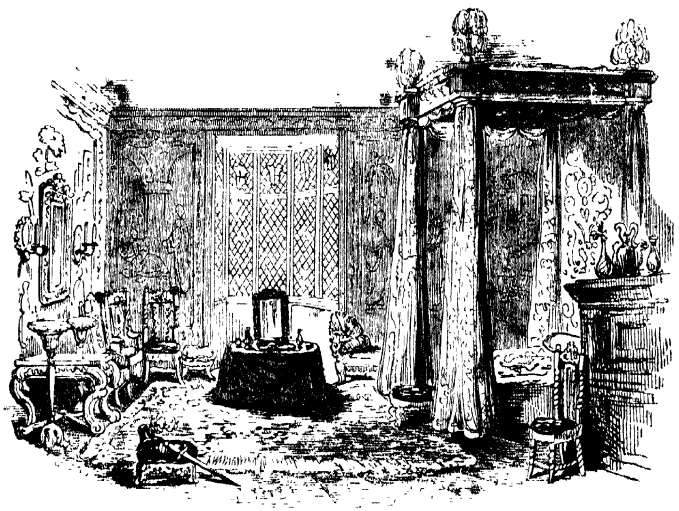
The character and tastes of James I. soon banished those mere shadows of the chivalric ages that had still lingered and flitted about the court of Queen Elizabeth. It was at a tournament, indeed, held in one of the first years of his reign,† that he found his worthless favourite Carr; but after this we hear no more of his countenancing such antiquated spectacles. His heroic son Henry, it is true, was an enthusiast for military pageants of this nature, and delighted in running at the ring, fighting at barriers, and breaking spears in the tilt-yard; but even the example of the heir-apparent was lost upon the English nobility. Chivalry, even as a harmless game, had gone quite out of fashion only a few years after the commencement of the seventeenth century, and men would as soon have dreamt of following the career of the knight of La Mancha, as wearing harness and mounting war-horses, except at the urgent call of necessity.

While the lance and the battle-axe were thus laid aside, the rapier and dagger came into more active exercise, and the duello, or modern duel, now became the customary mode of deciding their differences among gentlemen. In these encounters, which, as at present, arose not only out of private and personal quarrels, but also out of the great public questions of the day, it

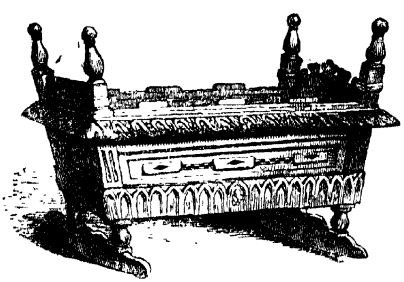
* Militarie Instructions for the Cavalrie. Cambridge, 1632.
† See ante, p. 38.



Furniture of the Sixteenth Century. Selected from Specimens and Prints of the Period.



James I.'s Bed-Room at Knole, Kent. (The Chairs are of a later date.)



James I.'s Cradle. From a Print in Nichols's Progresses.

HENRY PRINCE OF WALES. From Drayton's Polyolbion.

ENGLISH LADY OF QUALITY. Hollar's Ornatus Muliebris, 1640.

ANNE OF DENMARK, QUEEN OF JAMES I. From Strutt

GENTLEWOMAN. Ibid.

sometimes happened that the parties, though of high rank, belaboured each other stoutly with cudgels before proceeding to more knightly extremities; but even in the regular duel it was not unusual for unfair advantages of various kinds to be attempted to be taken by one or both of the parties, till the practice of appointing seconds in all cases was resorted to in order to guard against such treacheries. Combatants also, before they encountered, sometimes searched each other's clothes, or, for better assurance, stripped, and fought in their shirts. Yet, when a duel was a grave and premeditated affair, and between men of nice honour and punctilio, the stately ceremonials of ancient chivalry were carefully observed. If the challenge was delivered orally, it was with hat in

Merchant's Wife of London. Hollar's Ornatus Muliebris, 1640.

Lady Mayoress of London. Hollar's Theatrum Muliebrum.

Citizen's Wife of London. Ibid.

Countrywoman with Muffles. Speed's Map of England.

hand, profound congées, and fervent protestations of respect; and if by letter, the length of the challenger's sword was specified, and the terms of combat prescribed. If the party challenged demurred at the invitation, the bearer gravely stuck the cartel upon the point of his sheathed rapier, and again tendered it; but if it was still refused the weapon was gradually lowered, until the paper fell at the recusant's feet.* James, in his favourite character of peacemaker, found ample employment in composing the quarrels or preventing the duels

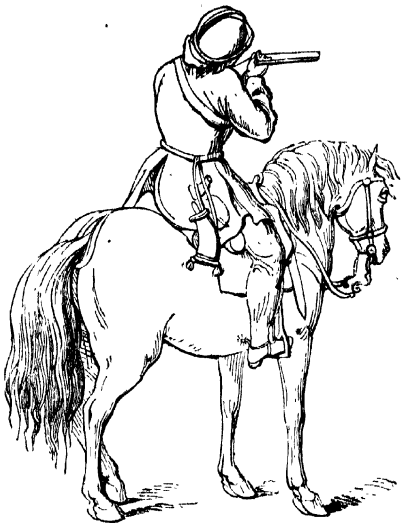
* Life of Lord Herbert of Cherbury.

OLIVERIAN OR PURITAN. Jeffrey's Dresses.

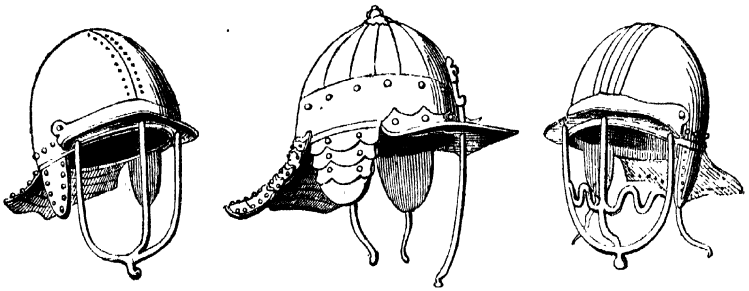
CAVALIER, 1620. From a Specimen at Goodrich Court, engraved in Skelton's Armour.

MUSKETEER, 1603. From a Specimen at Goodrich Court; engraved in Skelton's Armour.

CUIRASSIER, 1615 Ibid.



Dragoon, 1645. From a Specimen at Goodrich Court; engraved in Skelton's Armour.

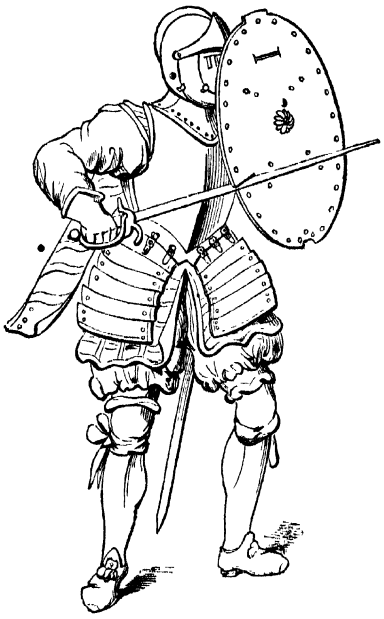


Helmets, 1645. Ibid.

of his nobles and courtiers; but in the later part of this period the fashion of duelling was driven out by the circumstances of the time. When the civil war broke out the most pugnacious had fighting enough of a more serious sort; and when peace was restored the practice of private combat was no longer tolerated by the puritanical government that was now established.

Before the commencement of the civil wars the citizens of London were carefully trained in the use of the pike and musket. The general muster of this civic militia was at first once a-year; the training and exercise of individual companies took place four times a-year, and lasted two days each time. These trainings were originally very irksome to weary artisans and thrifty shopkeepers, as, independently of the weight of back and breast-plate, scull-cap, sword, musket, and bandoliers, with which they were obliged to repair to the muster, the military discipline was of such a complex character, that it both imposed much labour and consumed a great deal of time. The ponderous matchlock, or carbine, of those days, had to be put through a long succession of manœuvres before it could be loaded, primed, and discharged. In learning to shoot with it, the soldier-citizen was obliged to gather courage, and accustom himself to the recoil of his piece, by flashing a little powder in the pan; the use of wadding for the ball not being as yet understood, he could only shoot effectually breast-high; and his fire was delivered in the act of advancing, lest he should become himself a mark to the enemy, while taking a standing aim. As for the pike, it was a stout heavy weapon of pliant ash, about sixteen feet long, and dexterity in the use of it could only be acquired by frequent practice.* The Puritans at first regarded these warlike musters in the Artillery Gardens with abhorrence, as an absolute mingling with the profane; but when they were taught from the pulpits that their projected

* Grose's Military Antiquities, chap. v.



INFANTRY ARMOUR, 1625 From a Specimen at Goodrich Court; engraved in Skelton's Armour.

PIKEMAN, 1635 Ibid.

reformation could only be accomplished by carnal weapons, they crowded to the exercise with alacrity.* In the mean time the proud cavaliers, who were still blind to the political signs of the times, laughed scornfully at these new displays of cockney chivalry, and were wont to declare that it took a Puritan two years to learn how to discharge a musket without winking.† But the laugh was turned against themselves after the civil wars commenced, when the pikes and guns of the civic militia scattered the fiery cavalry of Prince Rupert and bore down all before them. When these Puritans were converted into actual soldiers they "marched to the field in high-crowned hats, collared bands, great loose coats, long tucks under them, and calves' leather boots: they used to sing a psalm, fall on, and beat all opposition to the devil."‡ It is worthy of remark, too, that the long active service and military renown of these campaigners gave them no disrelish, after the war had ended, for their former peaceful and humble occupations. On the contrary, the soldier resumed his mechanical implements, and the officer returned to his shop or warehouse, while the cavaliers still went about with belts and swords, swearing, swaggering, and breaking into houses, and stealing whatever they could find.

* Letter of Samuel Butler in Somers's Tracts, vol. iv. p. 582.
† Ibid.
‡ Shadwell's Comedy of "The Volunteers."

The chief amusements of the court of King James were masques and emblematic pageants; and as these were chiefly the production of Ben Jonson, they were greatly superior to those of the preceding period. Still, however, the pedantry of James, and the frivolity of his queen, required those accommodations on the part of the poet which his own good taste would have rejected. In one of these representations, called the Masque of Blackness, twelve Ethiopian nymphs, taking a voyage to Britain, to have their complexions made white, were represented by the queen and twelve ladies of the court, whose faces and arms were besmeared for the occasion with black paint. At the end of the masque a banquet was set out, and, as the courtiers were hungry, the feast was "so furiously assaulted, that down went tables and tressels before one bit was touched."* A more detailed account, however, of a court pageant, exhibited before James and the King of Denmark at Theobalds, gives an astounding view both of the taste and moral character of the English court of this period. "One day," writes Sir John Harrington, in a letter to a friend in the country, during the visit of Christian IV., King of Denmark, in the summer of 1606,† "a great feast was held, and after dinner the representation of Solomon his Temple and the coming of the Queen of Sheba was made, or, I may better say, was

* Winwood's Memorials. † See ante, p. 33.

meant to have been made, before their majesties, by device of the Earl of Salisbury and others. But, alas! as all earthly things do fail to poor mortals in enjoyment, so did prove our presentment hereof. The lady who did play the queen's part did carry most precious gifts to both their majesties, but, forgetting the steps arising to the canopy, overset her caskets into his Danish majesty's lap, and fell at his feet, though I rather think it was in his face. Much was the hurry and confusion; cloths and napkins were at hand to make all clean. His majesty then got up and would dance with the Queen of Sheba; but he fell down, and humbled himself before her, and was carried to an inner chamber, and laid on a bed of state, which was not a little defiled with the presents of the queen which had been bestowed on his garments, such as wine, cream, beverage, cakes, spices, and other good matters. The entertainment and show went forward, and most of the presenters went backward, or fell down; wine did so occupy their upper chambers. Now did appear in rich dress Faith, Hope, and Charity: Hope did essay to speak, but wine rendered her endeavours so feeble, that she withdrew, and hoped the king would excuse her brevity: Faith was then alone, for I am certain she was not joined with good works, and left the court in a staggering condition: Charity came to the king's feet, and seemed to cover the multitude of sins her sisters had committed; in some sort she made obeisance, and brought gifts, but said she would return home again, as there was no gift which heaven had not already given to his majesty. She then returned to Faith and Hope, who were both sick . . . . . in the lower hall. Next came Victory in bright armour, and, by a strange medley of versification, did endeavour to make suit to the king. But Victory did not triumph long; for, after much lamentable utterance, she was led away like a silly captive, and laid to sleep in the outer steps of the ante-chamber. Now Peace did make entry, and strive to get foremost to the king; but I grieve to tell how great wrath she did discover unto those of her attendants, and, much contrary to her semblance, most rudely made war with her olive-branch, and laid on the pates of those who did oppose her coming."*

The whole of this description seems so incredible, that many might think the translator of Ariosto had in this instance assumed the licence of his Italian original; but the testimony of other contemporaries will not allow us to suppose that Harrington's account is at all exaggerated.

While the masculine and original character of the national mind was gradually emancipating dramatic poetry equally from the trammels of the classical school and that of the middle ages, the pedantic predilections of James tended to prevent this improvement from fully overtaking the court plays and royal pageants, so that during his whole reign the heathen gods or Christian virtues continued to figure among the leading personages in such exhibitions. Not only the courtiers, however, but grave matter-of-fact citizens, acquiesced in the royal humour; so that in 1610, when Prince Henry repaired to Whitehall, to be created Prince of Wales, he was met at Chelsea by the lord mayor and corporation of London, attended by Neptune riding on a dolphin, and a sea-goddess mounted on a whale, which deities addressed him in complimentary speeches. But with the succeeding reign all this pedantry had so completely disappeared, that a royal masque or pageant was a fair transcript from the world of reality. A description of one of these exhibitions, which was presented before the king, queen, and court at Whitehall, in 1633, by the members of the inns of court, will best illustrate the magnitude of this change. It consisted of a masque and an anti-masque. The first was arrayed and marshalled after the fashion of a Roman triumph, the figures composing which consisted of the comeliest men in England, dressed in the most splendid and becoming costume; the dresses, the chariots, and steeds were covered with ornaments of gold and silver, and blazed in the light of countless torches, while the whole solemn procession moved with measured steps to accompanying bands of music. No puppet or impersonation, whether of the classical, allegorical, or romantic world, intruded to mar the chasteness of the exhibition—all was real, modern, and of the choicest and happiest selection. Something more, however, was still necessary for the gratification of the popular taste; and the anti-masque, which followed, was an avowed but good-humoured parody upon the first part of the procession. It was formed of cripples, beggars, and other squalid figures, mounted upon miserable jades, and moving along to the music of keys, tongs, and bones. The whole exhibition was designed originally to express the devotedness of the inns of court to Charles I. and his measures, and their abhorrence of Puritanism, Prynne, and his Histrio-mastrix; but, in the anti-masque, a sly opportunity was also taken of ridiculing the subject of patents, one of the chief political abuses of the day. Thus one man appeared mounted upon a little horse, with a great bit in his mouth, and a head-stall and reins about his ears: this was a projector wanting a patent that none should be allowed to ride their horses except with such bits as they should buy of him. After him came another fellow with a bunch of carrots on his head and a capon upon his fist: he wanted a patent of monopoly as the first inventor of the art of feeding capons with carrots, and that none but himself should have the privilege of the said invention for fourteen years, according to the statute. Other projectors were ridiculed in a similar manner; and this part of the pageant "pleased the spectators the more, because by it an information was covertly given to the king of the unfitness and ridiculousness of those projects against the law." Nor was the hint taken in ill part by the court,

* Nugæ Antiquæ.

for the queen was so highly delighted with the procession, that she caused it to be repeated. At the close the whole party repaired to the Banqueting House at Whitehall, where dancing continued till morning, when a sumptuous banquet closed the entertainments. The expense of this rich pageant amounted to 21,000*l.**

In the retinues and domestic attendance of the nobles of this period everything proclaimed that the era of feudal authority and magnificence had departed. Accordingly, when the civil wars had commenced, no peer, however wealthy or high in rank, could drag after him a regiment, or even a company, of unwilling vassals to the field: on the contrary, the meanest hind was free to choose between king and parliament. Something, however, of the mere pomp of feudalism was still maintained in the domestic establishments of the nobility and the wealthier gentry. The father of John Evelyn, when he was sheriff of the counties of Surrey and Sussex,† had a hundred and sixteen servants in liveries of green satin doublets, besides several gentlemen and persons of quality who waited on him, dressed in the same garb. One of the largest, if not the largest, of English establishments at this time, was that of the Lord Treasurer, the Earl of Dorset, the Lord Buckhurst and well-known poet of the court of Elizabeth. It consisted of two hundred and twenty servants, besides workmen attached to the house, and others that were hired occasionally.‡ The chief servants of the nobility (so they were called, but they were rather followers or clients) were still the younger sons of respectable or even noble families, who attached themselves to the fortunes of a powerful patron, and served him either in court or military affairs, for which they were allowed separate retinues of men and horses, with gratuities in money and promises of promotion.§ The progress of improvement, that had banished minstrels, jugglers, and tumblers from princely households, had naturally introduced the drama in their room; and accordingly we sometimes find a company of actors classed among the servants of the chief noblemen, as well as a family musician, or even a whole band. A steward, distinguished by a velvet jacket and a gold chain about his neck, presided as marshal of the household, and next to him was the clerk of the kitchen.‖ But these cumbrous appendages were daily lessening, as domestic comfort came to be better understood. This improvement, however, had commenced still earlier among those of less rank and pretension. All who had their fortune still to seek in the court or the army, and all who repaired to the metropolis in quest of pleasure, found, so early as the time of Elizabeth, that the bustle and the scramble of new and stirring times made a numerous train of attendants an uncomfortable appendage: the gallant and the courtier, therefore, like Sir John Falstaff, studied "French thrift," and contented himself with a single "skirted page," who walked behind him carrying his cloak and rapier. In consequence of the extravagant living introduced during this period, the spendthrift gentleman often sank into the serving-man, as we may see from the frequent occurrence of such a transformation in the old plays. When servants were out of place, we learn, from the same authentic pictures of the real life of the times, that they sometimes repaired to St. Paul's churchyard, the great place of public lounge, and there stood against the pillars, holding before them a written placard stating their particular qualifications, and their desire of employment.*

But whatever retrenchment might be making in household expenditure by a diminished attendance was more than counterbalanced by an extravagance in dress and personal ornament that had now become an absolute frenzy. The caterpillar does not more eagerly burst into a butterfly upon the approach of sunshine than did the clumsy, ungainly figure of James into a gilded coxcomb, as soon as he was transported from the scantily furnished halls of Holyrood to the plentiful palaces of the south. It is said that he almost daily figured in a new suit, a humour that soon became prevalent among the courtiers. Still more generally influential than James's own example was that of his several handsome favourites, all of whom having been indebted for the royal favour mainly to their personal attractions, as might be expected, spared no pains and cost to give these natural advantages their full effect. When Buckingham was sent ambassador to the court of France to bring the Princess Henrietta to England, he provided for this important mission a suit of white uncut velvet and a cloak, both set all over with diamonds valued at eighty thousand pounds, besides a feather made of great diamonds; his sword, girdle, hat-band, and spurs were also set thick with diamonds. Another suit, which he prepared for the same occasion, was of purple satin embroidered all over with pearls, and valued at twenty thousand pounds. In addition to these he had twenty-five other dresses of great richness. As a throng of nobles and gentlemen attended him, we may conceive how their estates must have been impoverished by the purchase of chains of gold, ropes of pearl, and splendid dresses, befitting the retinue of such an ambassador. Even a court festival of the time of James I. must have made a perilous inroad upon a year's amount of the largest income. Thus, at the marriage of the Princess Elizabeth to the Palatine, Lady Wotton wore a gown profusely ornamented with embroidery that cost fifty pounds a-yard; and Lord Montague spent fifteen hundred pounds on the dresses of his two daughters, that they might be fit to appear at court on the same

* Whitelocke.

† Till the year 1637 it was customary for these two counties to have but one sheriff.

‡ Dr. Abbot's Funeral Sermon for the Earl of Dorset.

§ Peck's Curiosa.

‖ Peck.

* Peck's Curiosa.—Life of Lord Herbert of Cherbury.—Evelyn's Diary.—Shirley's Plays.

occasion.* Prodigality in feasting and riotous living soon became as conspicuous as extravagance in dress. The ante-suppers of the epicurean Earl of Carlisle have been mentioned on a former occasion. Weldon informs us that this nobleman gave a banquet to the French ambassador at Essex House, where fish of such huge size were served up, which had been brought all the way from Russia, that no dishes in England could hold them, until several were made for the express purpose. The household expenditure of James I. was twice as much as that of his predecessor, amounting to a hundred thousand pounds annually.†

While such were the habits of the courtiers, the country aristocracy still followed that kind of life so much familiarised to our minds by the descriptions in the old songs and plays of the "golden days of good Queen Bess." The rural knight or squire inhabited a huge building, half house, half castle, crowded with servants in homespun blue coats, many of whom were only serviceable in filling up the blank spaces of the mansion; but, as these men had been born in his worship's service, it was held a matter of course that they should live and die in it. The family rose at daybreak, and first of all assembled to prayers, which were read by the family chaplain. Then came breakfast; after which the master of the household and his sons got into the saddle, and went off to hunt the deer, followed by some score of mounted attendants, while the lady and her daughters superintended the dairy or the buttery, prescribed the day's task for the spinning-wheels, dealt out bread and meat at the gate to the poor, and concocted all manner of simples for the sick and infirm of the village. If leisure still remained, the making of confections and preserves was a never-failing resource, independently of spinning and sewing, or perhaps embroidering some battle or hunting-piece which had been commenced by the housewives of a preceding generation. At noon dinner was served up in the great hall, the walls of which were plentifully adorned with stags' horns, casques, antique brands, and calivers; and the noisy bell, that sent the note of warning over the country, gave also a universal invitation and welcome to the hospitable board; and, after dinner, sack or home-brewed October occupied the time until sunset, when the hour of retiring to rest was at hand. Such was the ordinary history of a day. When the weather prevented out-door recreation or employment, the family library, containing some six or eight large tomes that perhaps had issued from the press of Caxton or Wynkyn de Worde, was in requisition, and, if the members of the family could read, they might while away the hours in perusing these volumes for the twentieth time. In this fashion they derived their knowledge of religion in general from the Bible and the Practice of Piety,—their Protestantism and horror of Popery from Fox's Acts and Monuments,—their chivalrous lore from Froissart's Chronicle, or, perchance, the Merrie Gests of Robin Hood,—their historical erudition from Hall or Holinshed,—and their morality and sentiment from the Seven Wise Masters, or the Seven Champions of Christendom. In such a state of life the set holidays were glorious eras; the anticipation, the enjoyment, and the remembrances of a single Christmas or birth-day furnished matter for a whole month of happiness. On such an occasion the lord of the manor was more than a king; as he proceeded with his family through the crowds of assembled peasants, to witness their games of merriment and feats of agility or strength, his smile inspired the competitor with double swiftness or vigour, and the prize received a tenfold value because it was he who bestowed it. At evening his bounty was expressed by oxen roasted whole, and puncheons of mighty ale, with which he feasted the crowd, while his house was thrown open to the throng of his more immediate acquaintances and dependants. After the feast his hall was cleared for dancing; three fiddlers and a piper struck up; and as the "mirth and fun grew fast and furious," the strong oaken floor was battered and ploughed in all directions by the hobnailed shoes of those who danced with all their might and with all their hearts. Such was the life of an old country gentleman when James succeeded to the crown of England. But these habits, the last relics of the simplicity of the olden times, did not long outlive that event. Tidings of the gay doings at court, and the wonderful good fortune of the royal favourites, reached the ears of the aristocratic rustics, and from that moment rural occupations and village May-poles lost their charm; the young were impatient to repair to the metropolis, and the old were obliged to yield to the prevailing fashion. With all the fierce impetuosity of novices, clod-compelling esquires and well-dowried country widows rushed into the pleasures and excesses of a town life; and thus, with a rapidity hitherto unknown in England, and at which moralists became giddy, ancient manors tumbled to decay, fortunes that had accumulated for generations vanished, the hereditary estates of centuries became the property of men of yesterday, and the time-honoured names of the most ancient families disappeared from the scroll of English heraldry, and soon ceased to be remembered.

The following curious letter addressed to William, the second Lord Compton (afterwards Earl of Northampton), by his wife, soon after their marriage, unfolds much of the domestic economy and habits of a family of distinction during the reign of James I., and presents also an amusing sketch of a managing mistress of a household of the higher ranks of that day:—

"My sweet life, now I have declared to you my mind for the settling of your state, I suppose that it were best for me to bethink and consider within myself what allowance were meetest for me. I pray and beseech you to grant to me, your most kind and loving wife, the sum of 2600*l.*, quarterly to be paid. Also, I would, besides that allowance,

* Winwood. † Osborne's Memoirs of King James.

have 600*l.*, quarterly to be paid, for the performance of charitable works and those things I would not, neither will be, accountable for. Also, I will have three horses for my own saddle, that none shall dare to lend or borrow: none lend but I, none borrow but you. Also, I would have two gentlewomen, lest one should be sick, or have some other let: also, believe it, it is an undecent thing for a gentlewoman to stand mumping alone, when God hath blessed their lord and lady with a great estate. Also, when I ride a hunting or a hawking, or travel from one house to another, I will have them attending; so for either of these said women, I must and will have for either of them a horse. Also, I will have six or eight gentlemen; and I will have my two coaches, one lined with velvet to myself, with four very fair horses; and a coach for my women, lined with cloth, and laced with gold, otherwise with scarlet, and laced with silver, with four good horses. Also, I will have two coachmen, one for my own coach, the other for my women. Also, at any time when I travel, I will be allowed not only caroches and spare horses for me and my women, but I will have such carriages as shall be fitting for all; orderly, not pestering my things with my women's, nor theirs with either chamber-maid's, nor theirs with wash-maids'. Also, for laundresses, when I travel, I will have them sent away before with the carriages, to see all safe. And the chamber-maids I will have go before, that the chamber may be ready, sweet, and clean. Also, for that it is undecent to crowd up myself with my gentleman-usher in my coach, I will have him to have a convenient horse, to attend me either in city or country. And I must have two footmen. And my desire is that you defray all the charges for me. And for myself, besides my yearly allowance, I would have twenty gowns of apparel, six of them excellent good ones, eight of them for the country, and six other of them very excellent good ones. Also, I would have to put in my purse 2000*l.* and 200*l.*, and so you to pay my debts. Also, I would have 6000*l.* to buy me jewels, and 4000*l.* to buy me a pearl chain. Now, seeing I have been, and am, so reasonable unto you, I pray you do find my children apparel and their schooling, and all my servants, men and women, their wages. Also, I will have all my houses furnished, and my lodging-chambers to be suited with all such furniture as is fit; as beds, stools, chairs, suitable cushions, carpets, silver warming-pans, cupboards of plate, fair hangings, and such like. So, for my drawing-chamber, in all houses, I will have them delicately furnished both with hangings, couch, canopy, glass, carpet, chairs, cushions, and all things thereunto belonging. Also, my desire is, that you would pay your debts, build up Ashley House, and purchase lands; and lend no money, as you love God, to my Lord Chamberlain, who would have all, perhaps your life from you. . . . . So, now that I have declared to you what I would have, and what it is that I would not have, I pray you, when you be an earl, to allow me 2000*l.* more than I now desire, and double attendance."*

In the other departments of courtly and fashionable life we find that the spirit of gambling kept pace with other excesses; so that the dice, "that four-squared sin," as it was quaintly termed, served in many cases to consummate the ruin of those ancient estates which the prodigality of a court life had already greatly impaired; and as gaming naturally produces usurers and pawnbrokers, these classes had now increased to an immense amount. Loaded dice, too, were also common,—an iniquity almost coeval with the invention of the die itself; and all the nefarious tricks of foul play seem to have been as thoroughly understood in those days as at present. A good paymaster of "debts of honour" generally even reserved all the light and clipped money that fell into his hands to pass off at cards and dice. As court fortunes were now daily becoming more necessary, the crowds of needy aspirants who sought advancement in this way were obliged to study the humour of the king,—and, truly, that of James was not hard to find. They declaimed against puritans and witches, swore by the Basilicon Doron, and plentifully larded their sayings with Latin quotations; they seemed to be half blinded by the effulgence of that royal majesty, the gracious light of which they so humbly courted; and they constantly lauded the wisdom and learning of the sovereign, his hunting and his horsemanship, but, above all, his roan palfrey and its ornaments. Indeed, without this last act of homage they had better have stayed at home, as appears by the following incident. A nobleman who had tendered a petition without regarding the fair steed or its trappings received no answer: he again petitioned, but still there was no reply. At length the lord treasurer was employed to ascertain the cause of the royal silence. James angrily exclaimed, "Shall a king give heed to a dirty paper, when a beggar noteth not his gilt stirrups?"†

To be a successful courtier it was also necessary to excel in those coarse jokes and buffooneries which were so much to the taste of the low-minded James. This king, among his various accomplishments, was a ready inventor of nicknames and an inveterate lover of practical jokes; and happy was the man who could so take these as to furnish the luxury of a royal chuckle. Occasionally, however, the kingly jester would venture beyond bounds with those of more independent spirit, in which case he was sometimes rewarded with a counter-buff not much to his liking. In contemplating the manners of James, and those by whom he was surrounded, it was no wonder that the English nobles of the old school thought of the court of

* Harleian MS., quoted by Miss Aiken, in her Memoirs of the Court of James I. This lady, who values herself upon being so reasonable, was the daughter and sole heiress of Sir John Spencer, who was probably the wealthiest citizen of his time, as he died worth nearly a million sterling. He was called "The Rich Spencer." Lord Compton, her husband, was so transported at this inheritance, that he went out of his wits, and remained in that condition for several years.—*Winwood.*

† Harrington, Letter to Lord Thomas Howard, in Nugæ Antiquæ.

Elizabeth with a sigh. When Charles I. succeeded, the coldness of his character and his decorous habits discountenanced these coarse and profligate excesses; and the courtiers endeavoured to conform to something like the rules of external decency. A general sobriety of demeanour succeeded, and even debauchees now talked of Platonic love, the pretence of which at least became for a time quite the fashion at court.* But, as the stern, ascetic Puritans grew into power, and advanced to the destruction of the monarchy with prayer and fasting, the court party soon became eager to distinguish themselves by an entirely opposite behaviour. All the excesses of the former reign were resumed, and Charles found himself unable to restrain, or even to rebuke, his adherents, who swore, drank, brawled, and intrigued, to show their hatred of the enemy and their devotedness to the royal cause.†

The literary education of youth was as yet confined almost wholly to Latin and Greek. The discipline of public and domestic teachers was extremely rigid; and the fame of being a "learned and lashing master" was generally esteemed the highest commendation. To qualify this severity, however, schoolboys, like the ancient Roman slaves, were indulged with certain appointed seasons of saturnalia, in which restraint was exchanged for the wildest glee. The chief of these was what was called the barring-out, when the scholars, before the arrival of the holidays, took possession of the school-room, barred and bolted it against the teacher, and defied him from the windows. In some of the public schools plays were sometimes acted, large audiences gathering to the spectacle. In others there were annual competitions in ancient athletic sports, as at the school of Harrow, where the students tried their skill against each other in archery for the prize of a silver arrow. The Eton Montem, as has been mentioned in a former Chapter, probably originated in the festival of the Boy-Bishop, and it was practised as early as the reign of Elizabeth. In this annual ceremony, as at the present day, the pupils of Eton School elected a captain, who, in turn, chose his several officers; after which the whole party marched in military procession to Salt Hill, shouting, as they went, "Salt! salt!" and receiving contributions in money from the spectators, and bestowing salt in return. The rich dresses used by the captain of the Montem and his officers, on this occasion, were frequently borrowed from the theatres. As salt was a classical as well as theological emblem, and employed to signify learning and wisdom, we find it largely used in the ancient pranks and festivals of our English colleges. This was especially the case in qualifying a freshman. On this important occasion the freshmen were obliged to doff their gowns and bands, and look as much like scoundrels as possible; after which they mounted a form that was placed upon a table, and declaimed to the grinning and shouting students below. In the meantime a huge brazen pot of caudle was bubbling on the fire before them, to refresh such of the orators as had recited their speeches gracefully; but those who had acquitted themselves indifferently had their caudle qualified with salt; while those who declaimed very ill were drenched with salted beer, and subjected to sharp admonishment by pinches on the chin from the thumb-nails of the seniors. All this was harmless enough, although not very classical; but many a heavy complaint was made at this date of the dissoluteness of the Oxford and Cambridge students. Theological and political factions also raged fiercely among the members of these ancient seats of learning, and were only quelled at last when the Puritans obtained the complete ascendancy in church and state.*

Besides intellectual acquirements, however, education still comprised also various active exercises of a military character; and thus, at the breaking out of the civil wars, most gentlemen were ready at once for military service. These exercises, in which the young aristocracy were carefully trained by skilful preceptors, consisted in fencing, vaulting, shooting with the musket and cannon, and sometimes even yet with the long and cross-bow, and riding the great horse. This last department was somewhat more difficult than the simple horsemanship of the present day, as the pupil, in order to acquire a firm seat and easy carriage, was obliged to practise all those equestrian evolutions that are now confined to the circus. At public schools, also, the pupils were frequently taught to perform all the evolutions and exercises of regular soldiers, arms being purchased for the purpose, and some skilful soldier hired to give the necessary lessons.† To give a finish to a complete education, it was thought necessary for the young aristocracy to travel before entering into active life; and the tour of the continent generally succeeded to the labours of the English pedagogue. Much care was taken by the government to interdict these tourists from entering, or at least taking up their abode in, those foreign cities in which popery and the Jesuits predominated; but the taverns of France and Italy had more attractions for the generality of our young travellers than the colleges of the sons of Loyola, and love intrigues were more attended to than arguments in favour of papal supremacy; so that the character of an Englishman abroad was expressed in the following quaint Italian proverb:—

"Inglese Italianato
E Diavolo incarnato."‡

Female education, instead of obeying the power-

* Howel's Letters.

† So much was swearing identified with loyalty, that Cromwell, after a skirmish with the Scottish horse at Musselburgh, sent word to the parliament that the enemy had English cavaliers in their ranks, *because* he heard one of their wounded exclaiming, with his last breath, "D——n me! I'm going to my king."

* Peck's Curiosa.—Life of Anthony à Wood.

† Evelyn's Diary.—Life of Colonel Hutchinson.—Echard's History of England.

‡ Howel's Letters.

ful impulse it had already received, appears to have materially retrograded during the present period. The character of such a sovereign as Elizabeth, the glorious actions of her reign, and the chivalrous deference of her courtiers, had all tended to inspire the English dames and damosels with that feeling of self-respect which constitutes so fruitful a source of noble efforts; and while they were addressed in that romantic language which attributed to them every kind of excellence, they endeavoured, as much as possible, to realize the ideal picture, and become worthy of such homage. But the era of buffoons that immediately followed laughed this high-wrought principle out of countenance. Foreigners who visited England at this time were astonished at the gross manners of the court, and of both sexes in the higher classes; and they inform us that, although the English taverns were dens of filth, tobacco-smoke, roaring songs, and roysters, yet women of rank allowed themselves to be entertained in such places, and actually tolerated those freedoms from their admirers which are described with such startling plainness in our old plays.* Among other excesses, gaming was now entered into by the ladies with their characteristic ardour; and, it is said, with no very strict regard to the rules of fair play. Another of their resources was trafficking in politics, so that Gondomar found every fair palm ready for a bribe: this wily diplomatist accordingly soon filled them with gold, for which the recipients made their love intrigues subservient to the Spanish interests.† The shops of the milliners and perfumers were noted places of assignation; and one famous public haunt for this purpose during the reigns of James I. and Charles I. was Spring Garden, which was at length shut up from public access by command of Cromwell.‡

The process of dressing a fine lady was now declared to be as complex and tedious as the fitting out of a ship of war; and the different articles of her raiment were carefully kept in "sweet coffers"—that is, coffers perfumed with musk or other rich odours. The dressing of her hair was an equally complicated work, from the quantity of *heart-breakers* that required to be scented and curled, the artificial ringlets that were incorporated with the true, and the jewellery with which the whole was surmounted. Add to all this the critical process of laying patches upon various parts of the face, and perhaps creating a new complexion with lotions, unguents, and even with paint; and we have half of the every-day history of a fine lady of the period, according to Shirley:—

> "We rise, make fine,
> Sit for our picture—and 'tis time to dine."

Painted visages kept their ground even during the stern administration of Cromwell, and although every Puritan pulpit resounded with the example of Jezebel.*

The foppery of the other sex was not less extravagant, and a fine gentleman of this period was the *ne plus ultra* of odious effeminacy. This perverse fashion was undoubtedly set by Somerset and Buckingham, who, we are told, endeavoured to look as much like women as possible.† A beau of this period was an animated trinket; from the top of his beaver, that fluttered with gay streamers, to his boot-point, nothing was to be seen but an assemblage of bright colours and a blaze of jewellery. As he languidly waved his handkerchief to and fro, he scented the air with musk; his gloves, which were too fine for use, and which he carried in his hand, were made of perfumed leather; his pockets were stored with orangeade; and, when he addressed a lady, it was not only with honeyed words, but sweet and substantial comfits. But, not even contented with all this, the fops at last proceeded to paint their faces, and thus their resemblance to women became complete. A rougher species of coxcombry was exhibited by those who might be called the military dandies of the day. Besides affecting a soldierly swagger and style of language, and carrying weapons of preposterous size, they wore black patches upon their faces clipped into the forms of stars, half-moons, and lozenges. This fashion originated in the scarred and patched faces of those who returned from the wars of Germany and the Low Countries, and was adopted by the male sex before it descended to women. With some this affectation of the military character became so ridiculous, that, to look still more like heroes, they sometimes walked about with their arm in a sling.

As the mercantile community had now acquired a first-rate importance, the peculiar manners and customs of those who bought and sold are worthy of particular attention. The aristocracy still looked down upon traffickers with disdain, and elbowed them from the wall; and a fashionable comedy was not thought racy enough unless some vulgar flat-cap was introduced, to be robbed of his "daughter and his ducats" by some needy and profligate adventurer. But, in spite of the ridicule of court and theatre, the merchants and the shopkeepers went on and prospered. The London shops of the seventeenth century were still little booths or cellars, generally without doors or windows;‡ and in lieu of gilded sign, or tempting show-glass, the master took short turns before his door, crying, "What d'ye lack, Sir?" "What d'ye lack, Madam?" "What d'ye please to lack?" and then he rehearsed a list of the commodities in which he dealt. This task, when he became weary, was assumed by his 'prentice; and thus a London street was a Babel of strange sounds by which the wayfarer was dinned at every

* Character of England in Lord Somers's Tracts, vol. vii.—In the plays of the seventeenth century the chief scene of action, in which lords and ladies mingle, is often a tavern.
† Wilson's Court of James.
‡ Evelyn's Diary.

* Strutt's Horda Angel-Cynnan.—Play of Westward Hoe.—Shirley's Lady of Pleasure.
† Osborne.
‡ Pepys's Diary, ii. 128.

step. The articles of a dealer were often of a very heterogeneous description: these were huddled in bales and heaps within the little shop; and in the midst of them might sometimes be seen the wife or daughters of the master, plying the needle or knitting-wires, and eyeing the passing crowd.* In one of the plays of the time a merchant explains to his idle apprentice the way in which he grew rich, in the following words: "Did I gain my wealth by ordinaries? no: by exchanging of gold? no: by keeping of gallants' company? no. I hired me a little shop, fought low, took small gains, kept no debt-book, garnished my shop, for want of plate, with good, wholesome, thrifty sentences, as 'Keep thy shop, and thy shop will keep thee;' 'Light gains make heavy purses;' 'Tis good to be merry and wise.'"† But, although the shops and warehouses of the London traffickers were of such a humble description, the houses were very different; so that even so early as the reign of James the dwelling of a chief merchant rivalled the palace of a nobleman in the splendour of its furniture, among which cushions and window-pillows of velvet and damask had become common.‡ At the hour of twelve the merchant usually repaired to the Exchange, and again at six in the evening. At nine o'clock the Bow-bell rang, which was a signal for the servants to leave off work, and repair to supper and bed—"a bell," says Fuller, "which the masters thought rang too soon, and the apprentices too late." It is amusing, however, to observe the jealous distinctions that still prevailed among the different classes. Only a great magnifico or royal merchant was worthy to prefix Master, or Mr., to his name; and if he was addressed as the "Worshipful," it was only when a soothing compliment was necessary; but the additions of "Gentleman," or "Esquire," would have thrown the whole court into an uproar. Even in such a trifling matter as a light in the dark streets at night, the same scrupulous distinctions were observed: the courtiers were lighted with torches, merchants and lawyers with links, and mechanics with lanthorns.§ The great mark of mercantile ambition was the mayoralty: the lord mayor's show was more than a Roman triumph in the eyes of a young civic aspirant; and Gog and Magog, that towered over the scene, became the gods of his idolatry. "By this light!" exclaims a young trading citizen, in Greene's 'Tu Quoque,' "I do not think but to be lord mayor of London before I die, and have three pageants carried before me, besides a ship and a unicorn."

From the merchants and shopkeepers we may descend to the apprentices of this period, and, strange to tell, they seem to have been among the chief civic nuisances of the sixteenth and seventeenth centuries. These youths, although scattered over the whole metropolis, were formidable, not only from their numbers, but their union; and they seem to have acquired such a reckless ferocity from the consciousness of their strength, that they were always ready to head the minor insurrections and popular riots of the period. In these cases it was in vain for the common city-guard to oppose them; "clubs, bills, and partizans" were swept before the whirlwind of a 'prentice onset; and it was often necessary to call out the military against them. One aggrieved member of the fraternity, too, was enough to throw, with a single war-whoop, the whole ward into an uproar. Whether attacking or attacked, he had only to shout the cry of "'Prentices! clubs!" when every shop, warehouse, and street repeated the warning, and every 'prentice snatched up his hat and rushed to the rescue. The 'prentices also had constituted themselves the arbiters and executioners of popular justice, so that if a bull was to be baited in the ring, or a play on the stage; if a bawd was to be carted through the streets, with a hideous symphony of pans, kettles, and keys; if a scold was to be carried to the cucking-stool and ducked, or a house of bad repute to be stormed and sacked,—a throng of apprentices generally both decreed and executed the deed. These turbulent lads had also their feuds against certain other bodies, among which the Templars were distinguished; but all foreigners they especially hated, with even more than an English hatred. When the heyday of apprenticeship had exhaled, many of these youths grew sober, rich, and obese, and were thus qualified for civic offices and dignities; but others acquired such unsettled and profligate habits that their dismissal from shop and warehouse was indispensable. Being thus thrown upon society, they were ready for every desperate deed; and from the host of discarded 'prentices a bravo could easily be hired by any gentleman who was base enough to use the services of a mercenary cudgel.*

Such was the audacity of town thieves and robbers in the latter part of the sixteenth century, that on one occasion Elizabeth herself, while taking an airing in her coach, near Islington, was environed by a whole regiment of "rogues and masterless men," and was obliged to dispatch a footman to the mayor and recorder for help. Fleetwood accordingly set his myrmidons in motion, and, by next morning, seventy-four of the desperadoes were brought before him, some of whom, he says, were "blind, and yet great usurers, and very rich." The worthy magistrate gave them what he calls "substantial payment," and promised them, withal, a double payment if they appeared before him again; and he values himself justly upon never having seen them afterwards. This Fleetwood, who was recorder of London, appears to have been the Fielding of his day, and, by his indefatigable exertions, he partially succeeded in weeding London, Westminster, and the suburbs, of these pernicious characters.†

* Pepys's Diary.
† Westward Hoe.
‡ Stow.
§ Westward Hoe.

* Fleetwood's Letters in Ellis's Collect.—Greene's Ghost haunting Coney catchers.
† Ellis's Collection.

Of those persons who were comprehended under the title of coney-catchers (that is, cheats, in opposition to those who used violence), the number in all parts of the kingdom in the time of Elizabeth was estimated at not less than ten thousand.* In the country they attended every wake and fair, for the purposes of duping the unwary,—plundered out-houses and poultry-yards, and "found linen upon every hedge;" and as they moved about in formidable bands, it was seldom safe for the country constables to apprehend them. But London was their great mart and centre of attraction, and the places where they chiefly swarmed were the Savoy and the brick-kilns near Islington. Not less than twenty-two different kinds of coney-catchers are summed up by Holinshed. During the reigns of James and Charles, however, they seem to have not only increased in numbers, but to have carried the principle of the subdivision of labour still further out. They used a cant language for professional communication, resembling that of the gipsies, whom they soon supplanted; and in this, as well as in many other particulars, in reading the accounts of the various tricks and stratagems of the rogues of the seventeenth century, we seem to be reading the history of the frauds of London in the nineteenth. In fact, much as we may admire the dexterity of modern thimble-rigging and swindling, scarcely a single stroke of it is of recent origin; every trick was practised with equal adroitness so early as the good old days of Elizabeth. The cut-purses† used instruments of the finest steel, made by the choicest workmen of Italy; and they had numerous schools in London, where the rising generation were regularly trained in every species of fraud. One way in which children were taught to pick a pocket adroitly is said to be still practised in the metropolis. A pocket or purse was suspended from the ceiling, and hung round with small bells, and the young learner was required to finger and empty it without ringing the slightest alarm. All the common knaveries of the town were the same with which we are still familiar. Rustic squires and blunt-witted franklins, coming on a visit to London, were frequently fleeced, or even worse handled, and sent home to horrify their firesides with tales of metropolitan iniquity. They had gazed at some London marvel, and their purses had vanished the while as if at the touch of fairy-fingers. They had been hailed by city kinsmen of whom they had never heard, and to whom they were persuaded to intrust their property; but these cousins had cozened them, and disappeared with their goods. Rings and gems of price had glittered in their path, and, just as they picked them up, some by-stander claimed a share in the spoil, and was bought off by a considerable sum of money; and then the golden gaud became brass, and the diamond worthless chrystal. Kind gentlewomen, pitying their ignorance of the town, had directed them to comfortable lodgings; but, at midnight, the window had softly opened,—hooks and pincers had entered,—and their clothes had risen and departed. With a blanket wrapped round them, they had stolen at an early hour to the inn at which their horses had been left, intending to mount and flee; but their cousins of yesterday had been before them, and had carried off their cattle by some plausible tale or token.*

While the streets of London, and even the inferior towns, were filled with prowling sharpers of this sort, the highways were equally infested with robbers. They scoured the country in bands that mustered from ten to forty men, some armed with chacing-staves, that is, poles twelve or thirteen feet long, shod with a steel spike; and others with bows and arrows, or with guns, and almost all with pistols.† It was therefore unsafe for "true men" to travel except in numbers, and well armed; and whoever was about to undertake a journey had to wait until a tolerably strong *caravan* had mustered for the same route. The robbers were often disguised as well as armed; they concealed their faces with vizors; they carried false beards and wigs in their pockets, and even false tails for their horses, and thus, in a twinkling, the appearance of man and steed could be so altered that they confronted the officers of justice without suspicion. Among the chief places of danger from highwaymen were Salisbury Plain and Gadshill in Kent; the latter place having been long of such repute in this way that Shakspeare selected it for the scene of Falstaff's highway achievements.

Another description of miscreants mentioned in the accounts of this period went about the streets of London with figs and raisins in their pockets, with which they allured children to their houses; they then cropped the hair of their victims, and otherwise so altered their appearance that their parents could not recognise them, after which they shipped them off to the plantations, there to be sold for slaves.‡ The civil wars and the discomfiture of the royal cause produced a plentiful harvest of dashing highwaymen, the impoverished followers of the fallen king, who endeavoured to retrieve upon the road what they had lost in the field; and many a gentle and well-born cavalier, who had honourably distinguished himself at Marston Moor or Naseby, had his exit at Tyburn. In their new species of campaigning they comforted themselves with the thought that they were only continuing the war upon a different scale, and resuming what had once been their own; in conformity with which notion, while they scrupulously abstained from molesting any of the royal party, they pounced upon a Roundhead with peculiar satisfaction. It is gratifying to add, that the robbers of England at this time were distinguished by their superior humanity in comparison with those of

* Holinshed.

† Purses in those days were worn on the outside of the clothes. They were tied round the middle, and hung down by a string, so that they could be easily cut off; hence the name of cut-purse.

* Decker's Gull's Horn-Book.—Ellis's Collect.—Greene's Notable Discovery of Cozenage.

† MSS. Lansdowne Collection, No. 63.

‡ Howel's Letters.

other countries, seldom inflicting wounds or death except in cases of desperate resistance.*

Among the numerous strange characters of this period who had made themselves obnoxious to the law, and were obliged to show false colours, were the Jesuits, or seminary priests. These men were wont to assume as many shapes as Proteus to escape detection. Sometimes they exhibited the gay attire and fashionable bearing of a gallant; and it would appear that the part was admirably played by these reverend masqueraders. "If about Bloomsbury or Holborn," says an author of this period, "thou meet a good, snug fellow, in a gold-laced suit, a cloak lined thorough with velvet, one that hath good store of coin in his purse, rings on his fingers, a watch in his pocket, which he will value at above twenty pounds, a very broad-laced band, a stiletto by his side, a man at his heels, willing (upon small acquaintance) to intrude himself into thy company, and still desiring further to insinuate with thee, then take heed of a Jesuit of the prouder sort of priests."† One great scheme of the Jesuits of this period was to drive the puritans into all kinds of religious extravagance, in hope that the reaction would produce a national return to the church of Rome; and, in furtherance of this plan, they assumed the dress, grimace, and manners of ultra-puritanism, while they out-canted and out-preached even Hugh Peters himself. A member of the brotherhood lurking about Clerkenwell, in writing to a correspondent, during the earlier part of the reign of Charles I., thus alludes to the insidious proceeding: "I cannot but laugh to see how some of our own coat have accoutred themselves: you would scarce know them if you saw them; and 'tis admirable how, in speech and gesture, they act the puritans."‡

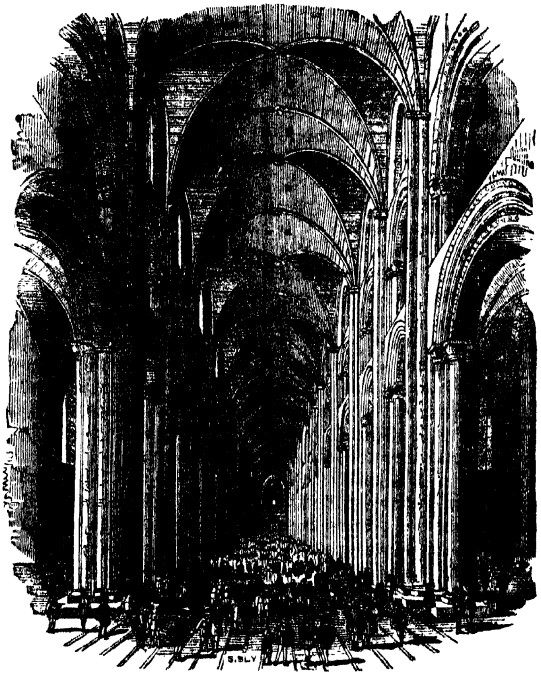
The increase of learning and the multiplication of books had made authorship a regular profession; but success as yet was only to be won through the favour and countenance of persons of rank, and authors were obliged to address their patrons with the most crawling adulation, as well as to submit to many gross indignities. Literary tricks and knaveries were also common so early as the beginning of this period. One of these was practised by a set of literary pedlars, who went about the country with some worthless pamphlet, headed by an epistle dedicatory, into which they inserted successively the names of all the principal persons of the county through which they travelled, extracting from each, in return, a present of three or four angels.§ When the civil wars commenced, and diurnals, as the newspapers were then called, were much in request, the writers of these not only sold themselves to one or other party, but even to individuals, whose deeds they exclusively trumpeted.‖ A mercenary partisan of this stamp is thus briefly described in Pepys's Diary. "I found Muddiman, a good scholar, an arch rogue, and owns that though he writes new books for the parliament, yet he did declare that he did it only to get money, and did talk very basely of many of them."

The extent and confusion of such a Babel as London had now become seemed to stun the intellects of King James; and besides the proclamations he was accustomed to issue against the building of additional houses, as Elizabeth had done before him, and as was also done by his son and by the government of the commonwealth, he applied himself in various other ways to reform what he considered a serious political evil. He prohibited the Scots from repairing to London, and threatened the skippers who brought them with fine and confiscation. He tried to persuade the English nobles and landed gentlemen to reside upon their estates, telling them that in the country they were like ships in a river, that showed like something; while, in London, they were like ships at sea, that showed like nothing. But his most sapient scheme to thin the city population was, to plant whole colonies of Londoners upon the waste lands of Scotland,—a munificent boon to the English, as he thought, by which the advantages of the union of the two kingdoms would be reciprocated. But all these schemes were useless; the torrent swelled and strengthened every hour, and the London population continued to increase in a ratio that far exceeded all former precedent. As yet, however, this increase was not accompanied with those general improvements so necessary for the comfort of civic life. The greater part of the houses were still sheds of wood, or of wood and brick, the wretchedness of which was only brought into strong relief by the stately buildings that here and there intervened; the streets were crooked and narrow, and generally overshadowed by a perpetual twilight, from the abutments overhead, that rose, story above story, until they almost closed upon each other; and, being unpaved, they were damp and dirty even in dry weather, and, in rainy, were almost knee-deep with mud. These discomforts were peculiarly striking to foreigners, who seem to have regarded London as the valley of the shadow of death. They complained of the universal coughing that resounded through every place of concourse, and they considered consumption to be a national disease of the English, produced by the wet and dirty streets of their metropolis. The expedients that had been for some time adopted to counteract these nuisances were worthy of Asiatic barbarians. Kites and ravens were cherished on account of their usefulness in devouring the filth of the streets, and bonfires were frequently kindled to avert a visit of the plague.*

People of rank and fashion at this time lived in the Strand, Drury Lane, and the neighbourhood of

* Lives of English Highwaymen.—Life of Captain Hind.
† The Foot out of the Snare, by John Gee. Lon. 1624.
‡ Letter of a Jesuit, in Echard's Hist. of England, ii. 54.
§ Decker's English Villanies, eight times pressed to death by the Printers, &c., 1649. Chap. iv.
‖ Life of Colonel Hutchinson.

* Moryson.—Stow.—Character of England in Lord Somers's Tracts, vol. vii.



PAUL'S WALK.

Covent Garden, which was as yet only an inclosed field; merchants resided between Temple Bar and the Exchange; bullies, broken spendthrifts, and criminals of every shade, congregated in Whitefriars (Alsatia), which still possessed the right of sanctuary, and the avenues of which were watched by scouts who, on the approach of the messengers of justice, sounded a horn, and raised the cry of "An arrest!" to warn the Alsatians for flight or resistance.* The obscure narrow lanes branching from Cannon Street towards the river were clustered with those secret and proscribed buildings called "the tents of Kedar" by their frequenters, but conventicles by the world in general: Leukner's Lane and its precincts were the favourite haunts of the profligate; and the "devilish Ranters," as honest Bunyan justly terms them, held their satanic orgies in Whitechapel and Charter-house Lane. As for places of lounge and recreation, Hyde Park and Spring Garden afforded pleasant retreats to the citizens from the dirt and din of the streets; but, under the commonwealth, the use of the Park was restricted by a tax of one shilling levied upon every coach, at entrance, and sixpence for every horse, while the Garden, as already mentioned, was shut up. But the chief place of common resort was the middle aisle of St. Paul's; the hours of public concourse there being from eleven to twelve at noon, and after dinner from three to six in the evening. Here lords, merchants, and men of all professions,—the fashionable, the busy, and the idle,—were wont to meet and mingle; and he who had no companion might amuse or edify himself with the numerous placards and intimations suspended from the pillars. But the chief of the "Paul's walkers" were the political quidnuncs, who must have found something congenial in the gloom of this stately piazza. "These newsmongers, as they called them," says Osborne, in his Letters to his Son, "did not only take the boldness to weigh the public, but most intrinsic actions of the state, which some courtier or other did betray to them."

The elbowing of crowds and the rivers of mud were not the only obstacles to be encountered in the streets of London. If the peaceful pedestrian eschewed a quarrel by universal concession, and gave the wall to every comer, he might still run the risk of being tossed by a half-baited bull, or hugged by a runaway bear. A sudden rush and encountering between the factions of Templars and 'prentices, or of butchers and weavers, might sweep him at unawares into the throng of battle, where, although he espoused neither party, he might get well cudgelled by both. If he sought to avoid all these mischances by the expensive protection of a coach, he might suddenly find himself and his vehicle sprawling in the kennel, through the rude wantonness of the mob. This last pastime had become a favourite with the London rabble, who

* Shadwell's Comedy of The Squire of Alsatia.

called coaches *hell-carts*, and delighted in upsetting them.* In the hatred of everything aristocratic, which took possession of the multitude after the commencement of the civil war, noblemen, when they made their appearance in public, were cursed and reviled, and apt to be mobbed; and several who belonged to this once privileged class were obliged to set armed guards over their houses, even though they had espoused the parliamentary cause.

Such was a day in the metropolis; but the night was confusion worse confounded. After the twilight had deepened into darkness, the peaceful citizens been housed, and the throngs of links and torches given place to the solitary twinklings of the watchmen's lanterns, Alsatia disgorged its refugees, and the taverns their inmates: the sons of Belial, "flown with insolence and wine," took possession of the lanes and corners of streets; stray passengers were insulted, wounded, and often killed; and the roofs of rich citizens were untiled for the purposes of plunder. It was unsafe to walk in the streets of London after nine o'clock. A set of midnight ruffians also, peculiar to this period, went under the names of Roaring Boys, Bonaventors, and Privadors. These—the successors of the Swashbucklers of the sixteenth, and forerunners of the Mohawks of the eighteenth century—are described as "persons prodigal, and of great expense, who, having run themselves into debt, were constrained to run into factions, to defend themselves from danger of the law."† In such a state of things the sword of justice required to be something more than a metaphor; and a sheriff's officer, in making a civil arrest, had frequently to be backed by a posse of well-armed followers. The night-watchmen and constables also, having such a dangerous commission, were very strict in enforcing it, and their partisans were not more than necessary against those midnight roysters who broke the peace with rapier and dagger. Often, indeed, a city gallant was unceremoniously knocked on the head in brawling with the watch, instead of being simply punished with fine or imprisonment. To this circumstance Osborne quaintly alludes, when he admonishes his son to give good words to the city guardians, "many," says he, "being quick in memory, who, out of scorn to be catechised by a constable, have summed up their days at the end of a watchman's bill."

We will now notice some of the popular superstitions of the time. The blank created by the banishment of religion in the earlier part of this period required still to be filled with something spiritual, and jugglers and hobgoblins usurped the vacancy. Men who defied all sacred sanctions could quake at some unexpected but natural phenomenon; and the appearance of a comet in 1618 actually frightened the English court into a temporary fit of gravity. Such omens as the falling of a portrait from the wall, the croaking of a raven, the crossing of a hare in one's path, the upsetting of salt, the unexpected crowing of a cock, could disturb the most swaggering cavalier. As for the learned of this period, their favourite mode of divination was, by what was called the *Sortes Virgilianæ*, or the opening at hazard of a copy of Virgil's Æneid, and reading a revelation of futurity in the first passage that struck the eye. From this general tendency of all classes, divination became a thriving trade, and almost every street had its cunning man, or cunning woman, who divined for the wise by astrological calculations, and for the ignorant by the oracle of the sieve and shears. Sometimes, as in the cases of Dr. Forman and Mrs. Turner, the forbidden traffic of fortune-telling was a cover to the worse trades of pandering and poisoning. When the civil wars commenced, and every hour was fraught with some great event, this natural eagerness to anticipate the future became so intense, that the stars were more eagerly studied than the diurnals, and cavaliers and roundheads thronged to the astrologers to learn the events of the succeeding week.* Another favourite superstition of the period was, the exorcising of devils; when the possessed person began to spout Latin and other learned languages of which he was wholly ignorant, the Romish priest took the field against this erudite demon in full pontificals, and armed with holy water and the book of exorcisms. This piece of jugglery was a favourite practice of the popish clergy, and was one of the ways they took to recover their esteem with the multitude; when the unclean spirit refused to be dislodged by any other form of conjuration than that which they employed, the circumstance was adduced as an incontrovertible evidence that the church of Rome was the true church. Such practices, however, were not wholly confined to the Romish clergy: the Puritans took the alarm, and set up for exorcists in turn; and, as nervous diseases were abundant among them, they sometimes crowded round the bed of some crazy hypochondriac who was supposed to be possessed by a devil, and whom they stunned with prayers and adjurations. This popular belief in demon-possession had not even the merit of poetical dignity to apologise for its absurdities: the following names of some of the ejected devils may suffice to show of how prosaic and grovelling a character it was in all respects:—Lusty Dick and Hob, and Corner Cap and Puff, Purr and Flibberdigibbet, Wilkin and Smolkin, Lusty Jolly Jenkin, Pudding of Thame, Pour Dieu, Bonjour and Maho. †

It would have been fortunate for humanity if the credulity of the period had gone no farther; but the belief in witches, after the accession of James, became the master-superstition of the age. James had a personal quarrel against the whole

† Character of England, in Somers's Tracts.
† First Fourteen Years of King James's Reign, in Lord Somers's Tracts, vol. ii.

* Life of Lilly the Astrologer.
† Foot out of the Snare, by John Gee, in Somers's Tracts, vol. iii. —Life of Baxter.

race of witches: during his matrimonial voyage to Denmark they had baptized a cat, by which they had raised a storm that almost wrecked his ship;* and when he became king of England he was as proud of being *Malleus Maleficarum*, as Defender of the Faith. He wrote, reasoned, and declaimed upon witchcraft; his courtiers and clergy, sufficiently apt for superstition, echoed the alarm, and the judges revived the application of the dormant statutes that had been enacted against sorceries and enchantments. And now commenced the only warfare of the pacific James,—his warfare against old women, which was waged with great fury during the whole of his reign, and signalized by abundance of slaughter. The methods, too, of detecting the crime were strikingly characteristic of the age. If the impotent fury of a trembling beldame vented itself in imprecations against her persecutors, and if they afterwards sustained any calamity in goods or person, this was proof that the woman was a witch.† If she talked and mumbled to herself, under the dotage of old age, she was holding converse with invisible spirits, and therefore she was a witch. If a boy or girl sickened beyond the skill of some presumptuous village quack, he had only to declare that the patient was bewitched, upon which the child was worried for the name of the culprit, until some one was announced at hap-hazard. In all such cases the proof was sufficient for the condemnation and death of the accused. In process of time, professed witch-finders came into fashion—men who could detect the crime, although the cunning of Satan himself tried to hide it. Independently of witch-marks and imp-teats upon the person, they could discover an old woman's familiar spirit in the cat that slumbered by the fire, the mouse that rustled in the wall, or even the bird that chirruped at the threshold. But the grand test was that of Hopkins, the prince of witch-finders, by which the suspected person was bound hand and foot, and thrown into the water, when, if she sunk, there was of course an end of her, and if she swam, she only escaped the water to be put to death by fire. This miscreant, in the years 1645 and 1646, paraded from county to county like a lord chief justice, and if any magistrate was so humane or hardy as to interfere with his proceedings, he was threatened by Hopkins in the most imperious style. At last the murderer had his reward according to the strictest poetical justice: he was found guilty by his own ordeal, and subjected to the same doom as his victims. The extent to which his atrocities were carried may be learned from the fact, that in one year he hanged sixty witches in the county of Suffolk alone. While these legal massacres were thus in progress in England, the destruction of witches went on with still greater severity in Scotland, where such tortures were inflicted to extort confession from the wretched victims, that even the death which followed was a relief. Nor did the death of James cool the zeal which his folly had kindled; on the contrary, the persecution became still more rampant under the Long Parliament, and between three and four thousand persons are said to have been executed for witchcraft between the year 1640 and the Restoration.*

As traffic increased and money became more abundant, it was to be expected that the science of good living would be carefully cultivated: cookery accordingly was now studied more than ever, but scarcely, as yet, with any improvements: in fact, the epicurism of the seventeenth century consisted chiefly in extravagant expense and "villanous compounds." The following "receipt to make a herring-pie," extracted from one of the cookery-books of the time, may satisfy the most craving appetite upon this subject:—"Take salt herrings, being watered; wash them between your hands, and you shall loose the fish from the skin; take off the skin whole, and lay them in a dish; then have a pound of almond-paste ready; mince the herrings and stamp them with the almond-paste, two of the milts or roes, five or six dates, some grated manchet, sugar, sack, rose-water, and saffron; make the composition somewhat stiff, and fill the skins; put butter in the bottom of your pie, lay on the herring, and on them dates, gooseberries, currants, barberries, and butter; close it up, and bake it; being baked, liquor it with butter, verjuice, and sugar."† Sometimes, however, the dishes, though equally fanciful, were of a more refined character: thus we read of "an artificial hen made of puff-paste, with her wings displayed, sitting upon eggs of the same materials, where in each of them was enclosed a fat nightingale seasoned with pepper and ambergris."‡ The same artificial taste prevailed in the preparation of the simplest materials of food; butter, cream, and marrow, ambergris, all kinds of spices, sugar, dried fruits, oranges, and lemons entered largely into the composition of almost every dish. Several articles also appear to have been dressed that would scarcely find admission into a modern English kitchen,—such as snails, which were stewed or fried in a variety of ways with oil, spices, wine, vinegar, and eggs,—and the legs of frogs, which

* We learn from Froissart, Monstrelet, and other old chroniclers, that the devil was best propitiated by some choice piece of profanity; a parody upon the sacraments was therefore the usual way in which the sorcerers of the middle ages invoked his aid. Thus, the host was sometimes administered to a toad, or other loathsome animal. After the Reformation, witches were supposed to desecrate the sacramental bread, and the rite of baptism, for the same purpose.

† The receipt for converting a peevish crone into a witch is thus happily expressed in the old play of the Witch of Edmonton:—

> Some call me witch;
> And, being ignorant of myself, they go
> About to teach me how to be one; urging
> That my bad tongue (by their bad usage made so)
> Forespeaks their cattle, doth bewitch their corn,
> Themselves, their servants, and their babes at nurse.
> This they enforce upon me; and in part
> Make me to credit it."

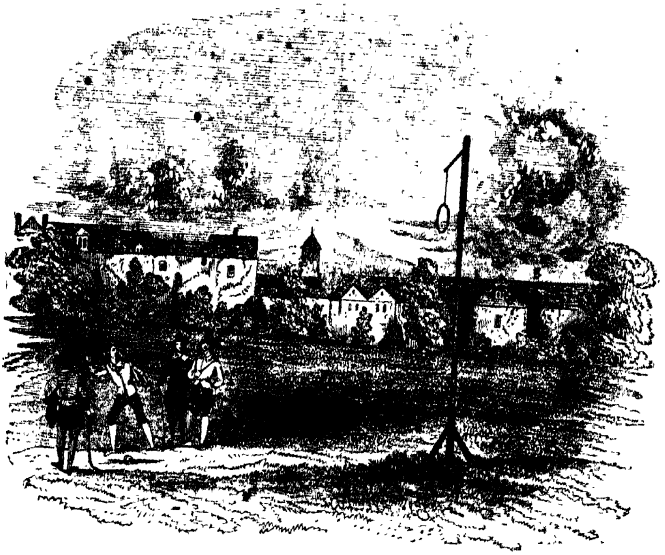
* This fact is stated by Dr. Zacchary Gray in his notes to Hudibras, vol. ii. p. 11 (edit. of 1744). The doctor asserts that he had seen a list of their names. See also Howel's State Trials, iv. 818, and Hutchinson's Essay on Witchcraft, p. 82.

† The Accomplished Cook, by Robert May, 8vo. London, 1685.

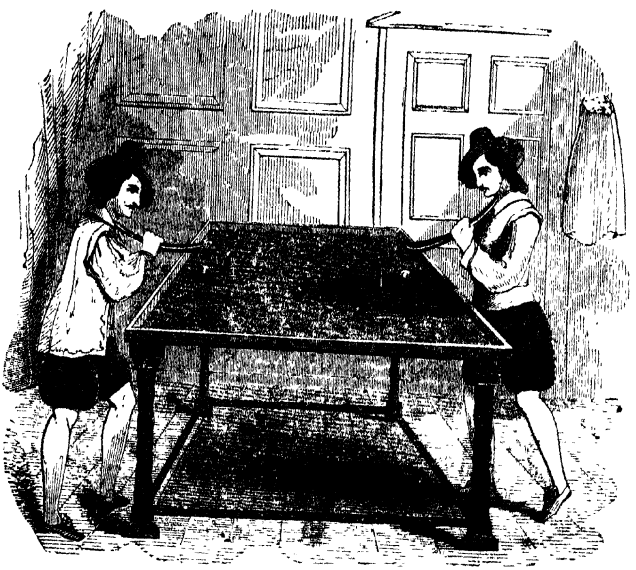
‡ The Antiquary, a comedy, by Shackey Marmion, Esq., 1641.

James the First, and Attendants, Hawking.
From "A Jewell for Gentrie." 1614.

Tennis Court.
From Commenius's "Orbis Sensualium Pictus." 1658.



PALL-MALL IN ST. JAMES'S PARK.
From a Picture of the Period, engraved in Carter's "Westminster."



BILLIARDS.
From "School of Recreation." 1710.

were dressed into fricassees. On some occasions, therefore, a coarse and clownish dish was a pleasing variety. In the year 1661, a gathering of marquesses, lords, knights, and squires took place at Newcastle, to celebrate a great anniversary, when, on account of the number of guests, each was required to bring his own dish of meat. Of course it was a sort of competition in which each strove for pre-eminence; but the specimen of Sir George Goring was reckoned a master-piece. It consisted of four huge, brawny pigs, piping hot, bitted and harnessed with ropes of sausage, all tied to a monstrous bag-pudding.†

In variety of wines, and the copious use of them, the wealthier classes of England of this age were not a whit behind their ancestors; indeed, the arrival of the Danish king and his courtiers, in the reign of James, greatly increased the national thirst, insomuch that it was observed, the Danes had again conquered England.‡ In the succeeding reign the cavaliers were as little famed for temperance as the courtiers of James. The English followed, also, very scrupulously, the Danish custom of drinking healths; and foreigners were astonished to find that, when a company amounted to some twenty or thirty, it was still expected that every guest should drink the health of each in rotation. Such festivals, of course, inflamed the love of quarrel; toasts were given which produced discussion or refusal to drink them; and if the overheated parties did not immediately come to blows, still duels and bloodshed were the usual consequences. Sometimes, when a lady or an absent patron was toasted, the company pledged the toast upon their knees. Among other disgusting modes of drinking healths at this time, the toper sometimes mingled his own blood with the wine.§ It was fortunate that, while the aristocracy were thus becoming more vitiated, the common people had become more temperate than formerly; but, adds Stow to this assertion, "it was not from abstinence, but necessity, ale and beer being small, and wines in price above their reach."

Greater temperance in eating and drinking naturally prevailed during the period of the commonwealth, from the ascendancy of puritan principles, which recommended simplicity and self-denial; and as so many of the leaders of the dominant party had risen from the ranks, the new style of living frequently assumed the character of the old Saxon coarseness. A republican simplicity especially prevailed in the banquets at Whitehall during Cromwell's administration, the plain fare of whose tables was the subject of many a sneer among the luxurious loyalists. An idea of his dinners may be formed from the following specimen of his lady's mode of baking a pig. The carcase was encased in a coating of clay, like one of his own Ironsides in his coat-of-mail, and in this state it was stewed among the hot ashes of the stoke-hole. Scotch collops also formed one of the standing dishes of her cookery. We are also informed that she ate marrow-puddings at breakfast; while her youngest daughter, the Lady Frances, delighted in a sausage made of hog's liver.* Cromwell, with the stomach of a soldier, despised French cookery and elaborate dishes, and at his state dinners these were placed upon his table chiefly for show. After a feast of this kind much boisterous merriment generally prevailed, but it was harmless and even dignified compared with the gross outrages of a royal banquet in the reign of James or the festivals of the cavaliers in the time of his son. The London civic feasts during the commonwealth were also of a very decorous character: in one, which was given to Fairfax and Cromwell, the dishes were all of a substantial character, suited to military appetites; no healths were drunk, and the only music that enlivened the banquet was that of trumpets and drums.†

The popular sports and games, from the gradual change that had taken place in the manner of living, had been always contracting within a narrower circle; and from the reign of Charles I. to the Restoration few persons had either inclination or opportunity for those amusements that had formerly been universal. James, who followed every species of venery, delighted in hawking—a sport, in the costume appropriated to which he was often drawn by the artists of the period; and this royal predilection gave a momentary revival to a recreation that was otherwise on the point of extinction. Tennis was one of the favourite amusements of his son, Prince Henry, as it was of the courtiers in general. The game of pall-mall was as yet a novelty; but, when it was played, the competition was so keen, that those who engaged in it frequently stripped to their shirts.‡ Another old game which was still a favourite, was that of the balloon,—a large ball of leather, which was inflated with air by a vent, and then bandied by the players with the hand. Billiards was also one of those fashionable games which were now beginning to supersede the more boisterous sports of the preceding century. In spite of change, however, the pristine national love of blood-shedding still remained, and the English nobility and gentry still flocked with rapture to the exhibitions of bear-baiting and cock-fighting, and wagered large sums upon the issue. The Puritans, amidst their dislike of those sports which they reckoned cruel and sinful, very properly abhorred above all things a bear-baiting; and, therefore, Cromwell, Pride, and Hewson, that they might remove the popular temptation, slew all the bears,—an exploit that gave rise to the poem of Hudibras.

We learn from the Book of Sports that the

* May.

† Letter of Philip Mainwaring to the Earl of Arundel, in Lodge's Illustrations, iii. 403.

‡ Harrington's Nugæ.

§ Character of England in Somers's Tracts, vol. vii.

* Court and Kitchen of Mrs. Joan Cromwell, in Secret Hist. of James I., ii. 499.

† Whitelock.

‡ Pepys.

common amusements of the English peasantry of this period were dancing, leaping, vaulting, archery, May-games, May-poles, Whitsun-ales, morice-dances, and the decoration of churches with rushes and branches, which last practice was a favourite recreation of the women. All these pastimes were not only declared to be lawful on Sunday, but they were also enjoined upon all church-going people after divine service. The games prohibited on that day were bear and bull baiting, interludes, and bowling. The bowling-greens of England excited the admiration of foreigners, being superior to anything of the kind seen abroad. Such was also the case with the English horse-races, which had now increased in splendour and importance; and, as the breed of horses had been greatly improved by the practice, their mettle was not spared, and furious riding and driving were now among the characteristics of an Englishman.* As for the games and recreations of the citizens, these had necessarily to be accommodated to the exigencies of a metropolitan life, and consisted in cock-fighting, bowling, tables, cards, dice, billiards, musical entertainments, dancing, masques, balls, plays, and evening club-meetings. When more active exercise was desirable, they rode into the country, or hunted with the lord mayor's pack of dogs, when the common-hunt (one of the mayor's officers) set out for the purpose. The range for this healthful amusement was sufficiently extensive, as the London citizens had the privilege, by their charter, of hunting in Middlesex, Hertfordshire, the Chilterns, and Kent. While such amusements were characteristic of the respectable merchants and tradesmen, those of the London mob consisted of foot-ball, wrestling, cudgel-playing, nine-pins, shovel-board, cricket, stow-ball, quoits, ringing of bells, pitching the bar, bull and bear baiting, throwing at cocks, and lying at ale-houses.†

The same degree of improvement that had taken place in England during the sixteenth and seventeenth centuries had been by no means realized in Scotland. A factious and selfish aristocracy, intestine feuds, civil commotions, national poverty, a population composed of different races and generally animated by opposing interests, and, above all, the struggle for centuries which Scotland had maintained with a powerful rival, had impressed certain characteristics of barbarism upon the people that could not be easily or quickly eradicated. In that country, therefore, we still discover, during at least the earlier part of the present period, much of the same rudeness that had been prevalent in the thirteenth and fourteenth centuries.

In England, by the beginning of the present period, the middle classes had assumed their proper position in society, and imparted a healthful character to the ranks above and beneath them. But, as yet, this important portion of society was nearly wanting in Scotland. She had no preponderating middle class, answering either to the comfortable independent yeomanry or the wealthy merchants of England; and the chief distinction we still find in the Scottish population is that between lord and serf, between the rich and the very poor. The Scottish farmers, instead of holding the land upon long leases, by which they might have risen to respectability and influence, rented their farms from year to year. Thus they had no inducement to build comfortable houses, plant trees and hedges, enrich the soil, and devote themselves to agricultural experiments, when they might be ejected at the pleasure of the landlord. Any kind of hovel was sufficient for such a peasantry, and the cheapest kinds of farming were the best. Indeed, the chief cultivation they studied was the cultivation of the favour of the *laird*; to secure this, they swelled his feudal retinue, and rode about the country at his heels, while ploughing and sowing were committed to the management of hinds. It frequently happened, however, that, in spite of all his homage, the peasant was ejected from his barren acres; and the assassination of newly installed farmers, by those whom they had dispossessed, was an event of as frequent occurrence in Scotland during the sixteenth century as it is in Ireland at the present day.*

The lawlessness and violence of a state of barbarism were still constantly breaking out in the conduct of all classes. A bond or obligation is still in existence, signed by the Earl of Cassilis in 1602, by which he engages, *upon his honour*, to pay to Hew Kennedy, his younger brother, the sum of twelve hundred marks yearly, besides a maintenance for six horses, provided the said Hew will murder the Laird of Auchindrane.† This practice of assassination had become the foulest blot upon the Scottish character during the reign of Queen Mary and the minority of James, so that the country became a byeword on account of it among foreign nations. We may perceive, indeed, how common these atrocities had become, and with what little compunction they were regarded, by the tone of merriment with which such writers as Buchanan and Knox detail such events as the murders of Beaton and Rizzio. Bloody encounters were also common in the streets of Edinburgh, whenever rival chiefs happened to meet, accompanied by their armed followers; and so far was this ferocious spirit carried, that feuds and homicides broke out among them even on their way to church on the Sabbath. Thus, in country parishes especially, the churchyard, and even the church-porch itself, were often polluted with duels and murders.

So early as the reign of James IV., a law had been passed, requiring all barons and substantial freeholders to put their eldest sons and heirs to school at the age of six, or, at the utmost, nine years, till they had "a competent foundation and good skill of Latin." After this the pupils

* Character of England, in Somers's Tracts.
† R. B., in Stow's Survey of London, 1720, i. 257.

Mair. † Pitcairne's Criminal Trials, iii. 622.

were required to study three years in the schools of arts and laws, that they might be qualified for the offices to which their rank entitled them. But these regulations seem to have produced little general diffusion of literary attainments among any class of the community. At the commencement of the Reformation few even of the higher clergy could preach; and, when they attempted discussion with such antagonists as Wisheart and Knox, their arguments were so absurd and so indicative of utter ignorance, as to move only laughter and contempt among the auditors.*

The rudeness of demeanour that had hitherto characterised the Scotch was commensurate with such a state of ignorance and barbarism. Even in the court of the beautiful Mary, where courtesy might have been most expected, the grim barons elbowed their way in most boisterous fashion, and "would shoulder and shoot Rizzio aside when they entered the queen's chamber, and found him always speaking with her."† Hitherto, indeed, the highest examples in Scotland had by no means tended to exalt the standard of court manners. James V., certainly the most accomplished of his race, thus received a solemn deputation of the clergy when they applied for his consent to persecute the reformers:—"Wherefore," he roared in a fury, "gave my predecessors so many lands and rents to the kirk? Was it to maintain hawks, dogs, and whores to a number of idle priests? The king of England burns, the king of Denmark beheads you: I will stick you with this whinger!" and, suiting the action to the word, he unsheathed his dagger and drove them from his presence.‡ The clergy, indeed, could not well complain of such treatment: they dealt in much the same fashion with the laity, and even with each other. A rich specimen was exhibited on one occasion at Glasgow, by Dunbar, the archbishop of that see, and Cardinal Beatoun, each asserting his right to walk first in a procession to the cathedral. After many hot and foul words, the controversy grew so fierce that a battle commenced between the followers of the two dignitaries, even in the church-porch; heads were broken, beards torn out by handfuls, and copes and tippets rent to shreds, while crosses and cross-bearers were thrown to the ground and trampled under foot. Knox, who steps aside from the mournful narrative of the martyrdom of his friend Wisheart to describe this "merrie bourde," welcomes it with a triumphant huzza, and only regrets that the men-at-arms did not also buckle to the conflict, and heighten the fun with a little bloodshed.§ The rules of morality seem to have been as little regarded among the influential classes as those of common courtesy. Previous to the Reformation, the practice of concubinage among the clergy was not only more prevalent in Scotland than it seems ever to have been in England, but was more openly and unblushingly practised: the royal amours of James IV. and James V. were as gross and vulgar as they were profligate; and the court of Mary, unless it has been greatly belied, only increased the sensuality of the preceding reigns. These examples had their consequent influence upon the people at large; and, in the poetical writings of Scotland during the sixteenth and seventeenth centuries, we find unquestionable evidence of a similar immorality prevailing through the whole community.

* Pitscottie.—Knox.
† Melvil.
‡ Ibid.
§ Knox's History of the Reformation of Religion in Scotland.

In the times when court pageants were matters of such importance, the Scots did their best to vie with their richer and more refined neighbours; and in some of their masques we find that they had an advantage over their national rivals, by the introduction of *bonâ fide* Ethiopians, who personated black queens and empresses. These were slaves from the East Indies, captured from the Portuguese by the Scottish cruisers, in the days of Barton and Wood.* The following account is given by an old chronicler of one of these courtly spectacles. When Mary of Guise was about to enter St. Andrew's, on her marriage to James V., "first she was received at the New Abbey gate; upon the east side thereof there was made to her a triumphal arch by Sir David Lindsay of the Mount, Lion Herald, which caused a great cloud come out of the heavens above the gate, and open instantly; and there appeared a fair lady, most like an angel, having the keys of Scotland in her hands, and delivered them to the queen, in sign and token that all the hearts of Scotland were open to receive her grace; with certain orations and exhortations made by the said Sir David Lindsay to the queen, instructing her to serve her God, obey her husband, and keep her body clean, according to God's will and commandments."†

In Scotland, as in other countries, court pageants were often made the vehicles of political satire, on which account offence was sometimes taken when none had been intended. An incident of this kind occurred at the baptism of James VI. A splendid banquet was given, at which the envoys of Elizabeth were distinguished guests; and the dishes were conveyed into the hall upon a large and richly adorned vehicle that seemed to move of its own accord. But, unfortunately, this quaint device was preceded by a band of satyrs ornamented with long tails, and armed with whips, who, as they ran through the hall, clutched their tails in their hands, and flourished them to and fro. The English guests immediately started up in a rage. The actors were Frenchmen, and it was surmised that they had brandished their caudal appendages in defiance of England; and the envoys, after vowing a dire revenge, retired to the extremity of the hall, that they might no longer witness the obnoxious exhibition.‡

Although the principles of taste had changed, they had scarcely improved, during a long course of years, in the pageantries of a royal procession,

* Tytler.
† Pitscottie.
‡ Melvil.

as appears by the reception of Charles I. at Edinburgh, in 1633. He was welcomed on his arrival by the provost and baillies, clad in red robes well furred, and the "eldermen" and counsellers in black velvet gowns; these functionaries were seated upon "seats of deal for the purpose, built of three degrees." The provost, after a speech, presented to his majesty a bason of gold, valued at five thousand marks, "wherein was shaken, out of ane embroidered purse, one thousand golden double angels, as ane token of the town of Edinburgh their love and humble service." At the west end of the Tolbooth the royal pedigree of the Stuarts, from Fergus I., "delicately painted," was hung out to welcome his descendant. At the market-cross was the god Bacchus, who drank the king's health, all the spouts of the fountain in the mean time flowing with wine. At the Tron was a representation of Mount Parnassus covered with birch-branches, where nine boys represented the nine muses. All this was dull enough; but this dulness must have been prodigiously enhanced by the merciless prosings of the civic dignitaries, for the king was obliged to endure the infliction of seven formal speeches before he got fairly sheltered within the walls of Holyrood. A subsequent exhibition (it was a post-prandial one) in honour of the king was of a more lively description. After a rich banquet, the provost, baillies, and counsellors, linked hand in hand, and bare-headed, came dancing vigorously down the High-street, accompanied with drums, trumpeting, and all kinds of music.*

The common people had their public masqueradings as well as the higher classes, and the pageant of Robin Hood was as great a favourite in Scotland as it was in England. The characters of this dramatic sport seem also to have been faithfully copied from the English. But in the first zeal of the Reformation laws for its suppression were enacted in 1561. This interference with a favourite pastime so incensed the citizens of Edinburgh, that they flew to arms; and, after robbing and maltreating passengers, rescuing a man condemned to death, and breaking the gibbet on which he was to have been executed, they imprisoned the magistrates until they had extorted from them an act of indemnity.† Robin Hood and his motley band were thus still enabled to defy the law; and so late as the close of the sixteenth century we find the general assembly complaining heavily of the profanation of the sabbath, "by the making of Robin Hood." The Abbot of Unreason, the principal figure of another festive sport of the Scots, was a personage somewhat resembling the English Lord of Misrule; and, attended by hobby-horses, morris-dancers, and the never-failing dragon, he commonly celebrated such ecclesiastical events as the anniversary of a saint or the election of a church dignitary. But, as the abbot acted in a sort of clerical capacity, his pranks were more reprehensible than those of a mere secular mime, consisting chiefly of parodies on the church service and religious ordinances in general.* On this account, the festival of the Abbot of Unreason bore a close resemblance to the Feast of the Ass, or the Festival of Fools, by which religion was burlesqued upon the continent during the licence of the middle ages.

The exhibition of miracle and moral plays had been common in Scotland as well as in England, and the chief author in this species of literature among the Scots was Sir David Lindsay of the Mount. His principal work, entitled The Three Estates, is a moral play, full of sarcastic matter mixed with moral admonition, the personages being a mixture of human beings and allegorical abstractions. This play occupied nine hours in acting; and not only the language, but in many instances the stage directions, are so gross, as to give us a very strange idea of a Scottish audience of the sixteenth century. These plays were commonly acted in the open air; the place set apart for the purpose was called the play-field, and there were few large towns in Scotland without such a provision for the public amusement.† At first, the drama did good service in the cause of the Reformation, by exposing the impostures and iniquities of the Romish clergy; but the "high-kilted" muse of the North did not know where to stop, and she ran riot among the profligacies she exposed until she was infected with their spirit, so that the reformers were soon scandalized at the indecorum of their ally. In consequence, they first protested against the licentiousness of the stage; and when their influence increased they put down the acting of plays altogether. In the stirring political events that followed, the absence of the stage seems to have been little felt or regretted; but, when the period of calm succeeded, James VI., who was attached to the drama, applied to Elizabeth for a company of English actors, who were sent to Scotland at his request. This was an unpardonable enormity in the eyes of the Presbyterian clergy, and they preached against the abomination of play-going with great vigour, but little immediate success; for the Edinburgh theatre was crowded every night. But, at length, the stern predominance of ecclesiastical discipline over every other authority was more than a match for a poor handful of actors, and the drama in Scotland may be said to have perished in its infancy.

The tournament was greatly patronised by James IV. and James V., themselves redoubted knights, and skilled in all military exercises; and such was the splendour with which the tournaments of the first of these monarchs were held, that knights from every part of Europe flocked to compete at them. These, however, were the last, as they were the brightest, flashes of northern chivalry. Besides these grander exhibitions for knights and nobles, weapon-shaws for the people

* Spalding's Troubles of Scotland. † Knox.

* An admirable sketch of this riotous functionary is given by Sir Walter Scott in his tale of the Abbot.

† Arnot's Edinburgh.

were appointed by James IV. to be held four times a-year, at which all persons should assemble armed and accoutred according to the amount of their income. The active and military games practised at public or social meetings were, leaping, running, wrestling, casting the penny-stone or quoit, shooting at the papingo, and the usual trials of archery. In public military trials, James IV. stimulated the candidates by prizes, which generally consisted of silver weapons, such as the winners had excelled in. A great portion of the popularity of James V. was owing to the frankness with which he associated with the people in these sports, so that he was usually called the king of the commons.* Hunting and hawking were keenly pursued in Scotland in the sixteenth and early part of the seventeenth century, and to an extent which the improvement of English agriculture had now rendered impossible in the south. Tennis, hand and football, kayles, and golf, were among the outdoor games of Scotland; and dancing was a common in-door recreation. The sword-dance appears to have been a favourite of the Scots during the sixteenth and seventeenth centuries. The sedentary games, as among the English, were cards, dice, chess, draughts, and backgammon.

The old rudeness of the domestic life of the Scots began, before the close of the sixteenth century, to receive a sprinkling of refinement from imitation of their English neighbours. Handsome dwelling-houses and stately castles began to supersede the uncomfortable donjons that had formerly been the abodes of feudal pomp and beggarly discomfort. At the same time, services of gilt metal, or even of plate, began to be used by the chief nobles, instead of their former cups of pewter and platters of wood; and one of the greatest indignities to which Darnley was subjected by Mary, after he had fallen into disgrace, was the removal of his service of plate, and the substitution of pewter.† After the accession of James to the throne of England, the example of the South, and also its gold, which now flowed into Scotland, continued to raise the standard of living, and multiply the sources of domestic comfort. While this improvement pervaded the country in general, the capital in particular began to assume the appearance of a great city, and to be adorned by many stately mansions erected by the nobility and the heads of the church. But there was still the absence of a preponderating middle class, by whom the golden mean of domestic life might have been exhibited, and on that account, setting aside the civic palaces and country castles of the titled few, Scotland, even in the seventeenth century, was still a country of huts and hovels. Even the shops of comfortable tradesmen and substantial merchants in the metropolis were but sorry sheds of wood and thatch huddled up wherever the ground was convenient; and in this way the venerable cathedral of St. Giles was clustered at every corner and "coign of vantage" with these booths,* that showed like swallows' nests about the Gothic edifice, while the sacred interior itself was crowded with those who bought and sold. As for the country-houses, those belonging to the farmers were small unsightly buildings of loose stones, divided only into two apartments, called a *butt* and a *ben*, as is still the case among the poorest of the peasantry; and the generality of Scottish beds were a sort of wooden presses built into the wall, such as are still seen in the poorest northern cottages.† Even at the end of the present period we find that the beds of the young nobility consisted frequently of nothing but straw.‡ On these they lay down with their weapons within reach, and were ready to start at the slightest signal.

In the article of diet the Scots had been gradually improving with the extension of their commerce, and by the sixteenth century many foreign luxuries were imported into the country. But this change was regarded by the government with a suspicious eye: they thought it a dangerous departure from the ancient simplicity, and severe laws were made to suppress it. Prohibitions were laid upon the use of drugs, confections, and spiceries brought from beyond seas, on the ground that their prices were still so high as to be ruinous to persons of ordinary means. Exceptions were made only in favour of prelates and peers, and such as were able to spend two thousand pounds (Scotch) annually.§

In a nobleman's establishment, though all sat down at the same table, the chief dainties were placed at the upper end of the board, for the exclusive use of the master and his more select guests. As for the menials of these noble households, they were dieted chiefly on corn and roots, with a very small allowance of animal food. The poorer knights and barons, though of great feudal importance, were as yet little chargeable with luxury, if we may trust to the following account given by Moryson:—"Myself was at a knight's house who had many servants to attend him, that brought in his meat with their heads covered with blue caps, the table being more than half furnished with great platters of porridge, each having a little piece of sodden meat; and when the table was served the servants did sit down with us; but the upper mess, instead of porridge, had a pullet with some prunes in the broth. And I observed no art of cookery, or furniture of household stuff, but rather rude neglect of both, though myself and my companion, sent from the governor of Berwick about border affairs, were entertained after their best manner."‖ Moryson further in-

* Pitscottie.

† Buchanan's Detection of the Acts of Mary Queen of Scots.

* Such was the term for an Edinburgh shop at this period.—Life of George Heriot. 8vo. Edin. 1827.

† Moryson's Itinerary. Fol. Lon. 1617.

‡ Extracts from the Household Book of Lady Marie Stewart, daughter of Esme, Duke of Lenox, and Countess of Mar. By Charles Sharp, Esq. 4to.

§ Stat. 113, Parl. 7 Jac. 6.

‖ Even James VI. himself, while King of Scotland, had frequently a wretchedly supplied larder for royal entertainments, as appears from the following piteous application which he made to the Laird of Dundas, in 1600, on occasion of the baptism of his son, Prince

forms us that the Scots used great quantities of red colewort and cabbage, but little fresh meat; and that they salted their mutton and geese, but not beef. This salting of geese is still common in the highlands and isles of Scotland. The cabbage and colewort was in all likelihood used, as it is now, in broths; the porridge was hasty-pudding made of oatmeal; and as for the pullet stewed with prunes, this still continues to be a favourite dish in many parts of Scotland. The reign of Mary added several French dishes to this simple fare; and, among other luxuries, she introduced marmalade, which since that period has continued to be the choicest Scottish confection.* The occupation of Scotland, after the civil war, by Monk and the English army, undoubtedly improved the style of living in the north, although not altogether to the extent that has been sometimes supposed. The Scottish gentry seem to have relished the accompaniment of music to a dinner; but for this purpose a harper, crowder, or ballad-singer was quite sufficient.† The Scots had abundance of wine, and used it to such excess that they were accounted harder drinkers than the English. It would appear, too, from the testimony of Dunbar, as well as later authorities, that not only the men but even the women were frequently addicted to this species of excess: we are told that the latter drank largely of ale and malmsey when they could get it. In drinking wine the Scots did not sweeten it with sugar like the English, but with comfits like the French. One custom of Scottish hospitality was, to present to a guest a well-filled bumper on retiring to bed, under the name of a sleeping-cup. The higher classes dined at eleven, and supped at six o'clock.‡

An idea of the wild hilarity that, in the early part of the sixteenth century, still mingled with the ceremonious observances of the highest occasions among the upper classes may be formed from the details that have been preserved of the boisterous courtship of James IV. when he went to receive his bride. When Margaret (daughter of Henry VII.) had reached Newbattle, her royal lover darted into her apartment, "like a hawk on its quarry," and found her playing at cards. Having embraced her, he gave her a taste of his accomplishments by playing upon the lute and claricord; after which he vaulted into his horse's saddle without setting foot in the stirrup, and galloped off at a rate that soon distanced his attendants. At the next interview, Margaret exhibited her musical skill in turn, while James gallantly listened on bended knee. When Margaret left Dalkeith for Edinburgh, a gay cavalcade of the king and nobles met her on the way, and a chivalrous pageant was played by Sir Patrick Hamilton, who, in the character of a rude losel, endeavoured to snatch a fair lady from a knight; her champion, of course, resisted, and this led to the exhibition of a mock combat. On arriving at the suburbs of Edinburgh, the queen descended from her litter, mounted soberly upon a pillion behind the king, and thus entered her future capital in royal state. The marriage ceremonies were concluded with entertainments, shows, and tournaments, in the last of which the king appeared in the character of a salvage knight, and carried off the prize from every competitor.*

Among the common people, the important concerns of courtship and marriage were conducted with at least as much glee and mirthful tumult: poetry, piping, and feasting, formed the regular climax of wooing and winning; and when the liquor circulated too copiously, a rude skirmish of wit often warmed into a perilous interchange of blows, that only served to enhance the convivial enjoyment of the party. It was the custom, also, for each of the guests to subscribe a sum, nominally to defray the expenses of the marriage-feast, but, in reality, to furnish the young couple with something to begin the world. After the Reformation, these penny-weddings, as they were, and still are, technically termed, incurred the hostility of the kirk; but it was found impossible to suppress them, and all that was done was to limit the contributions of the guests to a very moderate sum. Thus, by an act of the session of Stirling, not more than five shillings Scotch were allowed to be levied upon each attendant at a penny-wedding; and similar restrictions were established in other parishes.†

In their funeral customs, the Scots were distinguished from the English by a practice common to themselves and the Irish only. As soon as life had departed, the friends of the deceased prepared to hold his *lyke-wake*, that is, to sit up with the body all night previous to interment. A cellar of salt was placed on the breast of the corpse, and lighted candles were set at the head and feet; but as the occasion partook more of festivity than sorrow, all the materials of feasting, drinking, and smoking, were plentifully provided for the watchers. This practice was at last so much abused that a person's lyke-wake was often as costly as his wedding. When the time of burial arrived, the coffin was carried to the grave on hand-spokes; and if the deceased had been of rank, the interment was frequently accompanied with the ringing of bells and discharges of muskets and artillery.‡

Charles:—"Right trusty friend, we greet you heartily well. The baptism of our dearest son being appointed at Holyrudehouse upon the 23rd day of December instant, whereat some princes of France, strangers, with the specials of our nobility, being invited to be present, necessar it is that great provisions, guid cheer, and sic other things necessary for decorations thereof, be provided, whilks cannot be done without the help of some of our loving subjects; whereof accounting you one of the specials, we have thought good to request you effectiously to propyne us with venisons, wild meat, brissel fowls, capons, with sic other provisions as are maist seasonable at that time and errand, to be sent into Holyrudehouse upon the 22nd day of the said month of December instant; and herewithal to invite you to be present at that solemnity, to take part of your own guid cheer, as you tender our honour and the honour of our country."

* Lady Mary Steward's Household Book.

† The following item occurs in the Household Book of Lady Mary Steward:—"To ane blind singer, who sang the time of dinner, twelve shillings" (Scotch).

‡ Melvil.—Moryson.

* Pitscottie, pp. 227—8.

† Session Book Extracts in Bannatyne Miscellany. Edin. 1837.

‡ Spalding.—Household Book.

The particulars we have hitherto mentioned of Scottish manners and customs are only to be understood of the more civilized parts of Scotland. The people of certain portions of the kingdom differed in their way of life from the Saxon population of the Lowlands as much as they did in lineage. The inhabitants of the isles, who were in a great measure of Danish and Norwegian origin, being separated, by tempestuous seas and an imperfect navigation, from the comparative civilization of the mainland, still retained a large portion of those rude characteristics by which their ancestors were distinguished. These islesmen lived chiefly by hunting and fishing. In preparing animal food for eating, they seethed it in the tripe or skin of the beast, which they filled with water. Their drink was the broth of sodden flesh, or whey kept for several years. In the morning they would eat a little oaten or barley bread, and content themselves with this till evening, after a day's hunting. The only beds in their houses were heather laid on the ground, with the tops or flowers uppermost, which was not only as soft as a feather-bed, but very refreshing and restorative after fatigue. Their weapons were an iron bonnet or skull-cap, a habergeon reaching almost to the knees, bows and forked arrows, and axes. Their musical instruments were harps, clarshoes, and bag-pipes. The richer people of these isles adorned their harps and clarshoes with silver and precious stones, and the poor with crystal; and the chief amusement of all classes was singing songs, recording the deeds and praises of the brave. Such, finally, was the healthiness of these insular climates, and the remarkable longevity of the inhabitants, that, according to a monkish authority quoted in Monipenny's Chronicle, they generally lived till they were quite weary of life.

The Highlanders, although they lived more in the neighbourhood of improvement, and constituted a more important part of the Scottish population, were not superior in knowledge and refinement to the islesmen, while they were much more sanguinary in character. They were governed by the patriarchal system in its worst of forms; their fierce, though paltry wars of clanship, as effectually secluded them from the civilization of the Lowlands as the storms of the northern seas could have done; and when they descended into the plains, it was only by hurried visits, and for hostile purposes. This character became so permanent that the following description which John Eldar, a clergyman and a native of Caithness, gave to Henry VIII. of life in the Highlands, was equally correct nearly two centuries later.* Their chief occupation (when they were not cutting each other's throats, or plundering the Lowlands) was hunting; and their principal amusements were running, leaping, swimming, shooting, and throwing darts. The Highlanders were called Rough-footed Scots by the English, and Red-shanks by the Lowlanders, from the shoes they wore, and which were made in a very summary fashion. When the red deer was killed, and the hide flayed warm from the animal, the person wanting a pair of shoes placed his foot on the skin, and cut by that measure a sufficient quantity of hide to cover the foot and the ancle. A few thongs were then pared from the same material to lace up the shoe, and holes were pricked in the sole to let out the water. Even this extemporaneous buskin, however, seems to have been a luxury, and the Celt, unless the weather was very cold, generally went barefoot. As the Highlanders sowed little corn, and despised the unwarlike occupations of husbandry, animal food composed their chief subsistence; and, in addition to the sheep and beeves which they *lifted* from the Lowland pastures, they had abundance of all kinds of game. When hunting, we are informed, they dressed their venison by pressing the raw flesh between boards or hazel-rods until the blood was wrung out, after which they devoured it without further cookery.*

Besides these Norse and Celtic races, there were the Borderers, an equally distinct community, at least as far as their mode of life marked them out from the bulk of the nation. These people, living upon the edge of the kingdom, and always exposed to the first brunt of an English invasion, resembled more the forlorn hope of an army than a settled population, and not only their habits, but their sports were imbued with the recklessness and ferocity of such a military position. As they found it useless to build regular houses, which the first onslaught of the enemy would demolish, any temporary wigwam contented them; and as it was equally a waste of time to sow their fields, they reaped with the sword the fields of the neighbouring English counties. Sometimes, however, they found the opposite border so well guarded that a sheaf of arrows rather than one of corn was ready to welcome them. In this case the Scottish borderers did not greatly perplex themselves about ways and means: they turned and fell upon the fields and cattle of their own countrymen, and thus supplied their wants at the expense of the inland farmers. This plundering of friend and foe they softened with the gentle name of "a little shifting for their living," and many of the border chiefs found the practice so profitable that they reduced it to a regular system. They gathered troops of needy and dissolute followers, built strong towers in some situation of difficult approach, and either swept both sides of the border without distinction or obliged the landholders to compound for immunity by the payment of an annual black-mail. The kings of Scotland were seldom powerful enough to repress these disorders; nor was the bold adventurous life of the borderers without its use in raising and preserving a hardy militia for the defence of the national outposts. But James IV. and his successor, who saw the permanent evils entailed by

* Quoted in Pinkerton's History of Scotland, ii. 396, from the author's MS. in Bib. Reg. 18 A. 38.

* Brantome, Vie de Chartres.

such a system, commenced an unsparing warfare against these robber chieftains, and either drove them across the border or hanged them over the gates of their own castles. In their justiciary progresses, which were conducted under the show of a hunt, or party of pleasure, these sovereigns were attended, not only by knights, judges, and guards, but also by hunters, falconers, and morris-dancers, and thus the thieves were unaware of the real purpose of the expedition until they were surprised in their dens. On one of these occasions, as James V. was making a progress, John Armstrong of Gilnockie, a celebrated border chief and border freebooter, presuming upon the services he could render to the king, advanced to meet him at the head of a train of forty-eight gentlemen, whose dress and equipments rivalled those of a royal following. James, astonished at the glitter of this approach, imagined that some English or foreign prince was at hand; but when he discovered that it was only an over-proud caitiff, whom he had outlawed, and vowed to punish, his rage burst forth in the following couplet,—

> What wants this knave
> That a king should have?

and he immediately ordered John and his merry men to be hanged without further ceremony. The Regent Murray was one of the sternest suppressors of the border moss-troopers, whom he caused to be hanged or drowned by dozens; but, after his death, they again became as unruly as ever. James, on his accession to the English crown, ordained that no borderer of England or Scotland should wear any kind of weapon, offensive or defensive, except a knife of no more than a certain length, with which to cut his victuals, and keep no horse, gelding, or mare, above the value of forty shillings. By this act the occupation of a border thief was gone, as he was effectually dismounted and disarmed; and the border itself, in consequence, at last became as peaceable as any other part of the British dominions.*

The Reformation of religion in Scotland was the commencement of a new era in the manners and customs of the people. The Protestant clergy, in beginning their warfare against the ancient national faith, had no idea of compromise or gradual change, like their brethren of England; instead of this they laid the axe to the root, and, after demolishing churches and monasteries, they waged the same war of extermination against every practice, custom, or ceremony that was in any way identified with the hostile creed. As soon, therefore, as they had proscribed the tenets, and banished the ceremonies, of popery, the victory was followed up by an irresistible attack upon masques, pageants, and plays, merry meetings and festivals, and all kinds of cheerful music and dancing, which last amusements the leader of the Scottish Reformation had contemptuously branded by the names of "fiddling and flinging."* The ground being thus cleared, Presbyterianism became paramount, and then every church court and parish session was a sort of inquisition, before which not only greater offenders were cited, but all those who came short of certain qualifications which were thought essential for true professors of the gospel. Thus the anathema of the church was levelled against all who had a crucifix or popish painting in their possession, all who were guilty of excess at a feast, all who spent too much at a wedding, all who held or attended cheerful processions, or mingled in promiscuous dances, as well as against adultery, sacrilege, and murder. But this was not enough. Domestic life was invaded and its privacies explored, while every corner and cranny was rummaged in which sin could be supposed to find shelter. Even non-attendance on church, rashness in speech, an unadvised word, were all matters of ecclesiastical inquest. The kirk-session, also, soon became almost as powerful to punish as they were vigilant to detect. Besides having the sackcloth garment, the pillar of repentance, and the branks † under their entire control, as also the power of fining adult and scourging juvenile offenders, they could deliver a culprit to the secular arm with a recommendation (which was tantamount to a positive command) that he should be pilloried, imprisoned, whipt, or banished disgracefully by beat of drum. Gaiety and mirth of every kind were soon sobered by this ghostly domination, and the land was pervaded by a general gloom. The political events of the seventeenth century only tended to impress this character more deeply upon the nation. The Scotch, on the transference of their king and court to England, clung the more eagerly to their church: having lost for a time their national politics, theology was adopted to fill up the void. On the subsequent attempts of the court to make Episcopacy paramount in Scotland, the people regarded the degradation of their kirk as an attempt to annihilate their national independence, and in that spirit they rallied round the Covenant with tenfold ardour. In the struggle that followed, the Scots, as might have been expected, only became more strictly Calvinistic and Presbyterian than ever, and a stern brow and austere demeanour were cultivated, as evidences not only of sound religion, but of true patriotism.

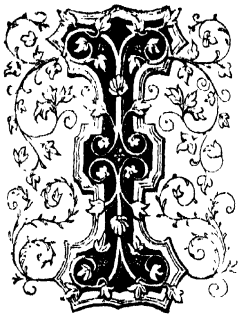
* Scott's Minstrelsy of the Scottish Border.—Stow.—Pitscottie, p. 226.

* Knox's History of the Reformation.

† The branks was an instrument used for the punishment of scolds. It was a sort of head-piece, composed of iron hoops, and furnished with a gag of the same metal; and when the head of the culprit was secured, and the tongue made fast, the whole was closed by a padlock, by which a painful silence was inflicted for any given time. Some of these instruments, though long disused, are still preserved in churches. A representation of one of them, which the author was shown at Newcastle, in 1787, is given by Lackington, the bookseller, in his Memoirs of his Life, 8vo. 1791, p. 285.

CHAPTER VII.

HISTORY OF THE CONDITION OF THE PEOPLE.



IT may be said that every second century since the foundation of the monarchy has witnessed the consummation of a great revolution in the political state of England. In the middle of the eleventh century the Norman Conquest overthrew the comparatively free old Saxon constitution, and completed the establishment of feudalism; in the middle of the thirteenth, the insurrection of Simon de Montfort and the barons against Henry III. put an end to the exclusive domination of the crown and the nobility, by introducing into the government the principle of popular representation; in the middle of the fifteenth, the wars of the Roses almost annihilated the power of the aristocracy, and left the crown and the commons to contend together for the supremacy; and finally, in the middle of the seventeenth, the success of the Great Rebellion decided that contest in favour of the commons.

It will thus be found that, for the first two hundred years after the Conquest, the government was a monarchy balanced by an aristocracy, or a system in which, according to the character of the king and other varying circumstances, sometimes the crown had the upper hand, sometimes the barons; that, for the next two centuries, the commons, or rather the middle classes, consisting of the inferior landholders and gentry, and the mercantile and moneyed community, had both a nominal and, also, to a considerable extent, a real share in the government, although still rather as allies and supporters at one time of the crown, at another of the aristocracy, than as an independent force; and that for the third space of about the same length, the power of the nobility as a distinct body in the state being almost wholly destroyed, the government came to be either a simple monarchy, so long as the crown kept the mastery over the commons, or a simple democracy (of the middle classes) after the commons succeeded in their turn in acquiring the mastery over the crown. It can scarcely be said that there was any interval between these two last-mentioned conditions, in which monarchy and democracy, tempering each other, were combined into any system of proper antagonism or mutual check and support.

The succession of these changes may be otherwise stated thus:—from the middle of the eleventh to the middle of the thirteenth century the government was a contest between the monarchic and the aristocratic principles; from the middle of the thirteenth to the middle of the fifteenth century, it was still the same contest, with this difference, that the democratic principle (in the particular modification in which alone it had as yet manifested itself) was called in as an auxiliary by each of the others, and that, having first assisted the aristocracy in restraining the power of the crown, it was afterwards employed by the crown to aid the course of circumstances in breaking and eventually destroying the power of the aristocracy; and that, from the middle of the fifteenth to the middle of the seventeenth century, the monarchic and democratic principles were those between which the contest was waged.

If we look more closely at the course of events we shall further find that each of these three eras is divisible into three parts, which may be severally regarded as the successive stages in which first the one of the two contending principles predominated, then the battle wavered, and finally victory declared itself for the other. Thus, in the first era, the monarchic principle maintained the supremacy for the space of about seventy years that elapsed from the Conquest to the death of Henry I.; for the next sixty-five years, extending to the death of Richard I., the crown was obliged to share the supreme power with the nobility and the church (properly a branch of the nobility); and for the remaining space of about the same length, carrying us to the new constitution established by Simon de Montfort, the barons kept the crown in subjection, extorting from it the Great Charter and various other concessions. In the second era, where three elements were in action, the movements of the game are more complicated, and its different phases blend or intermix more with one another; but still we may perceive the crown, notwithstanding the energy of Edward I., to be kept more than afterwards in check by the barons, with the aid of the commons, throughout the space of somewhat above sixty years which preceded the accession of Edward III.; then, for about seventy years more, comprising the reigns of that king and his grandson, a suspension of the contest in any violent form, with little change of position in the two principal parties; and, lastly,

in the space of between sixty and seventy years filled by the rule of the House of Lancaster, the power of the aristocracy first undermined and visibly shaken by the gradual approximation of the commons to the crown, and then more rapidly crumbling to ruin in the convulsion of the civil war between the two competitors for the throne. In like manner, in the third era, we have first a space of about seventy years, from the accession of Edward IV. to the destruction of the Romish church by Henry VIII., in which the crown was employed, not so much in putting down the active opposition (for of that there was now little or none) as in disencumbering itself of the mere inert rubbish of the old strength of aristocracy and feudalism; then another term of about the same length, to the end of the reign of Elizabeth, in which monarchy and democracy, now the sole occupants of the field, rather made preparation for than actually began to wage their inevitable struggle; and last of all the somewhat shorter space forming the period we are now reviewing, over the whole of which that struggle, in a state of less or more activity, may be considered as extending.

Thus, each of these successive political conditions has subsisted for about the ordinary term of an entire human life; or, for the space of time in which it is reckoned that two generations are brought into existence, and, of course, as many pass away. Every second generation, therefore, on arriving at middle age, has found itself in a new political condition. In other words, of two successive generations, the one born at the commencement, the other at the middle, of the space over which each particular condition has stretched, only the former has spent the whole of life under that condition; the latter has entered upon or has made for itself a new condition by the time the half of its days has been spent. Perhaps the difference in the original circumstances of the two generations may, in part, account for the one having thus been regularly conservative, the other innovating. The men born at the commencement of the existing order of things have known it in the bright days of its vernal promise, and regard it besides as almost of their own creation, or as something identified with themselves, simply on the score of they and it having grown up together; their sons have seen it only in the dimness and disappointment of its decline, with the gloss of novelty not only all worn off, but probably converted into rust and clogging corruption, and, instead of any attachment to it as a system of their own setting up, or whose growth has been coincident with theirs, they are rather apt to be impatient of it as that which has done its office and has no more business in the world,—as a worn-out and obsolete organization with which their habits and feelings jar and jostle at all points. They are young, and it is old; it belongs properly to one age, they to another. Thus it happens that, while the one generation on arriving at manhood is naturally inclined to maintain things as they are,—to make its present out of the past,—the other is as naturally and as strongly impelled on attaining the age of action to seek its present in the future—to abandon the certainty of the ancient ways for the chances of a new and untried career. Of course, the greater length of time that the existing order of things has lasted when it comes to their turn to deal with it makes it the easier for them to effect its modification; for change is the law of all things here below, and the longer any system—political or of whatever other kind—has been in operation, the more ready is it for transmutation into something else.

It appears, then, that, although a notion of political freedom of a much wider scope may have always survived from the time of the Saxons in the form of a popular instinct, yet the first alleviation of the absolute power of the crown that was actually realized in England consisted only in the transference of a part of that power into the hands of the nobility. At this time the barons were the only representatives the people either had or desired; no higher idea of good government was entertained by the rest of the nation than that it consisted in a combination of monarchy and aristocracy. To this point only had the national aspirations reached even at the date of the extorting of the Great Charter a century and a half after the Conquest: that instrument, then the full accomplishment of the national demands and wishes, left the constitution, in so far as the people were concerned, the same as it had been left by the Conqueror; the only difference was, that, in the time of William, the crown kept the barons in subjection, whereas now, under John, the barons had gotten the mastery over the crown. The advantages that fell to the share of the people were only indirect and accidental; they obtained some securities against oppression *by* the government, but any share *in* the government they neither obtained nor seem to have thought of putting in a claim for. And even after the principle of popular representation was brought into action, it had various stages of growth to pass through before it became what we now understand it to mean. For a long time the so-called representatives of the people were little more than the subservient auxiliaries at one time of the barons against the crown, at another of the crown against the barons; after which, on the destruction of the power of the aristocracy under the two first Tudors, they were brought down for a season to the still humbler position of the mere slaves or instruments of the crown—the most obedient agents and convenient supporters of its tyranny. This, however, was an accidental and unnatural state of things which could not last long: for, whatever might be the appearances of the moment, the real and ultimate tendency of the mighty revolutions in church and state which distinguished the earlier part of the sixteenth century, of those of them even to which the royal power chiefly owed its present

aggrandizement—the overthrow first of feudalism and then of popery—as well as the growth and extension, produced by various causes, of manufactures, commerce, and wealth, was neither aristocratic nor monarchical, but democratic, or favourable to the development and onward movement of the popular principle in the constitution; and, accordingly, the later half of that century, comprising the whole of the reign of Elizabeth, when an orderly and stable government at length succeeded to the weakness and confusion which the storm of the Reformation had left behind it, may be considered as the age in which the feeling first fairly rooted itself and grew up in men's minds that the Commons' House was a power in the state co-ordinate with the House of Lords and the crown, and of right wholly independent of either. This feeling, indeed, as has happened with every other great principle that has impelled or agitated the world, remained for the first stage of its existence little more than a mere aspiration or article of faith; it had to diffuse itself and to gain the hearts of men before it could move either their hands or their tongues; and, accordingly, so long as Elizabeth lived, the House of Commons rather, as we have said, made preparation for assuming its due position, or intimated its intention of assuming it on the first favourable opportunity, than decidedly asserted or attempted to exercise its rights. But as soon as the sceptre had fallen from the hand of the last and greatest of the Tudors into that of the first and feeblest of the Stuarts—from that of the manly queen into that of the womanly king—the struggle began in good earnest between the commons and the crown—between the principles of monarchy and this earliest kind of democracy.

First, for a space of about nineteen years, bringing us down to James's hasty dissolution of his third parliament, in January, 1622, and the violent measures by which that act was accompanied, we have the two parties engaged, with little intermission, in an active trial of strength with each other,—the king striving to maintain the same system of government, that, namely, of a dominant prerogative and a subservient parliament, which had been hitherto submitted to; the Commons endeavouring to establish in the practice of the constitution, what they had long held to be the principle of the constitution—their entire independence of, and co-ordinate authority with, the crown. His position gave the king the advantage in this contest so far as to enable him to terminate it for the present in his own favour; but such victories over the spirit of the age and the natural progress and tendency of events are always, in the long-run, fatal to the power that achieves them:—by damming up the current which it can neither dry up nor divert, it only accumulates a force for its own more sure destruction. For another term of about nineteen years the royal authority remained supreme; a few more endeavours were made to bring back the House of Commons under its old yoke, which failing, parliaments were dispensed with altogether, and the crown, governing alone, seemed to be more powerful than even in the days of Henry VIII. But then, with the opening of the Long Parliament, came down the gathered strength of the democratic principle in a roaring torrent which speedily carried everything before it; the Commons now demanding no longer mere independence of and equality with the crown, but supremacy over it, and, quickly after, the sole power in the state. And this attitude democracy preserved, in theory at least, and it may also be said in form—for the protectorate itself was only democracy enthroned—throughout another space of about nineteen years.

But the thing which is especially to be noted as distinguishing the portion of the contest between the crown and the commons which fills the present period, is, that it was now for the first time that the idea sprung up of the great body of the people having any political rights. That idea was unknown to the liberalism of the sixteenth century, which, as already observed, looked no farther than to the political emancipation of the middle classes. The age of the Civil War and of the Commonwealth is that of the birth of genuine democracy in England,—of the principle that the labouring classes as well as their superiors ought to have a voice in the legislature. The novel doctrine, indeed, remained little more than a mere speculation throughout the present period, for it cannot be said to have been practically recognised in any of the constitutions through which the country passed between the destruction and the restoration of the ancient government; and it may be that it has not yet been either so recognised to any considerable extent, or even reduced as a theory to a shape so definite and so generally concurred in, as to make its recognition possible. But, still, for the last two centuries, the spirit of democracy, understood in this sense, has been a living and active principle of English politics; and the growth of opinion in favour of popular government has been such that no system of government can now be defended on any other professed grounds than that of its tendency, if not to place power in the hands, at least to promote the welfare, of the great mass of the population.

From the present period, therefore, we may date the commencement of the political emancipation of the labouring classes, as of that of the middle classes from the last. And this single fact of the birth of true democracy in the earlier part of the seventeenth century may be taken as a sure indication and evidence that the general social improvement of the country had by this time penetrated down from the middle to the working classes, and that the condition of the latter was now beginning to be elevated by the extension of trade and manufactures in the same manner as that of the former had been in the preceding century.

There can be no doubt, indeed, that throughout

the first two-thirds of the present period, comprising the whole of the reign of James and the earlier part of that of Charles, the labouring population of England were in the enjoyment of an ampler measure of comfort than had fallen to their lot in any former age. This was primarily the consequence of the wise and successful government of Elizabeth, and of the broad foundations of national prosperity that were then laid; a prosperity which the long continuance of peace that followed under James allowed to deepen and extend itself,—that long peace, however, being also in the main a bequest of the preceding reign, in which the country had been raised to so high a pitch of glory that it could afford to stand for many years even the pusillanimous policy of the new king. The union, also, of the two divisions of the island into one kingdom contributed something to the internal quiet of both. And as for the absolute character of the government, that was a grievance which for a long time, however galling to the patriotic feeling of the country, did not press severely upon any of the interests of the national industry; even the occasional acts of oppression which proceeded from the court, or from the unconstitutional tribunals it had set up, fell, of course, only upon individuals, and interfered little with either the gains or the enjoyments of the great mass of the people. The persons who suffered most as a class were the Puritans; but in many parts of the kingdom there were no Puritans, and they formed nowhere more than a mere sprinkling of the population before the commencement of the Civil War, nor were even they ever subjected to any general persecution. Individuals of their number were fined and imprisoned; but what they had chiefly to complain of as a body was merely their exclusion from certain civil rights, and the opposition of some of the existing institutions in church and state to their peculiar notions and tenets,—vexations and hardships not of a sort greatly to affect their well-doing in their ordinary worldly callings. Indeed, such a revolution as that which overthrew the English monarchy in the seventeenth century would seem to be the natural offspring rather of public ease and plenty than of the opposite state of things, and to require a considerable amount of national prosperity and accumulated wealth as the condition of its being undertaken. It bore in none of its features the character of a wild outbreak of hunger or any other kind of popular wretchedness; no cry for bread on the part of the people was heard in any stage of it; it was from beginning to end a war of opinions and principles,—a contest about right and wrong,—not a scramble for food, or a quarrel about pounds, shillings, and pence. The only shape in which the question of property came to be agitated was with reference to how the people might best secure the possession of the property they had already acquired, or had in their hands the means of acquiring: if the subject of taxation had a prominent place among the national grievances, it was the mode of it, not the amount of it, that was complained of; the twenty shillings he was charged for ship-money was nothing to Hampden, but his being charged for ship-money at all was in principle, in his estimation and in that of those who sided with him, as much a wrong, and therefore as much to be resisted, as if he had been pillaged by the government of half his estate. But that such a temper should be generally diffused it needed that wealth or the comforts of life also should be generally diffused; for a people will not take up and act upon these superlatively refined notions of their political rights till after they have become somewhat pampered by ease and prosperity, and been made jealous and sensitive of the first advances of arbitrary government by having much to lose.

The picture which Clarendon has drawn of the economical condition of the kingdom for a considerable time before the breaking out of the war between the king and the parliament, is marked by some strokes which his party feelings have thrown in; but, if we divest it of these, it is probably very little overcharged. "For twelve years before the meeting of the Long Parliament," he observes, "the kingdom enjoyed the greatest calm, and the fullest measure of felicity, that any people in any age, for so long time together, have been blessed with, to the wonder and envy of all the other parts of Christendom." "The happiness of the times I now mention," he continues, "was invidiously set off by this distinction, that every other kingdom, every other state were entangled, and some almost destroyed, by the rage and fury of arms; those who were engaged in an ambitious contention with their neighbours having the view and apprehensions of the miseries and desolation which they saw other states suffer by a civil war; whilst the kingdoms we now lament were alone looked upon as the garden of the world. Scotland (which was but the wilderness of that garden) in a full, entire, and undisturbed peace, which they had never seen; the rage and barbarism of their private feuds being composed to the reverence and awe of public justice; in a competency, if not in an excess of plenty, which they had never hoped to see, and in a temper (which was the utmost that in those days was desired or hoped for) free from rebellion. Ireland, which had been a sponge to draw, and a gulf to swallow, all that could be spared, and all that could be got, from England, merely to keep the reputation of a kingdom, reduced to that good degree of husbandry and government, that it not only subsisted of itself, and gave this kingdom all that it might have expected from it, but really increased the revenue of the crown forty or fifty thousand pounds a-year, besides a considerable advantage to the people by the traffic and trade from thence; arts and sciences fruitfully planted there; and the whole nation beginning to be so civilised, that it was a jewel of great lustre in the royal diadem. When these outworks were thus fortified and adorned, it was

no wonder if England was generally thought secure, with the advantages of its own climate; the court in great plenty, or rather (which is the discredit of plenty) excess and luxury; the country rich, and, which is more, fully enjoying the pleasure of its own wealth, and so the easier corrupted with the pride and wantonness of it; . . . . trade increased to that degree that we were the exchange of Christendom (the revenue from thence to the crown being almost double to what it had been in the best times), and the bullion of neighbour kingdoms brought to receive a stamp from the mint of England; foreign merchants looking upon nothing so much their own as what they had laid up in the warehouses of this kingdom; the royal navy, in number and equipage much above former times, very formidable at sea; and the reputation of the greatness and power of the king much more with foreign princes than any of his progenitors; for those rough courses which made him perhaps less loved at home, made him more feared abroad, by how much the power of kingdoms is more reverenced than their justice by their neighbours; and it may be this consideration might not be the least motive, and may not be the worst excuse, for those counsels."*

If we go into details, we shall find that the particular circumstances which influenced the economical condition of the country during the present period were nearly the same that were in action in the last, and that they continued to operate very much as before, though some of them perhaps with diminished, others with augmented force.†

The rate of increase in the numbers of the people—in ordinary circumstances at once the simplest and the most decisive test of the general prosperity—was probably even greater during the first forty years of the seventeenth century than during the last forty of the sixteenth. In 1662 John Grant, in his Observations on the Bills of Mortality, calculated the population of England and Wales at not far from six millions and a half; and Lord Chief Justice Hale, in his Origination of Mankind Considered, written in 1670, assumes that it was then not less than seven millions. The books of the hearth-tax in 1665 are stated to have shown the number of inhabited houses to be 1,230,000; which would give a population of more than six millions and a half, without allowing for omissions, if we suppose the number of inhabitants in each house to be five and two-fifths, which appears to be the lowest average that could then be assigned for the whole kingdom.‡ On the whole, we cannot set down the population of England at the Restoration at much under six millions and a half, nor at less than six millions at the commencement of the Civil War; so that, if we suppose it to have very little exceeded five millions at the death of Elizabeth,§ the increase in the intervening forty years had been little less than a million. During the five or six years of intestine disturbance and confusion that followed it probably retrograded rather than advanced; but, as always happens in such circumstances, it would only for that, when its tide turned, advance the faster, till the vacuum was filled up; so that the rate of increase on the whole eighteen or twenty years extending to the Restoration continuing the same as before, the six millions would, by the end of that time, have become six millions and a half, as we have supposed.

While the general population of the kingdom, however, was thus undoubtedly on the increase, appearances in particular localities continued to indicate the reverse, and to furnish texts for many a plausible lamentation over the depopulation and decay of the country, just as in the preceding period, and, indeed, in every period of the world's history.* Trade, as its nature is, constantly developing new energies and finding out new fields of enterprise, of course shifted its haunts according to the exigency of circumstances. Thus it appears that while the growth of manufactures and of intercourse with distant parts of the earth was beginning to give importance to other places that had heretofore been of little note, most of the old sea-ports on the eastern and southern coast, which, so long as our foreign trade was confined to the opposite coasts of France, Holland, and Germany, had been among the busiest and most prosperous towns in the kingdom, were already falling into that declining state in which, with few exceptions, they have continued to the present day. A pamphlet recommending the encouragement of the herring fishery, published in 1614, particularly mentions Colchester, Harwich, Orford, Aldborough, Dunwich, Warderswich, Southwold, Yarmouth, Blackley, Wells (in Norfolk), Lynne, Boston, and Hull, as reduced to an exceedingly poor and beggarly condition.† When a new tax was imposed by the parliament it continued to be the practice to exempt or make remissions to certain towns on account of the poverty and decay into which they had fallen: thus, an act of 1624, granting certain subsidies to his majesty, directs, in nearly the same form of words which had for many years been used in all such grants, that the amount of 6000*l.* should be deducted from each tenth and fifteenth, "in relief, comfort, and discharge of the poor towns, cities, and boroughs of this your said realm wasted, desolate, or destroyed, or over greatly impoverished, after such rate as was and hath before this time been had and made to every shire, and to be divided in such manner and form as heretofore for one whole fifteen and tenth hath been had and divided."‡ But, not-

* Hist. i. 76.
† See Vol ii. p. 901.
‡ See Chalmers's Estimate, p. 57.
§ See Vol. ii. p. 903.

* See Vol. ii. pp. 900, 902.
† England's Way to Win Wealth, &c., quoted in Eden's State of the Poor, i. 151.
‡ Stat. 21. Jac. i. c. 33 (or 34 in some editions.) Chalmers (Estimate, p. 42) has represented this as a grant "for the reparation of decaying cities and towns,... though," he adds, "it is not easy to tell how the money was actually applied." And Anderson and Macpherson seem to have understood the clause in the same sense.—See

withstanding a few instances of exception, the evidences of the general advance of population, as well as of wealth, at this time, were visible to all clear and impartial eyes. "The act," to quote the summary of a modern writer, "which in 1623 reduced the interest of money to eight per cent. from ten, shows sufficiently, even against the preamble of it, that complains of decline, how much the nation had prospered, and was then advancing to a higher state of improvement. Such laws can never be safely enacted till all parties, the lenders as well as the borrowers, are properly prepared to receive them. The cheerfulness of honest Stow led him to see and to represent the state of England during the reign of James as it really was. He says, as Camden had said before him in 1580, that it would in time be incredible, were there not due mention made of it, what great increase there is within these few years of commerce and wealth throughout the kingdom; of the great building of royal and mercantile ships; of the re-peopling of cities, towns, and villages; beside the sudden augmentation of fair and costly buildings."*

Some idea of the state of the kingdom in different localities, in respect of wealth and population, in the reign of James I. as compared with its state at present, may be gathered from a few notices in Camden's Britannia, the last edition of which, published in the lifetime of the author, appeared in 1607. Plymouth is described as having grown up in the last age from a small fisher-village: the adjoining town of Devonport, now containing fifty thousand inhabitants, existed, if at all, only as a suburb of Plymouth, which itself is stated to be not very large; indeed, it had only one church till about the year 1640. Lynne, of which the population now amounts to nearly four thousand souls, is described as a little town, scarcely to be called a seaport, though frequented by fishermen; and Poole, of which the present population is not much under nine thousand, had been in the preceding age merely a sedge-plot with a few fishermen's huts, and was as yet only a small town, though having some fair buildings and a well-frequented market. Portsmouth is described as being very populous in time of war, but not so in time of peace: it had only one church, an ancient building. Brighton, now having between forty and fifty thousand inhabitants, is merely mentioned, by the name of Brighthelmsted, as a station on the coast. Yarmouth had as yet but one church; and Lynne, though only of comparatively recent origin, was, "for the number of merchants, beauty of buildings, and wealth of the citizens, beyond dispute the best town" in Norfolk, with the exception only of Norwich, which, although still a large and populous place, was considerably declined from its ancient greatness, its fifty churches having been reduced to between thirty and forty. Lincoln was still more decayed: "It is incredible," says Camden of this town, "how it hath sunk by degrees under the weight of time; for of fifty churches that were remembered in it by our grandfathers, there are now scarce eighteen remaining." Birmingham, called Bremicham, is described as already "swarming with inhabitants, and echoing with the noise of anvils:" but its population was as yet probably not a twentieth part of what it now is. Halifax, with its single parish church, already contained about twelve thousand inhabitants: "so that," continues the account, "the parishioners are wont to say that they can reckon more *men* in their parish than any kind of animal whatever; whereas, in the most fruitful places of England elsewhere, one shall find thousands of sheep, but so few men in proportion, that one would think they had given place to sheep and oxen, or were devoured by them. The industry of the inhabitants is also admirable, who, notwithstanding an unprofitable, barren soil, not fit to live in, have so flourished by the cloth-trade (which within these seventy years they first fell to) that they are very rich, and have gained a reputation for it above their neighbours. Which confirms the truth of that old observation, that a barren country is a great whet to the industry of the natives; by which we find that Norinberg in Germany, Venice and Genoa in Italy, and, lastly, Limoges in France (all situated in barren soils), have ever been very flourishing cities." As a proof of "the vast growth and increase of this town," an old account is afterwards quoted, by which it appears that, in 1443, there were only thirteen houses in Halifax; and that, in 1566, this small population had increased to "above five hundred and twenty householders that kept fires and answered the vicar." Sheffield is described as "remarkable, among other *little* towns hereabouts, for blacksmiths, great plenty of iron being dug in these parts;" and this reputation the place had had for centuries before; for Chaucer, in his Canterbury Tales, has armed his Miller of Trompington with a Sheffield knife;—

A Shefeld thwittel bare he in his hose.*

Bradford, now a town with forty thousand inhabitants, is merely named; Huddersfield, with half as many, is not mentioned at all. Hull, though a place of no great antiquity, "by degrees," says Camden, "has grown to such a figure, that for stately buildings, strong forts, rich fleets, resort of merchants, and plenty of all things, it is the most celebrated mart-town in these parts. All this increase is owing partly to Michael de la Pole, who, upon his advancement to the earldom of Suffolk by King Richard II.,† procured them their privileges, and partly to their trade of Iceland fish dried and hardened, and by them called stock-fish, which has strangely enriched the town." A few years later than this, however, as we have seen

Macpherson's Annals of Commerce (here transcribed from Anderson), n. 326. There can be no doubt, we apprehend, that the *relief* was merely an exemption from a part of the tax allowed to certain towns.

* Chalmers, Estimate, p. 43.

* Cant. Tales, 3931.

† See vol. ii. p. 175.

above, Hull had begun to be reckoned among the places of declining trade and population. Beverley was also already a very large and populous town: its flourishing condition is attributed to a privilege the inhabitants had of paying no toll or custom in any port or town of England. Sunderland was then an obscure village, and is not even mentioned by Camden. The part of the kingdom lying "beyond the mountains towards the Western Ocean" he seems to regard not only as a foreign, but as hardly a civilised country. "And first," he says, "of the people of Lancashire, whom I approach with a kind of dread: may it forbode no ill. . . . . However, that I may not seem wanting to this county, I will run the hazard of the attempt; hoping that the divine assistance, which hath favoured me in the rest, will not fail me in this." Proceeding, accordingly, to his survey, he describes Rochdale as "a market-town of no small resort;" Bury as another no way inferior to it; and Manchester as surpassing "all the towns hereabouts in building, populousness, woollen manufacture, market-place, and church." Liverpool is merely noticed under the name of Litherpoole, commonly shortened into Lirpool, as "the most convenient and usual place for setting sail into Ireland; but not so eminent for antiquity as for neatness and populousness." Of Lancaster it is said, "At present the town is not populous, and the inhabitants thereof are all husbandmen; for the grounds about it are well cultivated, open and fresh, and without any want of wood." Preston is called "a large town, handsome and populous for these parts;" Blackburn is merely mentioned; Ashton, Bolton, Oldham, Salford, and several more places, now containing each from eight or ten to above fifty thousand inhabitants, are not even mentioned, existing, as they did, if at all, merely as obscure and insignificant villages. Kendal is described as "a very populous town," with "two streets crossing each other;" and as "very eminent for the woollen manufacture, and for the industry of the inhabitants, who trade throughout England with their woollen cloth." Appleby was already fallen into the same decay in which it still remains: "Nothing," says Camden, "is memorable about it besides its antiquity and situation. . . . . It is so slenderly peopled, and the buildings are so mean, that if antiquity did not make it the chief town of the county, and the assizes were not held in the castle, which is the chief gaol for malefactors, it would be but very little above a village." Whitehaven, now containing fifteen thousand inhabitants, is not mentioned. Newcastle is called the glory of all the towns in Northumberland, and is represented as being a very thriving place, and rapidly increasing,—carrying on a great trade both with the opposite coasts of the continent, and with other parts of England, especially in sea-coal, of which the surrounding country yielded great abundance. Camden, however, maintains that the condition and manners of the Northumbrians on the Border still continued the same as they had been described by Æneas Sylvius (afterwards Pope Pius II.), who passed through this county on his return from Scotland, which he had visited as legate, in the middle of the fifteenth century. "A certain river," says his narrative, "falling from a high mountain, parts the two kingdoms; over which Æneas ferried; and, coming to a large village about sunset, he alighted at a countryman's house, where he supped with the curate of the place and his host. The table was plentifully furnished with pottage, hens, and geese; but nothing of either bread or wine appeared. All the men and women of the town flocked in, as to some strange sight; and as our countrymen use to admire the Æthiopians or Indians, so these people stared at Æneas, asking the curate what countryman he was?—what his errand could be?—and whether he were a Christian or no? But Æneas, being aware of the scarcity he should meet with on this road, had been accommodated by a monastery with a rundlet of red wine and some loaves of bread. When these were brought to the table they were more astonished than before, having never seen either wine or white bread." The account goes on to relate that men and their wives came crowding round the table, and, handling the bread and smelling to the wine, begged with such importunity to taste the unknown fare, that there was nothing for it but to deal the whole among them. At last, at a late hour, all the men, including both the curate and the host, ran off in a body, saying they were going to take refuge in a tower at some distance off, for fear of the Scots, who were accustomed to cross the river at low water in the night, for the purpose of attacking and plundering them. But although they carried the children with them, they left the women, notwithstanding that several of them, both wives and maids, were very handsome; not thinking, it seems, that they would take much harm from any treatment they were likely to receive at the hands of the Scots. Nor would they by any means be persuaded to take the legate himself along with them, though he very importunately besought them to do so. "Thus," he continues, "Æneas was left alone, with only two servants and a guide, amongst a hundred women, who, sitting in a ring, with a fire in the middle of them, spent the night sleepless in dressing of hemp and chatting with the interpreter. When the night was well advanced they heard a mighty noise of dogs barking and geese gagling; whereupon the women slipped off several ways and the guide ran away, and all was in such confusion as if the enemy had been upon them. But Æneas thought it his wisest course to keep close in his bed-chamber, which was a stable, and there to await the issue; lest, running out, and being unacquainted with the country, he should be robbed by the first man he met. Presently, both the women and the guide return, acquainting them that all was well, and that they were friends, and no enemies, who were arrived." This is rather like a description of savage life than of the

rudest form of civilization; but the narrative betrays, if not the proverbial exaggeration of a traveller, at least the ignorant wonder of a foreigner; and Æneas, though he may not have materially mis-stated what he actually saw, has probably mistaken the meaning of many things. Nor is it easy to believe, notwithstanding Camden's assertion, that the Borderers had not made a considerable advance in civilization in the space of more than a century and a half that had elapsed since their wild condition and manners astonished the literary and elegant Italian.

Little precise information is to be recovered respecting the state of the country during the war between the king and the parliament, the historians, as usual, confining their details almost exclusively to parliamentary and military operations; but of course this must have been a time of general pressure and suffering among all classes. As far, however, as can be gathered from the accounts that have come down to us, it does not appear that there was ever, for even the shortest period, any general interruption of the industry of the kingdom, or that the mechanism of society was ever suspended or seriously deranged in any of its ordinary movements. The laws for the punishment of crime continued to be administered, except in so far as the necessities, and no doubt also sometimes the license, of war gave impunity to many acts that, at another time, would have been prevented or visited penally; and the fields were cultivated, and every kind of handicraft plied, as usual, except only in the few localities which were actually at any particular moment the scenes of military operations—the ground on which a battle was fought or a siege carried on. At one time or other, however, nearly every part of England, Scotland, and Ireland felt the burning ploughshare of war in the course of the ten years that followed the raising of the royal standard at Nottingham, in August, 1642; and while some towns and districts were kept in a state of constant commotion or military occupation during a great part of that time, others were in shorter space half ruined by a sharper visitation. Then the extraordinary pecuniary exactions to which the nation was subjected were such as would have been severely felt even in the most flourishing condition of trade and industry, and must have proved doubly oppressive in such a time of general embarrassment and the partial stopping up of most of the channels in which the wealth of the country had been accustomed to flow. Another great evil would be the multitude of persons, who, torn from their usual occupations by the military levies, or thrown loose from them by the shock given to the whole fabric of the national industry, would go to swell the crew of idlers and vagrants living upon beggary and plunder, and to spread the hotbed of dissoluteness and crime. All this could not fail to produce not only much individual suffering, but for a time a feebleness and lethargy of all the forces of the social system, and a retrograde movement both of the wealth and the population of the country.

But the recovery of the country from this temporary fever and languor was followed by a health and strength that speedily carried it forward much farther than it had fallen behind in the career of social advancement. All authorities agree in testifying to the prosperity which England enjoyed from the termination of the war to the death of Cromwell. "When this tyrant or protector (as some call him)," observes the writer of a tract published after the Restoration, "turned out the Long Parliament (in April, 1653), the kingdom was arrived at the highest pitch of trade, wealth, and honour that it in any age ever yet knew. The trade appeared by the great sums offered then for the customs and excise,—900,000*l.* a-year being refused. The riches of the nation showed itself in the high value that land and all our native commodities bore, which are the certain marks of opulency."* According to Child, in his Discourse of Trade, the current price of land in England in 1621 was no more than twelve years' purchase: Sir Charles Davenant states that, in 1666, it had risen to from fourteen to sixteen years' purchase.† The prices of all descriptions of agricultural produce were generally (for there was still much fluctuation) higher throughout the present period than they had ever been known to be before. It appears, from the Windsor Tables, that the average price of middling wheat, from 1606 to 1625, was about 34*s.* per quarter; but it was sometimes as high as 58*s.*, and sometimes as low as 29*s.* or 30*s.* It continued to rise throughout the early part of the reign of Charles I.; never being lower than 44*s.* from 1630 to 1640, and sometimes reaching 56*s.* or 58*s.* In 1631 it was 68*s.* No accounts have been preserved of the year 1642 and the three following years. In 1646 the price was 48*s.*; in 1647, 73*s.* 8*d.*; in 1648, 85*s.*; in 1649, 80*s.*; in 1650, 76*s.* 8*d.*; in 1651, 73*s.* 4*d.* After this it declined for a few years, falling in 1654 so low as to 26*s.*; but its average in the last four years of the protectorate exceeded 45*s.* From the accounts of the purveyors of Prince Henry's household, about 1610, it appears that the price of beef was then about 3¾*d.*, and of mutton about 3⅜*d.* the pound.‡ The prices of many articles of provision in London were fixed by a royal proclamation in 1633, the object apparently being to bring them back to the usual rates, which had been considerably advanced by a scarcity in the preceding year. A fat cygnet is directed to be sold for from 7*s.* to 9*s.*, according to the season of the year; a pheasant cock for 6*s.*; a pheasant hen for 5*s.*; a turkey cock of the best sort for 4*s.*; the best turkey hen for 3*s.*; a duck for 8*d.*; the best fat goose in the market for 2*s.*; a capon fat and crammed, of the best sort, for 2*s.* 4*d.*; the best pullet for 1*s.* 6*d.*; the best hen for 1*s.*; a chicken of the best and

* The World's Mistake in Oliver Cromwell, Harleian Miscel. i. 231.

† Tracts, published by Sir Charles Whitworth, i. 359.

‡ Birch's Life of Prince Henry, p. 449.

largest sort for 5*d.*; a rabbit for 7*d.* or 8*d.*; a dozen of tame pigeons for 6*s.*; three eggs for 1*d.*; a pound of the best salt butter for 4½*d.*; of the best fresh for 5*d.* or 6*d*, according to the season. The prices of some other necessaries are also added, among which are tallow candles, "made of wick," 3½*d.* the pound; "made of cotton," 4*d.*; a sack, containing four bushels, of the best old charcoals, 1*s.* 2*d.*; a sack of the best and largest small coals, 6*d.*; a thousand of the best Kentish billets, 16*s.* This same year an ordinance was issued by the Star Chamber establishing various regulations for keeping down the prices of provisions, which had been raised by the scarcity, in London and Westminster. One of them, in consideration of "the exorbitant prices demanded by vintners for dressing and selling provisions," prohibited persons in that business, for the future, from selling anything but bread and wine, or permitting any flesh, or other sorts of provisions, to be brought into their houses, to be there eaten by any of their guests. Another enjoined that keepers of victualling-houses, who, it is affirmed, had of late greatly enhanced the prices of their ordinaries, should henceforth take no more of each guest for a meal than two shillings, which was to include wine and beer; and from a servant no more than eightpence. Some articles of food that are now plentiful, or comparatively common, were still rare, and consequently dear, in England in the early part of the seventeenth century. Though coffee, as we have seen, was introduced a few years before the Restoration, there is no evidence that tea was; and sugar, though it had been long known, was as yet only imported in small quantities, and bore a high price. In 1619 we find the price of two cauliflowers set down at 3*s.*, and that of sixteen artichokes at 3*s.* 4*d.*; and among the articles provided only a few years before for the household of James's queen are a few potatoes, which are charged at 2*s.* the pound. At this time, and down to a considerably later date, the usual bread-corn of the poorer sort of the people of England was barley, as is distinctly stated in a royal ordinance dated in 1646, which Rymer has printed.* At the end of the reign of Elizabeth, as appears from the Household Book of Sir Edward Coke, then attorney-general, the servants of great families commonly ate rye-bread; and large quantities of oatmeal were also consumed. Above twenty stone of beef, besides other meat, were consumed every week in Sir Edward's family, while in London, at their residence in the Castle Yard, Holborn; and yet, at this time, considerably more than a third of the whole year consisted of fish-days, which are believed to have been universally and strictly observed. Coke received numerous presents of bucks, heronshaws, swans, marchpanes (or sweet biscuit), and fruit; but not many garden vegetables seem to have been used, only a few onions, leeks, carrots and radishes being purchased, apparently to make pottage for the poor. The price of linen at this time, at least of good quality, was very high, if we may judge from Shakspeare's Henry the Fourth, where Dame Quickly affirms that the holland of which she had made Falstaff's shirts had cost her eight shillings the ell. This is confirmed by what Philip Stubbes tells us in his Anatomy of Abuses, of which the second edition was published in 1595, that the meanest shirt cost half-a-crown, and some as much as ten pounds. The price of wool was also very high throughout the reign of James, till a proclamation which he issued in July, 1622, prohibiting its exportation, brought it down from 33*s.* to 18*s.* the tod, or from above 1*s.* 2*d.* to not quite 8*d.* per pound. Some years afterwards, however, the price again rose; having been 24*s.* the tod in 1641; 37*s.* 6*d.* in 1648; 40*s.* in 1649; and between 1650 and 1660 ranging from 22*s.* 6*d.* to 60*s.*†

Of the wages of the different classes of labourers in the early part of the present period a notion may be gathered from an account, printed in the Archæologia, of the rates as fixed for the county of Rutland by the justices of the peace in 1610, which, as it appears, continued to be observed nearly down to the breaking out of the civil war.‡ The yearly wages of a bailiff of husbandry are here set down at only 52*s.*; of "a man-servant for husbandry, of the best sort, which can eire (plough), sow, mow, thresh, make a rick, thack and hedge the same, and can kill a hog, sheep, and calf," at 50*s.*; of a common servant of husbandry, at 40*s.*; of a mean (middling) servant, at 29*s.*; of a boy under sixteen, at 20*s.*; of "a chief woman-servant, being a cook, and can bake, brew, and make malt, and able to oversee other servants," at 26*s.* 8*d.*; of "a second woman-servant of the best sort, which cannot dress meat, nor make malt, but brew," &c., at 23*s.* 4*d.*; of a "woman-servant which can do but outworks and drudgery, at 16*s.*; of a girl under sixteen, at 14*s.*; of a chief miller at 46*s.*; of a common miller, at 31*s.* 8*d.*; of a chief shepherd, at 30*s.*;‡ of a common shepherd, at 25*s.* For harvest-work, a mower is ordered to have by the day 5*d.*, with his meat; a man reaper, haymaker, hedger, or ditcher, 4*d.*; a woman reaper, 3*d.*; a woman haymaker, 2*d.* If no meat was given these sums were to be exactly doubled in each case, except that the woman haymaker was to have 5*d.* instead of 4*d.* Every other kind of labourer at all other times than in harvest was to have, from Easter till Michaelmas, 3*d.* a-day with food, or 7*d.* without; and from Michaelmas to Easter, 2*d.* with food and 6*d.* without. The day's wages of various descriptions of artificers before Michaelmas, when they were highest, were appointed to be, for a master carpenter, 8*d.* with meat, or 1*s.* 2*d.* without; for "a free mason, which can draw his plot, work, and set accordingly, having charge over others," 8*d.* with meat, or 1*s.* without; for a chief joiner, or a master sawyer,

* Fœdera, xix. 102.

* Smith's Memoirs of Wool, ii. 242 (second edition).

† Archæologia, xi. 200.

‡ This is conjectured to be the sum by Sir Frederick Eden, State of the Poor, iii. p. xcvii. Appendix. It stands in the account 10*s.*

6*d.* with meat, or 1*s.* without; for a horse-collar maker, 6*d.* with meat, or 10*d.* without; for a ploughwright, a rough mason, an expert carpenter, or a tiler or slater, 5*d.* with, or 10*d.* without meat; for a thatcher, hurdle-maker, or bricklayer, 5*d.* with, or 9*d.* without meat. After Michaelmas the rates set down are from two-thirds to four-fifths of those sums, the greatest proportional deduction being generally made from the highest wages. Throughout the year turners and gardeners are allowed 6*d.* with, and 1*s.* without meat; and tailors 4*d.* with meat, and 8*d.* without. "In these rates of wages," observes Sir Frederick Eden, "the justices seem to have calculated that half the day's earnings were equivalent to diet for one day: in modern times, however, a much greater proportion of the daily pay of a labourer is appropriated to the purchase of the single article of bread."* This latter assertion is surely more than questionable: Sir Frederick seems to have been thinking of the cost of food, not for the labourer alone, but for his wife and children as well as himself: if a labourer's own diet at the present day cost him even so much as half his wages, his wife, and perhaps three, four, or five children would in many cases have to subsist on the other half, and nothing would remain for clothes, rent, and other expenses. Nor, at least in many descriptions of work, would the allowance of diet to a working-man make anything like a difference of one-half upon the amount of his day's wages. Sir Frederick afterwards admits that it is not easy to conceive that, whilst wheat was at 34*s.* the quarter, as it was at this time, "a labourer, whose wages on an average, it is probable, were about 8*d.* a-day, could have been as well provided with the most important necessaries of life as he is at present."†

In a tract entitled "Britain's Busse," published in 1615, in recommendation of a project for the fitting out of busses to enable the English to rival the Dutch in the herring-fishery, the author makes an estimate of the expense of dieting the seamen, from which some inferences may be drawn as to the manner of living among the labouring classes at this time. He proposes that every man and boy should be allowed, in the first place, a gallon of beer a-day, which, he says, is the allowance made in the king's ships: the cost of the beer is calculated at a fraction more than 2*d.* a gallon. Then, each was to have (also as in his majesty's ships) a pound of biscuit a-day, costing between five and six farthings; half a pint of oatmeal or pease, costing a farthing and a half; two pounds of bacon a-week, costing 6¼*d.*, besides as much fresh fish as they could catch for themselves; a quarter of a pound of butter a-day, costing about a penny, "to butter their fish, or otherwise to eat as they like;" half a pound of Holland cheese, costing five farthings; together with three pints of vinegar, costing about 2*d.*, and seven Kentish fagots, costing about 6*d.*, a-day, for every sixteen.

* State of the Poor, i. 148. † Ibid. p. 152.

The exact estimated daily cost of victualling for each is seven pence, three farthings, and one twenty-eighth of a farthing. This is rather higher than the allowance that is made in the Rutland table for the highest class of mechanics, even the master carpenter being only allowed sixpence a-day for diet; but the difference was no doubt found necessary in those days to make up for the dangers and disagreeable circumstances of a sailor's life. The wages proposed to be paid to the crew are also high as compared with the earnings of either agricultural or mechanical labour: the masters were to have about 3*s.* 7*d.* a-day; the mates about 10¼*d.*; one-half of the men about 8½*d.* each; the others about 7*d.*; and the boys about 2½*d.* It appears by an ordinance printed in Rymer, that in 1636 seamen in the royal navy were allowed in harbour sevenpence halfpenny a-day for their provisions, and, when at sea, eightpence halfpenny.* In a curious tract, entitled "Stanley's Remedy, or the Way how to Reform Wandering Beggars, Thieves, Highway Robbers, and Pickpockets," written in the reign of King James, and printed in 1646, the cost of the diet and maintenance of every one of the idle, thievish, drunken persons that infested the kingdom, living only upon beggary and plunder, is estimated at threepence per day at the least.

Although the legislation respecting pauperism had begun to be separated from that respecting vagrancy and crime some time before the end of the preceding century,† the two subjects still continued to be frequently viewed in their old, and, indeed, in some respects, natural and indissoluble connexion. Even so early as only a few years after the accession of James I. we find parliament adverting to the inconveniences which had already begun to be experienced from the legal provision that had been established for the poor operating in many cases as a premium and encouragement to idleness. One of the clauses of an act passed in 1609 complains that "many wilful people, finding that they, having children, have some hope to have relief from the parish wherein they dwell, and being able to labour and thereby to relieve themselves and their families, do nevertheless run away out of their parishes, and leave their families upon the parish."‡ It was therefore enacted that all such persons should be deemed to be incorrigible rogues, and punished as such. This same act, after noticing that divers good and necessary laws formerly made for the building of houses of correction for the suppressing and punishing of rogues, vagabonds, and other idle, vagrant, and disorderly persons, had not wrought so good effect as was expected, partly because the houses of correction had not been built as was intended, partly that the laws had not in other respects been duly and severely put in execution, directed that such houses should immediately be built or provided for every county "with mills,

* Fœdera, xx. 103. † See vol. ii. p. 906.
‡ Stat. 7 Jac. i. c. 4.

turns, cards, and such like necessary implements, to set the said rogues, or such other idle persons, on work." "Lord Coke," says Sir Frederick Eden, "was of opinion that justices of the peace were authorized by this act to commit to the house of correction idle or disorderly persons, although they had lawful means to live by. He conceived that houses of correction were the only possible means of compelling them to labour; and that this excellent work (as he called it) was, without question, feasible; for he says that, upon making of the 39th of Elizabeth (chap. 4), and a good space after, whilst justices and other officers were diligent and industrious, there was not a rogue to be seen in any part of England; but, when justices became remiss, rogues swarmed again. He adds, that few were committed to the house of correction without coming out better."* The poor-law of the 43rd of Elizabeth was continued by several statutes passed in the reigns of James and Charles, and a few additions were made to it, relating principally to the binding of poor children apprentices. These acts, however, are affirmed to have been very imperfectly executed; in many places, it is said, no rates were made for twenty, thirty, or forty years after the passing of the act of Elizabeth; and in most cases the sums raised were so inadequate that numbers of persons were still left to perish for want. The author of a pamphlet, entitled "Grievous Groans for the Poor, by M. S.," published in 1622, writes as follows:—"Though the number of the poor do daily increase, there hath been no collection for them, no, not these seven years, in many parishes of this land, especially in county towns; but many of those parishes turneth forth their poor, yea and their lusty labourers that will not work, or for any misdemeanor want work, to beg, filch, and steal for their maintenance, so that the country is pitifully pestered with them; yea, and the maimed soldiers, that have ventured their lives and lost their limbs in our behalf, are also thus requited; for when they return home, to live by some labour in their natural country, though they can work well in some kind of labour, every man saith, We will not be troubled with their service, but make other shift for our business: so are they turned forth to travel in idleness (the highway to hell), and seek their meat upon meres (as the proverb goeth), with begging, filching, and stealing for their maintenance, until the law bring them unto the fearful end of hanging." Some information respecting the pauper and disorderly portion of the population a few years after this may be gleaned from a paper of orders for the regulation of certain branches of police, issued by the privy council in 1630.* Common offences and abuses, which stewards to lords and gentlemen are enjoined specially to inquire into in keeping their leets twice a-year, are enumerated as follows: "Of bakers and brewers for breaking of assizes; of forestallers and regrators; against tradesmen of all sorts, for selling with under-weights, or at excessive prices, or things unwholesome, or things made in deceit; of people breakers of houses, common thieves, and their receivers; haunters of taverns or alehouses; those that go in good clothes and fare well, and none knows whereof they live; those that be night-walkers; builders of cottages and takers-in of inmates; offences of victuallers, artificers, workmen, and labourers." Another regulation directs that "the correction houses in all counties may be made adjoining to the common prisons, and the gaoler to be made governor of them, that so he may employ to work prisoners committed for small causes, and so they may learn honesty by labour, and not live idly and miserably long in prison, whereby they are made worse when they come out than they were when they went in; and, where many houses of correction are in one county, one of them at least to be near the gaol." It would appear from this that the house of correction system had lost by this time very much of the virtue ascribed to it by Coke in its first operation. Another order, prohibiting all persons from harbouring rogues in their barns or out-housings, and authorizing constables and justices of the peace to demand from persons wandering about with women and children where they were married and where their children were christened, adds, "for these people live like salvages, neither marry, nor bury, nor christen; which licentious liberty makes so many delight to be rogues and wanderers." A great increase of beggars had been occasioned about this time by the disbanding of the army in Ireland the preceding year: the consequence was that the soldiers, and probably many others along with them, immediately flocked over in swarms to England; to remedy which evil a proclamation was issued, commanding them to return to Ireland, and ordering them to be conveyed from constable to constable to either Bristol, Minehead, Barnstaple, Chester, Liverpool, Milford, or Workington; if they should be found begging in England afterwards, they were to be punished as rogues and vagabonds.†

* State of Poor, i. 145. The references are to Coke, 2 Inst. 729 and 734.

* Reprinted, by Eden, from a copy in the British Museum: State of Poor, i. 156—160.

† Rymer, Fœd. xix. 72.

BOOK VIII.

THE PERIOD FROM THE RESTORATION OF CHARLES II. TO THE REVOLUTION.

A.D. 1660—1689.

CONTEMPORARY PRINCES.

ENGLAND

1660 Charles II.

1685 James II.

SPAIN

1665 Charles II.

PORTUGAL

1683 Pedro II.

SWEDEN.

1660 Charles XI

DENMARK

1670 Christian V.

POPES

1667 Clement IX.

1670 Clement X.

1676 Innocent XI.

CHAPTER I.

NARRATIVE OF CIVIL AND MILITARY TRANSACTIONS.

Great Seal of Charles II.

ON the 25th of May Charles and his two brothers, the Dukes of York and Gloucester, landed near Dover, where Monk met them. The king embraced and kissed his restorer, calling him "father," and walked with him to his coach; and the glorified general, to the envy of older and nobler royalists, rode in the same coach with the king and the dukes. On the 28th, the Lords were advertised by a royal message, that his majesty would be at Whitehall on the morrow; and, on the 29th, which was Charles's birth-day,* he made his solemn entry into London, attended by the members of both Houses, bishops, ministers, knights of the Bath, lord mayor and aldermen, kettle-drums and trumpets. The streets were railed in, the windows and balconies were hung with tapestry, flowers were scattered on his path, and all was joy and jubilee. The first thing he did on arriving at Whitehall was to invest Monk with the Order of the Garter, and make him a member of the privy council. The foreign ambassadors, who had complimented Oliver and Richard Cromwell, and even acknowledged the restored Rump, made great testimony of joy for his happy restoration. And when Charles met the House of Lords, the Earl of Manchester, the Lord Kimbolton of former times, and one of the members whose attempted arrest had hurried on the civil war, hailed him as "Great king," "dread sovereign," "a native king," "a son of the wise," "a son of the ancient kings," and prophesied to him that he would be an example to all kings of piety, justice, prudence, and power, the greatest king that ever bore the name of Charles. Nor were the Commons much behind the Lords: their Speaker, Sir Harbottle Grimston, who had formerly been distinguished by a very different species of oratory, told Charles that he was deservedly the "king of hearts;" that he would receive from his people a crown of hearts; that he could not fail of being the happiest and most glorious king of the happiest people. We shall presently see how these predictions were verified.

Even at Dover the restored king was beset by ambitious and impatient cavaliers, who all hoped to be made ministers, members of the privy council, or something great in the government, as the reward of their loyalty and sufferings; and those were the most pressing whose services had been the least valuable to the cause. At Canterbury Monk, who in some respects was a mere broker for others, who might have opposed him but for the tempting bargains he had offered, put into his ma-

* He then completed his 30th year.

LANDING OF CHARLES II. AT DOVER. From a Painting by West.

jesty's hands "a large paper full of names," telling him "that he could not do him better service than by recommending to him such persons who were most grateful to the people, and in respect of their parts and interests were best able to serve him." Charles put the paper into his pocket without reading it; but, as soon as he could, he took an opportunity of consulting with his chancellor, Clarendon, who had returned with him from a long exile, and who informs us that the paper contained the names of at least threescore and ten persons, who were thought fittest to be made privy counsellors; that in this entire number there were only two—the Marquess of Hertford and the Earl of Southampton—who had ever served the king, or been looked upon as zealously affected to his service; that all the rest were either such as had deserted the king by adhering to the parliament, or such as had taken part in the beginning of the late revolution (here called rebellion), and had acted with all fierceness and animosity until the new model, and dismissal of the Earl of Essex: *then*, indeed, as Cromwell had grown terrible to them, they were disposed to wish the king back again, though they had done nothing but wish. "There were then," adds Clarendon, "the names of the principal persons of the Presbyterian party, to which the general (Monk) was thought to be most inclined, at least to satisfy *the foolish and unruly inclinations of his wife*. There were likewise the names of some who were most notorious in all the other factions; and of some who, in respect of their mean qualities and meaner qualifications, nobody could imagine how they could come to be named." But the chancellor, who cared a great deal more about the cabinet to be established than did the indolent pleasure-loving king, and who had made up his mind for a privy council of a very different composition, undertook to settle this matter with the general, through the medium of Mr. Morrice, the most intimate friend of the latter. The wary Monk avoided committing himself in person, but his friend Morrice, after speaking with him in private, returned to the chancellor and told him the trouble the general was in—"that the truth was, he had been obliged to have much communication with men of all humours and inclinations, and so had promised to do them good offices to the king, and could not, therefore, avoid inserting their names in that paper, without any imagination that the king would accept them; that he had done his part, and all that could be expected from him, and left the king to do what he thought best for his own service."* In lieu, therefore, of Monk's list a new one was drawn up by Clarendon, who found himself constrained to admit almost as many Presbyterians as cavaliers and Church-of-England men, but who evidently hoped to be able to displace the former by degrees. The king's two brothers, the Dukes of York and Gloucester, the Marquess of Ormond, the Earl of Lindsay, the Earl of Southampton, Lord Say and Sele, Lord Seymour, Sir Frederic Cornwallis, Sir George Carteret, Colonel Charles Howard, General Monk, the Earl of Manchester,

* Clarendon, Life.

the Earl of St. Albans, Lord Culpeper, Mr. Arthur Annesley, Mr. Morrice (Monk's confidential friend, who was also made secretary of state), the Chancellor Clarendon, the Marquess of Dorchester, the Earl of Berkshire, the Earl of Norwich, Lord Wentworth, Mr. Denzil Hollis, Sir Edward Nicholas, Sir Anthony Ashley Cooper, the Marquess of Hertford, the Earl of Northumberland, the Earl of Leicester, Lord Roberts, Lord Berkeley, and General Montague, admiral of the fleet, and a few weeks after created Earl of Sandwich,* were the members of Charles's first privy council. Monk was continued captain-general of all the forces of the three kingdoms, was made master of the horse, and (on the 7th of July) was further gratified by a long list of titles of nobility, ending in that of Duke of Albemarle; and his coarse, low-bred wife, who had been a milliner, and his mistress before she became his wife, took her place at court as a right noble duchess amongst the proudest dames of the land. The Duke of York was made lord high admiral of England, lord warden of the Cinque Ports, &c.; Sir Edward Nicholas was joined with Morrice as secretary of state; the Earl of Southampton became lord high treasurer; the Marquess of Ormond, lord steward; the Earl of Manchester, lord chamberlain; and Lord Clarendon, retaining the chancellorship,† was entrusted with the chief management of affairs. The Presbyterians were startled by the reproduction of the Thirty-Nine Articles; but they were gratified by a royal proclamation against vice, debauchery, and profaneness, and by seeing Baxter and Calamy, the most eloquent and learned of their preachers, admitted into the number of Charles's chaplains. To keep the lord mayor, the aldermen, sheriffs, and principal officers of the city militia in good humour and loyalty, the honour of knighthood was showered upon them—"an honour," says Clarendon, "the city had been without near eighteen years, and therefore abundantly welcome to the husbands and *their wives*."‡ And, still further to captivate the fair ones of the city, Charles went soon after, "with as much pomp and splendour as any earthly prince could do, to the great city feast."§ That none of the old attributes of royalty might remain in the shade, his majesty began to touch for the king's evil, according to custom, sitting under his canopy of state in the Banqueting House, with the surgeons and chaplains, and stroking the faces of all the sick that were brought to him, one of the chaplains saying at each touching—"He put his hands upon them and he healed them." This disgusting if not blasphemous ceremony was the more irritating to the Puritans, from the open profligacy and debauchery of the prince who thus pretended to an hereditary right of working miracles.

The Lords and Commons, who, under Monk, had recalled the king, were not properly a parliament, but only a convention; and, therefore, one of the first proceedings after his arrival was to pass an act constituting this convention to be a parliament. Their first condition, however, was not lost sight of, and they were ever afterwards called the convention parliament. They voted 70,000*l.* a month to the king for present necessities. The chancellor, Clarendon, told them that the king would in all points make good his declaration from Breda; that he granted a free pardon to all except those whom the parliament should except; and that no man should be disquieted or called in question for differences of opinion in matters of religion.*

On the 10th of May, fifteen days before Charles's solemn entry into London, the Lords had caused the Book of Common Prayer to be read before them; and at the same time both they and the Commons had begun to arrest as traitors all such as spoke amiss of his gracious majesty, or of kingly government. They had also seized Clement, one of the late king's judges; and had ordered the seizure of the goods of all that sat as judges upon that memorable trial: thus plainly intimating, even before Charles's arrival, that vengeance was to be taken upon the regicides. And now, while the Lords, who had been so long cast out and humbled, openly proclaimed their thirst for vengeance, the Presbyterian majority of the Commons, led on by the noisy, hot-headed, and vindictive Hollis, voted that neither themselves nor the people of England could be freed from the horrid guilt of the late unnatural rebellion, or from the punishment which that guilt merited, unless they formally availed themselves of his majesty's grace and pardon, as set forth in the declaration of Breda; and, throwing into one deep pit of baseness and shame all the good they had done, together with all the evil—all their recollections of the fact that, if the Independents had cut off the late king's head, they themselves had brought him helpless to the foot of the scaffold and had sharpened the axe—they went in a body to the Banqueting House, and threw themselves and (as far as such representatives could do it) the people of England in penitence and contrition at the feet of Charles, who recommended them to dispatch what was called a bill of indemnity and oblivion. But, even in the declaration from Breda, there was a clause mentioning exceptions ("excepting only such persons as shall hereafter be excepted by parliament"), and Clarendon had

* According to his friend, or creature, Pepys, this Montague had entertained hopes of bringing in the king himself, and afterwards thought it hard that he should have been anticipated by such a vulgar fellow as Monk. See Pepys's Diary.

† He had been created Earl of Clarendon on the preceding 20th of April, before the king's coming.

‡ Clarendon, Life.—Oliver Cromwell had knighted many in his way; but, according to Clarendon, the usurper could no more confer that honour in reality than he could cure the king's evil by touching for it!

§ Evelyn's Memoirs.

* Clarendon proposed at the council-board to burn all the memorials of the Commonwealth and of the government of Cromwell. The Earl of Southampton opposed this, saying that it was better to leave those papers and records as an example of rebellion, to deter others: but Clarendon had his way, and an enormous mass of historical documents was destroyed.

all along counted upon punishing with death all such as had been immediately concerned in the death of the late king. Monk, however, when arranging the Restoration, had advised that not more than four should be excepted; and now he stepped in to check the vindictive fury of the Commons, and prevailed upon them to limit the number of their victims to seven,—Scott, Holland, Lisle, Barkstead, Harrison, Say, and Jones,—who, it was voted, should lose the benefit of the indemnity both as to life and estate. But this number of seven was presently raised to ten by the addition of Coke, the active solicitor; Broughton, clerk to the High Court of Justice; and Dendy, who had acted as serjeant-at-arms during the trial. These ten, it was understood, were all to suffer a horrible death. But, without losing time, the Commons proceeded to select a still larger number that were to suffer the minor penalties of imprisonment for life, loss of property, and beggary to their posterity. They voted that a petition should be drawn and presented to the king, begging him to issue a proclamation commanding all those who had been concerned in managing his father's trial, or otherwise forward in promoting his death, to surrender themselves within fourteen days. Charles issued this proclamation accordingly, and nineteen individuals came in to stand their trial, hoping that, as ten had been fixed upon already for execution, their lives, at least, would be spared; while nineteen or twenty of their associates, measuring more accurately the vindictiveness of the Cavaliers and Presbyterians, hid themselves or fled beyond sea. Then the Commons selected twenty more to be excepted out of the general act of oblivion, to suffer such penalties and forfeitures, not extending to life, as should be thought fit to be inflicted on them by an act to pass for that purpose.* These twenty were Sir Harry Vane, St. John, Haselrig, Ireton, Desborough, Lambert, Fleetwood, Axtell, Sydenham, Lenthall, Burton, Keble, Packe, Blackwell, Pyne, Dean, Creed, Nye, Goodwin, and Cobbett. Nor did the Commons stop here, going on to except from all benefit of the indemnity such of the late king's judges as had not surrendered upon the proclamation. And in this state the bill of indemnity and oblivion was sent up to the Lords, who found it much too moderate and merciful. Their lordships began with a vote of the most fierce and barbarous kind. "The Lords were inclined to revenge their own order on the persons of some in the High Court of Justice, by whom some of their number had been condemned, and to except one of the judges for every lord they had put to death; the nomination of the person to be excepted being referred to that lord who was most nearly related to the person that had suffered. According to this rule Colonel Croxton was nominated by the next relation to the Earl of Derby, Major Waring by the kinsman of another, and Colonel Titchburn by a third: the Earl of Denbigh, whose sister had been married to the Duke of Hamilton, being desired by the Lords to nominate one to be excepted in satisfaction for the death of his brother-in-law, named a person who had been some time dead, of which some of the House being informed, they called upon him to name another; but he said that, since it had so fallen out, he desired to be excused from naming any more. This action, although seeming to proceed from chance, was generally esteemed to have been voluntary, the Earl of Denbigh being known to be a generous man and a lover of his country."* After this return to the spirit of the execrable *lex talionis* of the most barbarous time, the Lords voted that all who had signed the death-warrant against Charles I., or sat when sentence was pronounced upon him, and six others not in that category, — namely, Hacker, Vane, Lambert, Haselrig, Axtell, and Peters,— should be excepted, as capital traitors, from the indemnity. They were going on in making the bill still more severe, but the king was still more eager for money than for revenge, and, after several messages had been sent from Whitehall by the Chancellor Clarendon and others, praying the Lords to dispatch the bill, he himself, regardless of the constitutional rule, which precluded the sovereign from taking any cognisance of a pending bill, sent down a positive order to hasten their proceedings, in order that the Commons might pass to the money-bill. Hereupon the Lords, without noticing the irregularity, returned the bill of indemnity to the Commons with the alterations we have mentioned; and the Commons adopted the bill in that form. They, however, were anxious to save the lives of Sir Harry Vane and General Lambert; and the Lords joined with them in an address to the king praying that if, after trial, these two should be attainted, execution should be remitted. The Lords also agreed that Lenthall, who had intrigued with the royalists before the Restoration, and had offered the king a bribe of 3000*l.*, should be spared both in life and estate. That rash republican, Sir Arthur Haselrig, who unwittingly had played into the hands of Monk, had a narrow escape; but the astucious general, who had duped him, stepped in considerately, and saved his life. Whitelocke, that easy-tempered vassal of circumstances, was aimed at by Prynne and the rest of the fanatic Presbyterians, who detested him because he had been active under Oliver Cromwell in promoting toleration; but it was found, on a vote, that he had more friends than enemies; and he, too, escaped. Scrope was at first exempted; but in consequence, it appears, of the betrayal of some private conversation, in which he still justified the trial and execution of Charles I.,† his name was

* Kennet, Register.

* Ludlow. For the infamous vote see also the Lords' Journals.

† "During these contests," says the republican Ludlow, "between the two Houses, touching the exceptions to be made, Sir John Boucher, who had been one of the king's judges, and had rendered himself within the time limited by the proclamation, being of a great age and very infirm, was permitted to lodge at a private house belonging to one of his daughters. In this place he was seized with so dangerous a fit of illness that those about him, who were his nearest relations, despairing of his recovery, and presuming that an acknowledgment from him of his sorrow for the part he had in the

Charles II From a Picture by Sir Godfrey Kneller.

again set down in the capital list; and Colonel Hutchinson, notwithstanding his "signal repentance," was finally excepted from the indemnity. As the principle that vengeance should be taken only upon the late king's judges was departed from, it was but natural to expect that they should fall upon him who had been the bosom friend of Cromwell, and who had defended, in the eyes of all Europe, the proceedings of the High Court of Justice. And the immortal John Milton was committed to the custody of the serjeant-at-arms, and threatened with destruction, for having written his "Defence of the English People" and his "Eikonoclastes." His glorious friend Andrew Marvell and two other admirers of genius (*and no more*) raised their voices in the poet's favour. They were told that he had been Latin secretary to Cromwell, and so deserved to be hanged; but in the end, after he had been plundered by the serjeant-at-arms, who called his fobberies *fees*, Milton escaped with no other punishment than a general disqualification for the public service, the public burning of his "Defensio pro Populo Anglicano" and "Eikonoclastes," and the spectacle of the moral decline and political degradation of his country under the misrule of the restored Stuart. Prynne, who had many of the properties of the bloodhound, would have hunted down the weak, inoffensive, and amiable Richard Cromwell; but no one would join him in that chase: and the son of a great man, after travelling some time on the continent, was allowed to live quietly in the pleasant retirement of Cheshunt. In the end, twenty-nine victims were given over to the vengeance rather than to the justice of the courts of law, with a mocking proviso in favour of such as had surrendered, that sentence should not be executed without special act of parliament. Nineteen had saved themselves by timely flight. About twenty enumerated persons, as well as all those who had pronounced sentence of death in any of the late High Courts of Justice, were rendered incapable of any office, civil or military.

A number of other bills were hurried through the Houses and presented to the king at the same time with this indemnity bill. The duty of tonnage and poundage, one of the great starting points in the late revolution, was voted to Charles *for life*; the king's birth-day and glorious restoration—the 29th of May—was made a perpetual anniversary, to be observed with thanksgiving to God for his miraculous deliverance of this poor nation; and another bill enacted that a speedy provision of money should be made, to disband the old army and navy. In giving his assent to these bills, which were presented with every possible prostra-

condemnation of the king might tend to procure some favour to them from those in power, they earnestly pressed him to give them that satisfaction. But he, being highly displeased with their request, rose suddenly from his chair, which for some days he had not been able to do without assistance, and, receiving fresh vigour from the memory of that action, said, 'I tell you it was a just act; God and all good men will own it.' And, having thus expressed himself, he sate down again, and soon after quietly ended his life."—*Memoirs.*

tion, Charles told the Speaker that he willingly pardoned all such as the parliament had pardoned, but that, for the future, he should be rigorous and severe against all such as testified any dislike of the government; that he hoped the forces would be quietly disbanded, and that he should not hear any complaints of their living at free quarter, which would be imputed to him; and, finally, that he was much in want of money, not having wherewith to keep house at Whitehall. Presently after a committee was appointed to consider of settling a suitable revenue on his sacred majesty. This committee reported that it appeared that the revenue of Charles I., from the year 1637 to 1641, had amounted on an average to about 900,000*l.*, of which 200,000*l.* flowed from sources that were either not warranted by law or now no longer available. Calculating the difference in the value of money, and contenting themselves with the vague promises of a faithless prince, the Commons proposed raising the royal income to 1,200,000*l.* per annum; but the means of providing this money were reserved for consideration in another session.

But there remained something more difficult to settle than indemnity or revenue; and this was the great question of religion. Charles, in the declaration from Breda, had most distinctly promised toleration. The particular clause was to this effect:—"And because the passion and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other, which, when they shall hereafter unite in a freedom of conversation, will be composed or better understood, we do declare a liberty to tender consciences; and that no man shall be disquieted or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as, upon mature deliberation, shall be offered unto us, for the full granting that indulgence." But this "convention parliament" was incapable of any such act; and the nation at large was incapable of a generous toleration, which had only been upheld for a time by the sword of the Independents and the wonderful management of Oliver Cromwell. Charles himself, notwithstanding the recent declaration of Clarendon, that he was the best Protestant in the kingdom, was, if he were anything in religion, a Catholic, even now; but he was certainly no bigot, and, if he had been left to his own indolence and indifference, he would probably have tolerated all sects alike: but the high-churchmen wanted back all their old pre-eminence—their property and their old power of persecuting undiminished;—and if the Presbyterians, or the trimming portion of them, who had considered themselves the national church under the commonwealth, were disposed to tolerate and coalesce with a modified prelacy, they were resolved not to tolerate any of the sects which had been known under the general denomination of Independents, and which, now that they had lost Cromwell and the power of the sword, were too weak to offer any valid resistance. On the 9th of July there was a stormy debate in a grand committee of the Commons upon the Thirty-nine Articles; and then Sir Heneage Finch, as a leader of the high church and court party, declared that the government of the church by bishops had never been legally altered; and that as for liberty for tender consciences, no man knew what it was. After seven hours of very unchristian-like contention, and a blowing-out and re-lighting of candles, it was carried by a slight majority that the settlement of religion should be left to the king, who "should be petitioned to convene a select number of divines to treat concerning the matter."* Two bills, the Ministers' Bill, and the Bill of Sales, which latter was "for considering the cases of those who had been purchasers of the king's, queen's, and church's lands during the late times of plunder and devastation," were hotly debated in the Commons, where the court party urged that all that had belonged to royalty or to the church should be restored without any regard to those who had paid their money for them to the government *de facto*, in the confidence that they were making a legal purchase.† It was voted that whatever had belonged to the king and queen, or all the crown lands, should be restored forthwith; but the question of the church lands was left in abeyance for the present. The Ministers' Bill, which aimed at the immediate restoration of all the clergy who had been expelled, and the expulsion of all who had been inducted by the commonwealth men or by Cromwell, was carried, but with a large proviso,—that the intrusive churchmen should not be bound to give back those livings which were legally vacant when they obtained them. But there was another proviso which, however harmless to the mass of the Presbyterians, was fatal to all such Independent ministers as Cromwell had put into the church: for it excluded every incumbent that had not been ordained by an ecclesiastic, or had renounced his ordination, or had petitioned for bringing the late king to trial, or had justified that trial and execution in preaching or in writing, or had committed himself in the vexed question of infant baptism. These bills satisfied no party and no sect. The royalists complained of their being left to suffer the consequences of their forfeitures, sequestrations, and compositions for delinquency, under the Long Parliament and Cromwell; and they called the first great bill "a bill of indemnity for the king's enemies, and of oblivion for his friends." "That act," said the royalist or cavalier pamphleteer, L'Estrange, "made the enemies to the constitution masters in effect of the booty of three nations, bating the crown and church lands."

* Parl. Hist.

† This confidence is proved by the high prices paid under Cromwell for the property in question.

And the high churchmen complained that the Ministers' Bill was a thing of mean subterfuges and compromises, neither sufficiently severe upon rebellious schismatics, nor sufficiently favourable to the loyal orthodox body, who alone could keep the people of England in the ways of humility and obedience, and who were, in themselves, the only true Church of Christ. On the other hand, the Presbyterian divines began to complain that it was a vain attempt to endeavour a reconciliation with such men; that the high church party were resolved to monopolize the favour of the prince, and all honours and preferments to themselves; that there was no hope that they would ever do anything for the promoting of strict, serious godliness, or the true church discipline; and that they were watching the moment when they might renew the persecutions of Archbishop Laud.

On the 13th of September Charles made a very short, and Clarendon a very long, speech to the two Houses. The chancellor thought it expedient to speak to the suspicions already entertained of the king's desire of keeping up a strong standing army, and of governing absolutely, and to defend the court against the popular and well-founded charges of profligacy and irreligion.* At the same time he intimated that his majesty would take the subject of religion into his own hands, and would shortly set forth a declaration, wherein would be seen his great indulgence to those who could have any warrant from conscience to differ with their brethren. And, at the close of this long speech, parliament adjourned to the 6th of November.

During the recess "the healing question" of religion was discussed, and ten of the regicides were butchered.

The learned Archbishop Usher, who was a Calvinist in doctrinal creed, and whose Episcopalianism was very lukewarm or moderate, had left, as a legacy to the Protestant world, a scheme of union and a plan of church government (by suffragan bishops and synods or presbyteries conjointly) which he had fondly hoped might reconcile the two great sects. The Presbyterians in the necessity of the case, and in their hopelessness of obtaining an entire supremacy, professed their willingness to make this scheme the basis of an agreement and concord; and they delivered the paper to the king, with an humble address concerning godly preaching, the strict observance of the Sabbath, ceremonies, &c. They were promised a meeting with some Episcopal divines before the king; but none of that persuasion deigned to attend; and, instead of a meeting, the Presbyterian ministers received a paper written in the old and bitter spirit of controversy, rejecting their proposals; insisting that the Anglican hierarchy was the true, ancient, primitive Episcopacy, and that the ancient apostolical bishops had their courts, their prerogatives, their chancellors, officials, proctors, paritors, and powers; declaring that they could not grant that the extent of any diocese should be altered or anything reformed; and affirming that the laying aside of the Book of Common Prayer was one of the greatest causes of the misfortunes of the nation, &c. But the Presbyterians were told that his majesty would adjust all these differences; and they, together with the Episcopalians, were invited to attend him, on the 22nd of October, at the house of the chancellor. There the Presbyterians found assembled his majesty, Monk, Duke of Albemarle (who was a Presbyterian through his wife), the Earl of Manchester, Denzil Hollis (the most fiery of Presbyterians), the Duke of Ormond (a high churchman), and one or two other noblemen of the same persuasion, together with Dr. Sheldon (Bishop of London), Dr. Morley (Bishop of Worcester), Dr. Henchman (Bishop of Salisbury), the famous Dr. Cosens (who had been one of the most active coadjutors of Laud, who had been prosecuted by the Long Parliament, and who was promoted to the bishopric of Durham a few weeks after this meeting), Dr. Gauden (Bishop of Exeter), Dr. Hacket (Bishop of Litchfield and Coventry), the Episcopalian Dr. Gunning, the Presbyterian Drs. Spurstow and Wallis, and some two or three others. The Presbyterians entrusted their cause to the eloquence and learning of Calamy and Baxter; and the chief speakers on the other side were Dr. Gunning and Bishop Morley. Again was Usher's scheme proposed by the Presbyterians, who now gave up the republican-like principle of equality in the church, agreeing that the government should be in the hands of bishops, but assisted and advised by the presbyteries; and again was the scheme rejected by the Episcopalians, who maintained the divine rights of prelacy as a distinct order independent of all others. The debate could scarcely be otherwise than hot: on both sides the *odium theologicum* was intense: on both sides there was a conviction that the business had been settled before by irrefragable arguments. The Episcopalian Gunning said that Dr. Hammond had already said enough against the Presbyterians, and was as yet unanswered: the Presbyterian Baxter replied that *he* had answered the substance of Dr. Hammond's arguments, and had said enough against the diocesan frame of government and in proof of the validity of the ordination of English presbyters; and that these *his* arguments were indeed unanswered. Dr. Cosens thought that to join advising presbyters with the diocesans would be to unbishop the bishops. The Presbyterians said that the Eikon Basiliké showed that his late majesty had approved of Archbishop Usher's scheme; but the king, who knew very well that his father had not written it, said that all in that book was not gospel. The Chancellor Clarendon produced a paper, being a sort of petition from the Independents and Baptists, and told

* A few days after this date Pepys notes in his Diary that the two royal brothers, the King and the Duke of York, were both making love to the same court-woman—the infamous Mrs. Palmer, that the Duke of York had got my Lord Chancellor's daughter with child; that high gambling was becoming common at court; and that people were beginning to open their eyes with astonishment.

the controversialists that it was proposed to add the following clause to the declaration for religious liberty:—"That *others* shall also be permitted to meet for religious worship, so be they do it not to the disturbance of the peace, and that no justice of the peace or officer shall disturb them." When Clarendon had finished reading this paper he desired them all to think on it, and give their advice: but all were silent. The Presbyterians saw at once that, by the proposed clause, there was an intention to include the Papists; and Wallis whispered Baxter in the ear,—"Say nothing about it, 'tis an odious business; let the bishops speak to it." But the bishops were all mute, nor did any one of the Presbyterians speak, until Baxter, fearing that silence might be misinterpreted, said that Dr. Gunning, the high churchman, had expressly excepted Papists and Socinians. "As we humbly thank his majesty," continued Baxter, "for his declared indulgence to ourselves, so we distinguish the *Tolerable* from the *Intolerable*: for the former we humbly crave just lenity; but for the latter, such as the two sorts mentioned, for our parts we cannot make their toleration our request." Here Charles interfered, but he merely said, "There are laws sufficient against Papists." "But," rejoined Baxter, "we understand the question to be, whether those laws shall be executed or not." Here the matter ended: the king shrunk before this vehement intolerance towards Popery, and dismissed the assembly.

The royal declaration concerning ecclesiastical affairs, commonly called "the healing declaration," was published a few days after, being dated Whitehall, October the 25th, 1660. After expressing great veneration for the Church of England as formerly established, his majesty went on to say,—"When we were in Holland we were attended by many grave and learned ministers from hence, who were looked upon as the most able and principal assertors of the Presbyterian opinions, with whom we had as much conference as the multitude of affairs which were then upon us would permit us to have; and, to our great satisfaction and comfort, found them persons full of affection to us, of zeal for the peace of the church and state, and neither enemies (as they have been given out to be) to episcopacy or liturgy, but modestly to desire such alterations in either, as, without shaking foundations, might best allay the present distempers, which the indisposition of the time, and the tenderness of some men's consciences, had contracted." And then, as concessions to these conscientious Protestants, it was declared—I. That the power of godliness should be promoted; the exercises of religion, both public and private, encouraged; that care should be taken to keep holy the Sabbath-day "without unnecessary divertisements;" and that insufficient, negligent, and scandalous ministers should not be permitted. II. That, as some of the dioceses were thought to be too large, a number of suffragan bishops, sufficient for the due performance of the work, should be appointed. III. That no bishop should ordain or employ the censures of the church without the advice and assistance of the presbyters; and that no chancellor, commissary, or official, as such, should exercise any spiritual jurisdiction in cases of excommunication, absolution, or any others wherein any of the ministry were concerned with reference to their pastoral charge. IV. That care should be taken that the preferments of deans and chapters should be given to the most learned and pious presbyters of the diocese; and, moreover, that an equal number (to those of the chapter) of the most learned, pious, and discreet presbyters of the same diocese, annually chosen by the major vote of all the presbyters of that diocese present at such elections, should be always advising and assisting together with those of the chapter in all ordinations, and in every part of jurisdiction which appertains to the censures of the church, and at all other solemn and important actions. V. That care should be taken that confirmation should be rightly and solemnly performed, by the information and with the consent of the local ministers, who should admit none to the Lord's supper till they had made a credible profession of their faith, and promised obedience to the will of God as expressed in the Rubric before the Catechism. VI. That no bishop should exercise any arbitrary power, or do or impose anything upon the clergy or the people that was not according to the known law of the land. VII. That the king would appoint an equal number of learned divines of both persuasions to revise the Liturgy, and make such alterations as should be thought most necessary. The eighth clause—a very important one in the eyes of the Presbyterians—was to this effect:—"We shall leave all decisions and determinations of that kind, if they shall be thought necessary for a perfect and entire unity and uniformity throughout the nation, to the advice of a national synod, which shall be duly called, after a little time and a mutual conversation between persons of different persuasions hath mollified those distempers, abated those sharpnesses, and extinguished those jealousies, which make men unfit for those consultations. And, upon such advice, we shall use our best endeavours that such laws may be established, as may best provide for the peace of the church and state. Provided, that none shall be denied the sacrament of the Lord's Supper, though they do not use the gesture of kneeling in the act of receiving." In the mean time, the cross in baptism, bowing at the name of Jesus, the use of the surplice (except in the royal chapel, cathedral or collegiate churches, or colleges in the universities), canonical subscriptions, and the oath of canonical obedience, were left indifferent, and none were to be compelled to use them, or suffer for not doing it. These were large concessions, and the Presbyterian leaders accepted them with enthusiastic gratitude, and began to dream of mitres and stalls, and the enjoyment of persecuting all other sects, not foreseeing that neither the king nor his minis-

ters would consider themselves bound by this declaration, when the army should be disbanded and the present convention parliament dissolved.

The death of the regicides had been predetermined; but it was expedient to proceed with some caution and with all the forms of law. Only four seats on the bench were at that time filled; and the four judges, Sir Orlando Bridgman, chief baron of the Exchequer, Foster and Hyde, judges of the Common Pleas, and Mallet, judge of the King's Bench, together with Sir Geoffrey Palmer and Sir Heneage Finch, the king's attorney and solicitor-general, and Sir Edward Turner, attorney to the Duke of York, Mr. Wadham Windham, of Lincoln's Inn, and Serjeant Keiling, specially appointed counsel for the king, held meetings in Serjeants' Inn, in order to consider some legal questions affecting the proceedings. They resolved that the prisoners should be tried at Newgate by a commission of gaol delivery; and writs were issued to the lieutenant of the Tower, in whose custody they were, to deliver them to the sheriffs of London. They resolved that all the prisoners should be arraigned at once; that the indictment should be for compassing and imagining the death of the late king (the specific treason described by the statute of Edward III.), and that the actual murder of the king, with its special circumstances, should be one of the overt acts to prove the compassing; that overt acts not in the indictment might be given in evidence, and that *two* witnesses should not be required to prove each particular overt act; and that, as it was not known who had cut off the king's head, it should be laid in the indictment, that *quidam ignotus* (a certain person unknown), with a vizor on his face, did the act, and that the other prisoners should be alleged to have been present, aiding and assisting. It appears that proceedings were delayed until the appointment of new sheriffs;* but at length the bills were sent up and found against twenty-nine persons—Sir Hardress Waller, Harrison, Carew, Cook, Hugh Peters, Scot, Gregory Clement, Scroop, Jones, Hacker, Axtel, Heveningham, Marten, Millington, Tichburn, Roe, Kilburn, Harvey, Pennington, Smith, Downs, Potter, Garland, Fleetwood, Meyn, J. Temple, P. Temple, Hewlet, and Waite; and on the 9th of October their trial was begun at the Old Bailey, before thirty-four commissioners appointed by the crown. These commissioners were, Sir Thomas Alleyn, lord mayor elect, the chancellor Clarendon, the Earl of Southampton, lord treasurer, the Duke of Somerset, the Duke of Albemarle (Monk), the Marquess of Ormond, steward of his majesty's household, the Earl of Lindsay, great chamberlain of England, the Earl of Manchester, chamberlain of his majesty's household, the Earl of Dorset, the Earl of Berkshire, the Earl of Sandwich (late Admiral Montague), Viscount Saye and Sele, the Lord Roberts, the Lord Finch, Mr. Denzil Hollis, Sir Frederick Cornwallis, treasurer of his majesty's household, Sir Charles Berkeley, comptroller of his majesty's household, Mr. Secretary Nicholas, Mr. Secretary Morrice, Sir Anthony Ashley Cooper, Arthur Annesley, Esq., the lord chief baron, Mr. Justice Foster, Mr. Justice Mallet, Mr. Justice Hyde, Mr. Baron Atkins, Mr. Justice Twisden, Mr. Justice Tyrrel, Mr. Baron Turner, Sir Harbottle Grimston, Sir William Wild, recorder of London, Mr. Serjeant Brown, Mr. Serjeant Hale, and Mr. John Howel. The counsel for the crown were Sir Geoffrey Palmer, attorney-general, Sir Heneage Finch, solicitor-general, Sir Edward Turner attorney to the Duke of York, Serjeant Keiling, and Mr. Wadham Windham. All these men, whether humiliated Presbyterians and Long Parliament men, or old royalists, were deadly and personal enemies to the prisoners, though many of them had been in the van of the late revolution, and had drawn others into courses which no man could calculate the end of. Fifteen of the commissioners who now, notwithstanding all the care taken to draw a line between those that began the civil war and those that ended it, were bound to assent to the proposition, that all war waged against a king, whatever the provocation, was high treason, had actually been engaged for the parliament against Charles I., as members of that parliament, as judges, or as officers of the army; and most if not all of them had enjoyed places of trust and profit under the revolutionary parliament. "Monk," says the republican Ludlow, "being commissionated to be of this number, was not ashamed to sit among them, any more than Mr. Denzil Hollis and the Earl of Manchester, who, having been two of the six members designed by the late king for destruction, before the beginning of the war, and therefore personally concerned in the quarrel, had contributed the utmost of their endeavours to engage divers of the gentlemen (upon whom they were now to sit as judges) on that side, were not contented to abandon them in this change, but assisted in condemning them to die for their fidelity to that cause which they themselves had betrayed. Mr. Arthur Annesley, who had been also a member of the parliament, whilst they made war against the king, was also one of this number. Finch, who had been accused of high treason twenty years before, by a full parliament, and who, by flying from their justice, had saved his life,† was appointed to judge some of those who should have been his judges; and Sir Orlando Bridgman, who, upon his submission to Cromwell, had been permitted to practise the law in a private manner, and, under that colour, had served both as spy and agent for his master, was intrusted with the principal management of this tragical scene; and, in his charge to the grand jury, had the assurance to tell them, that no au-

* Ludlow, who had fled and got safely into Switzerland, says, "This important business had been delayed during the time that Mr. Love was to continue sheriff of London, he being no way to be induced, either for fear or hopes, to permit juries to be packed in order to second the designs of the court."

† See ante, p. 231.

thority, no single person, or community of men, not the people collectively or representatively, had any coercive power over the king of England."* The Lord Saye and Sele had been among the fiercest movers in the revolution, and had been excepted with Manchester from a general pardon in one of the proclamations of Charles I., who regarded him as one of his worst enemies. Sir Anthony Ashley Cooper (afterwards Earl of Shaftesbury) had adhered to the commonwealth to the very last moment' compatible with his own interests, and when he was betraying that party and making his profitable bargain with Charles II., he had, like Monk, sworn most solemnly that none of his old friends should receive the slightest injury;—yet there sate this versatile, ambitious, and unprincipled man upon the judgment-seat. As for Clarendon, the Duke of Ormond, the Earl of Berkshire, and the rest of that party, they too openly rejoiced on being now able to pour down vengeance upon the heads of those who had beaten and baffled them.

Before this court, the first on the list of regicides, Sir Hardress Waller, pleaded guilty, and so saved his life. But when Harrison, the second on the list, was brought to the bar there was no sign of penitence or submission. The republican Major-General and enthusiastic Fifth-Monarchy man looked calmly on the tribunal, where all were personal enemies to him, and said,—"My Lords, the matter that hath been offered to you, as it was touched, was not a thing done in a corner. I believe the sound of it hath been in most nations. I believe the hearts of some have felt the terrors of that presence of God, that was with his servants in those days (however it seemeth good to him to suffer this turn to come on us), and are witnesses that the things were not done in a corner. . . . . I do profess that I would not offer, of myself, the least injury to the poorest man or woman that goes upon the earth. That I have humbly to offer is this to your Lordships; you know what a contest hath been in these nations for many years: divers of those that sit upon the bench were formerly as active—[Here he was interrupted by the court, which, throughout these proceedings, did all it could to screen the Presbyterians and prevent any allusion to the real beginners of the civil war. But, when the interruption ceased, Harrison continued]—I followed not my own judgment; I did what I did, as out of conscience to the Lord. For when I found those that were as the apple of mine eye† to turn aside, I did loathe them, and suffered imprisonment many years rather than to turn, as many did that did put their hands to this plough: I chose rather to be separated from wife and family than to have compliance with them; though it was said 'Sit on my right hand,' and such kind of expressions. Thus I have given a little poor testimony that I have not been doing things in a corner or from myself. May be I might be a little mistaken; but I did it all according to the best of my understanding, desiring to make the revealed will of God in his Holy Scriptures as a guide to me. I humbly conceive that what was done was done in the name of the parliament of England,—that what was done was done by their power and authority; and I do humbly conceive it is my duty to offer unto you in the beginning, that this court, or any court below the High Court of Parliament, hath no jurisdiction of their actions." When he asserted that all he had done had been done for the service of the Lord, the court again interrupted him, telling him that he must not run into these damnable excursions, or attempt to make God the author of the damnable treason committed. Yet Harrison, who had indulged in all the dreams of the Fifth-Monarchy men, sincerely believed—as many others did—that in putting Charles to death he did that which was not only essential to the well-being of his country, but also acceptable to Heaven; which, according to his heated imagination, had not spared its special inspirations and directions. And yet, at the moment of crisis, the natural tenderness of his heart had struggled hard with his fanaticism; and he had wept as well as prayed before he could bring himself to vote the king's death. Moreover, like the rest of these extraordinary fanatics, Harrison was averse to intolerance, persecution, and cruelty of any kind. But where he now stood mercy was hopeless, and the law clearly against him. He heard the sentence of death for treason, which was now revived in all its monstrosity, without emotion; and he said, as he was withdrawn from the bar, that he had no reason to be ashamed of the cause in which he had been engaged.* Colonel Carew, who entertained the same notions both in politics and religion as Harrison, made the same sort of defence, and displayed the same visionary enthusiasm and courage. He exclaimed, "I can say in the presence of the Lord, who is the searcher of all hearts, that what I did was in his fear; and I did it in obedience to his holy and righteous laws."—[Here the people present made a loud, humming noise; a sort of interruption which was rather frequent during these trials.]—When allowed to proceed he spoke of the beginning and causes of the late troubles, of the invasions upon law and liberty made by the late king, of the perfect accord (for a long time) between both Houses to resist these innovations, of the declarations and remonstrances that had so publicly passed between the king and parliament concern-

* Memoirs.

† That is to say, Oliver Cromwell and his friends, who had all been at one time the bosom friends of Harrison.

* Ludlow says—"And that the inhumanity of these men may the better appear, I must not omit that the executioner, in an ugly dress, with a halter in his hand, was placed near the Major-General, and continued there during the whole time of his trial; which action I doubt whether it was ever equalled by the most barbarous nations. It had been the custom, however, in cases of treason, to place the headsman with his axe by the side of the prisoner at the bar, and, when sentence was pronounced, the edge of the axe was turned towards the prisoner. For one example see the case of the Duke of Buckingham, in the reign of Henry VIII., vol. ii. page 345.

ing the beginning of the wars.—[And, here, Sir Orlando Bridgman, who sat in the midst of men who had had the greatest hand in these beginnings, and declarations, and remonstrances, interrupted him, and told him that they could not listen to any such discourse.]—But, again, Carew returned to parliamentary history and the great remonstrance printed in 1642.—[And here, again, he was stopped by Sir Orlando Bridgman, who told him that he must not cast in bones to make dissension and difference.]—But Carew was not easily silenced: "I say," he exclaimed, "that the Lords and Commons, by their joint declaration"—["Hold! hold!" cried Mr. Justice Foster, "not so fast. You go to raise up those differences which I hope are asleep, to make new troubles, to revive those things which by the grace of God are extinct. . . . Did you ever hear of an act of parliament made by the House of Commons alone? You have no precedent."]—To this Carew replied in two or three words, which embraced the whole difficulty of the case:—"Neither was there ever such a war or such a precedent." Arthur Annesley,* a Presbyterian member of the Long Parliament, who was created Earl of Anglesey soon after these trials, reproached the prisoner with the forcible exclusion of all the Presbyterian members in 1648. "I was a stranger," said Carew, "to many of those things which you charge against me; but this is strange,—*you give evidence as a witness, though sitting here as a judge!*" Like Harrison, Carew most solemnly asserted that he was satisfied in his own conscience that what he had done he had done from the Lord. Bridgman stopped him, exclaiming—"This is not to be endured; it is suffering poison to go about to infect the people." Carew then attempted to address the jury, but he was again interrupted. "I have desired," said he, "to speak the words of truth and soberness, but have been hindered:" and, then, with the air of a martyr glorying in his cause, he listened to the hurried verdict and the atrocious sentence.

These details may convey a sufficient notion of the court and jury which had met to condemn, and which did condemn with indecent haste, every prisoner brought before it; but there are a few particular circumstances which demand notice. Colonel Scrope, an accomplished and amiable man, who had surrendered under the royal proclamation, and who had been regularly admitted to the king's pardon upon penalty of a year's value of his estate, as a fine to the crown, was condemned through the evidence of the Presbyterian Major-General Browne, now lord mayor of London, who had nothing to reveal but a private conversation which had taken place between him and Scrope in the Speaker's chamber, where Scrope had said, or was made by this Browne to have said, that there would still be a difference of opinion among men touching the execution of the late king. Harry Marten, the wit of the House of Commons, and one of the staunchest republicans that ever sate in it, demanded the benefit of the act of oblivion. He was interrupted, and told that he must plead guilty or not guilty; and that, if he demanded the benefit of the act of oblivion, it would be taken as a clear confession of guilt. He attempted to speak as to his conception of that act; but he was again coarsely interrupted, and told that he must plead. "If I plead," said Marten, "I lose the benefit of the act." The court told him that he was totally excepted out of the act. "No," said he, "my name is not in the act." Show him the act of indemnity, said the solicitor-general. The act was shown. "Here," said the droll, "it is Henry Marten: my name is not so,—it is Harry Marten!" The court told him that the difference of the *sound* was very little. "I humbly conceive," rejoined he, "that all penal statutes ought to be correctly worded." "Are you guilty or not guilty?" cried the clerk. "I am not Henry Marten," was the reply. Then the solicitor-general cited what he said was somewhat parallel to this, in a case formerly of Baxter, where the name was Bagster, and adjudged all one, being the same sound. As he was not admitted to stand on the misnomer, Marten pleaded not guilty. After much vehement talk the counsel for the prosecution was interrupted by the prisoner, who said that he did not decline a confession as to matter of fact, provided the *malice* were set aside, as he had done nothing maliciously or murderously and traitorously. Here the counsel for the crown laughed in his face; and Bridgman told him that what was alleged in the indictment as maliciously, murderously, and traitorously, was the consequence of law; and if a man met another in the street, and ran him through, though but an ordinary watchman, there would be malice by the law in the fact. The solicitor-general said, sarcastically, "My Lord, he does think a man may sit upon the death of the king, sentence him to death, sign a warrant for his execution meekly, innocently, charitably, and honestly." The ready-witted Marten calmly replied, "I shall not presume to compare my knowledge in the law with that of that learned gentleman, but, according to that poor understanding of the law of England that I am capable of, there is no fact that he can name that is a crime in itself but as it is circumstantiated. Of killing a watchman, as your Lordship instanced, a watchman *may be killed in not doing his office, and yet no murder.*" "We shall prove," said the crown counsel, "against the prisoner at the bar,—because he would wipe off malice,—that he did all very merrily, and was in great sport at the time of signing the warrant for the king's execution." "Then, surely," said Marten, "that does not imply malice." Here a serving-man of the name of Ewer, who had "some time served him," was put into the witness box. After being browbeaten by the counsel, this man said,—"My Lord, I did see a pen in Mr. Cromwell's

* He is described by Burnet as "a man of a grave deportment, but that stuck at nothing and was ashamed of nothing."—*Own Time*

hand, and he marked Mr. Marten in the face with it, and Mr. Marten did the like to him: but I did not see any one set his hand, though I did see parchment there with a great many seals on it." [And this is all the evidence we have for a story which is constantly quoted to prove the barbarous and rustic buffoonery of Cromwell.] After this Ewer had spoken to prove "how merry Marten was at the sport." Sir Purbeck Temple spoke to prove "how serious he was at it;" and how he had been the first to propose that the late king should be prosecuted in the name of the Commons and parliament assembled, and all the good people of England. "My Lord," said the prisoner, "the original commission went in the name of the Commons assembled in parliament and the good people of England; and what a matter is it for one of the commissioners to say, let it be acted by the good people of England." "You know all good people did abhor it. I am sorry to see you in so little repentance!" exclaimed the solicitor-general. "My Lord," rejoined Marten, "if it were possible for that blood to be in the body again, and every drop that was shed in the late wars, I could wish it with all my heart: but, my Lord, I hope it is lawful to offer in my own defence that which, when I did it, I thought I might do. My Lord, there was the House of Commons, as I understood it: perhaps your Lordships think it was not a House of Commons, but it was then the supreme authority of England; it was so reputed both at home and abroad. My Lord, I suppose he that gives obedience to the authority in being *de facto*, whether *de jure* or no, I think he is of a peaceable disposition, and far from a traitor. My Lord, I think there was a statute made in Henry the VII. his time, whereby it was provided that whosoever was in arms for the king *de facto*, he should be indemnified though that king *de facto* was not so *de jure;* and if the supreme officers *de facto* can justify a war (the most pernicious remedy that was ever adjudged by mankind, be the cause what it will), I presume the supreme authority of England may justify a judicature, though it be but an authority *de facto*. My Lord, if it be said that it was but a third estate, and a small parcel of that, my Lord, *it was all that was then extant*. I have heard lawyers say that, if there be commons appurtenant to a tenement, and that tenement be all burnt down except a small stick, the commons belong to that one small piece, as it did to the tenement when all standing. My Lord, I shall humbly offer to consideration whether the king were the king indeed; such a one whose peace, crown, and dignities were concerned in public matters. My Lord, he was not in execution of his offices—*he was a prisoner*. My Lord, I will not defer you long, neither would I be offensive. I had then, and I have now, a peaceable inclination,—a resolution to submit to the government that God hath set over me. I think his majesty that now is, is king upon the best title under heaven; for he was called in by the representative body of England. I shall, during my life, long or short, pay obedience to him: besides, my Lord, I do owe my life to him, though I am not acquitted for this. I do confess I did adhere to the parliament's army heartily: my life is at his mercy: if his grace be pleased to grant it, I have a double obligation to him." The solicitor-general took umbrage at the enunciation of the great constitutional principle. "He hath owned the king," said he, "but thinks his best title is the acknowledgment of the people, and he that hath that, let him be who he will, hath the best title." After a little consultation the jury returned a verdict of guilty: but the near prospect of a horrible death could not abate the courage of the witty Harry Marten, who left the court with a light heart and steady step. The court had resolved to fix the act of beheading the late king upon William Hewlet, against whom a bill of indictment was found on the 12th of October, or three days after the beginning of these trials. The evidence produced in this case was not sufficient to hang a dog. One Nelson swore that, some five or six years since, he had discoursed with Colonel Axtell, on the platform of Dublin Castle, concerning the execution of the late king "of glorious memory." "The Colonel," said this Nelson, "was pleased to tell me this:—saith he, The persons that were employed in that service, you know them as well as I do. Truly, Sir, not I, said I; I saw them in vizards. Yet, said he, you do know them. It is true, saith he, myself and others were employed in that affair, in order to the execution; but there were several persons came and offered themselves, out of a kind of zeal, to do the thing; but we did not think it proper to employ persons whom we did not know; but we made choice of a couple of stout persons. Pray let me hear their names, said I. Saith he, it was Hewlet and Walker. I desired to know their reward. Truly, saith he, I do not know whether 30*l.* a-piece or between them. I said it was a small reward for a work of that nature. Truly, saith he, that was all." One Richard Gittens, a common soldier, who had belonged to the same regiment, swore that he and about thirty-eight of his comrades were sworn to secrecy by their colonel; who, after he had sworn them, asked which of them would "do the thing" for 100*l.* down and preferment in the army. "We refused," continued this witness, "every one of us, and we thought that Hewlet did refuse; but, after all refused, *it seems* he did undertake to do the deed. . . . . *As far as I can guess*, Hewlet was with the king on the scaffold. . . . I *thought* it was he, by his speech. I said to Atkins I would not do it for all the city of London. No, nor I neither, quoth Atkins, for all the world: but you shall see Hewlet quickly come to preferment. And presently after he was made captain-lieutenant." Then the counsel for the crown put these leading questions:—"Did you know his voice? Did you mark the proportions of his body and the disguise he was in?" "Yes,"

replied this witness, who had sworn to an impossibility, or that he himself was in two places at one and the same time,—in Scotland-yard and on the end of the scaffold;—"and, for his disguise, he had a pair of frieze trunk breeches, and a vizor, with a grey beard; and after that time the colonel, Hewson, called him 'father grey-beard,' and most of the army besides." One Stammers, another common soldier, who had served in Ireland under Hewlet, deposed, in bold defiance of common sense, that that officer betrayed his secret to him the first time they ever met. "He examined me," said this witness, "where I had served. I told him I did formerly belong to the Lord of Inchiquin. He asked me if I was ever in the king's army. With that he walks about the room two or three turns: saith he, *I was the man that beheaded King Charles*, and, for doing of it, I had an hundred pounds; saying, I was only a serjeant at that time." Captain Tobgood deposed that Colonel Hewson had told him that Hewlet was "a very mettled fellow;" that "it was he that did the king's business for him upon the scaffold:" that afterwards Colonel Pretty told him (the witness) that Colonel Hewson had told him (Pretty) that Hewlet either cut off the king's head or held it up and said, Behold the head of a traitor!—that he (the witness) "saw the person that did it;" and "*thought* he did resemble Hewlet:" that he once met Hewlet at the White Horse in Carlow, and asked him "whether he was the man that cut off the king's head or not?" —and that Hewlet said, "What I did I will not be ashamed of;—if it were to do again I would do it:" and, lastly, that he had *observed* in Ireland "that it hath been generally reported that he was either the man that cut off the king's head, or that held it up; and that he heard them sometimes call him grandsire grey-beard." One Davies deposed that Hewlet went with him to a tavern in Dublin to drink wine: "before we had drunk out the last pint of wine, said I to Captain Hewlet, I pray resolve me this one question: it is reported that you took up the king's head, and said, Behold the head of a traitor. Sir, said he, it was a question I never resolved any man, though often demanded; yet, saith he, whosoever said it then, it matters not; I say it now, it *was* the head of a traitor." The evidence of other witnesses was still more vague and valueless; and, such as it was, its weight was counterbalanced by that of other witnesses produced by the prisoner, who, however, according to the law as it then stood, or at least the practice of the courts, could not be examined upon oath, although, as the Lord Chief Baron intimated, they might "say something tending to the information of the jury." A sheriff's officer deposed that one John Rooten told him he was in Rosemary-lane, a little after the execution, drinking with the common hangman, who confessed that he struck off the king's head, and had forty half-crowns for his pains. Abraham Smith, a London waterman, deposed that he had carried the common hangman away from Whitehall in his boat immediately after the blow was struck on the scaffold:* and one Coxe said, "When my Lord Capel, Duke Hamilton, and the Earl of Holland were beheaded in the Palace-yard in Westminster, my Lord Capel asked the common hangman, said he, Did you cut off my master's head? Yes, saith he. Where is the instrument that did it? said my lord. He then brought the axe. Is this is the same axe?—are you sure? said my lord. Yes, my lord, saith the hangman; I am very sure it is the same. My Lord Capel took the axe and kissed it, and gave him five pieces of gold. I heard him say, Sirrah, wert thou not afraid? Saith the hangman, They made me cut it off, and I had thirty pound for my pains." One Abell affirmed that he had heard one Gregory confess that he cut off the king's head; and another witness, that he was with his master when his master asked Brandon, the hangman, whether he cut off the king's head or no, and, in his presence, Brandon confessed he was the man that did it. This evidence for the prisoner was at least as good as that for the prosecution; but Bridgman summed up, and the jury, "after more than an ordinary time of consultation," returned a verdict of guilty against Hewlet. There was, however, some sense of shame left in this restored government; and, as people began to talk loudly of the insufficiency of the proofs, Hewlet was not executed.†

Garland, another of the selected victims, said that he had come into court with the intention of waiting and submitting to the king's mercy, but that, having heard some fresh scandal cast upon him which he had never heard before, he desired to be put on his trial. The scandal was, that he, on the day of sentence, did spit in the king's face,—another story which has been constantly repeated without any attention to its origin or the proof on which it rests. "I am willing to confess this," said the prisoner: "I sate in the high court, and I signed the warrant for execution." "And we will prove," said the solicitor-general, "that he spit in the king's

* This deposition is very curious. "My lord," said the boatman, "as soon as that fatal blow was given, I was walking about Whitehall, down came a file of musketeers; the first word they said was this—where be the bargemen? Answer was made, Here are one: away they directed the hangman into my boat. Going into the boat, he gave one of the soldiers a half crown: said the soldiers, Waterman, away with him—he gone quickly: but I, fearing this hangman had cut off the king's head, I trembled that he should come into my boat, but dared not to examine him on shore, for fear of the soldiers: so out I launched, and, having got a little way in the water, said I, Who the devil have I got in my boat?—says my fellow, says he, Why? I directed my speech to him, saying, Are you the hangman that hath cut off the king's head? No, as I am a sinner to God, saith he, not I. He shook every joint of him. I knew not what to do. I rowed away a little further, and fell to a new examination of him when I had got him a little further. Tell me true, said I, are you the hangman that hath cut off the king's head? I cannot carry you, said I. No, saith he, I was fetched with a troop of horse, and I was kept a close prisoner at Whitehall, and truly I did not do it: I was kept a close prisoner all the while, but they had my instruments. I said I would sink the boat if he would not tell me true; but he denied it with several protestations."—From the account of the Trials of the Regicides, published in 1660, by order of government.

† Three years after an unsuccessful attempt was made to fix the "horrid fact" upon one Potter, who was seized and examined at least twice.—See letter from Sir Henry Bennet, secretary of state (afterwards Lord Arlington), to the Duke of Ormond, in *Brown's Miscellanea Aulica*.

face." "I pray you," said Garland, earnestly, "let me hear that! But for that false scandal I would not have put you to any trouble at all." Here one Clench, a low and needy person, was produced to swear that he saw Garland spit, and the king put his hand in his left pocket, though whether his majesty wiped it off or not he could not say. "The king wiped it off," said the solicitor-general, pretending to know more than this the sole witness did; "but he will never wipe it off so long as he lives." "I am afraid," said Garland, "this witness is an indigent person: if I was guilty of this inhumanity, I desire no favour from Almighty God. . . . You cannot be satisfied that I did such an inhuman act. I dare appeal to all the gentlemen here, or any others, whether they ever heard of such a thing; nor was I ever accused of it till now." He appealed to all that knew him to say whether he had ever shown any malignity, any disrespect; whether, instead of ever doing any wrong to any of the king's party when in distress, he had not helped them as much as he was able. He was condemned with the rest, but sentence was never executed, a pretty plain proof that the story about the spitting was discredited even then. John Coke, the able lawyer who had conducted the prosecution against the king as solicitor for the commonwealth and people of England, pleaded that he could not be said to have contrived or counselled the death of Charles, because the proclamation for the trial, even by the confession of his accusers, was published the day before he was appointed solicitor to the high court of justice; that he who had neither been accuser, witness, jury, judge, or executioner, could not be guilty of treason; that, having acted only as counsel, he was not answerable for the justice or injustice of the cause he had managed; that, being placed in that post by a public order, it could not be said he had acted maliciously or with a wicked intention as set forth in the indictment; that to pray and demand justice could not in itself be treason; that, when he demanded justice, it might be meant of acquittal as well as of condemnation; that, if it should be accounted treason in counsel to plead against the king, it must also be felony to plead against any man that might be unjustly condemned for felony; that the high court of justice, though now called tyrannical and unlawful, was yet a court that had officers attending them, and, as many still thought, *authority*, there being then no other in the nation than that which gave them their power; and that, if this would not justify a man for acting within his own sphere, it would not be lawful for any one to exercise his profession. But this reasoning was not likely to be of any avail; and it was settled that Coke should be one of the first to suffer. Hugh Peters, the celebrated preacher, who was not so directly implicated in the king's death as many who were allowed to escape, was charged with encouraging the soldiers to cry out for justice—with comparing the king to Barabbas—with preaching upon the texts, "They shall bind their kings in chains," "Whosoever sheddeth man's blood, by man shall his blood be shed," and the like. He was also accused of saying that the Levites, Lords, and Lawyers (which he designated the Three L's, or the Hundred and Fifty, in allusion to the numerical value of those letters) must be taken away in order to establish a commonwealth; that the king was a tyrant, and that the office itself was chargeable, useless, and dangerous. Peters, whose fanaticism has been exaggerated, and whose merits have been overlooked, pleaded that he had been living fourteen years out of England; that when he came home he found the civil wars begun; that he had begun no war, nor had been the trumpeter of any; that he had fled from the war into Ireland; that he was neither at Edge Hill nor Naseby; that he had looked after three things—that there might be sound religion, that learning and laws might be maintained, and that the suffering poor might be cared for—and that he had spent most of his time in these things; that upon being summoned into England he considered it his duty to side with the parliament for the good of his country, and that in so doing he had acted without malice, avarice, or ambition, being respectful to his majesty and kind and merciful to the royalist sufferers whenever he was able;* and that, whatever prejudices or revenge might possess men's minds, there was a God that knew all he said to be true, —a God that still had a regard to the people of England. The jury, after very little consultation, returned a verdict of guilty. Colonels Axtell and Hacker, who had assisted at the trial and execution, pleaded that, as military men, they were bound, under pain of death, by martial law, to obey the orders of their superiors; that the Earl of Essex, the Earl of Manchester, Sir Thomas Fairfax, and even Monk, who sat upon the bench as one of their judges, had set them an example; that whatever they had done had been by an authority that was not only owned and obeyed at home, but also acknowledged by princes and states abroad to be the chief authority of the nation; and that the judges of England, who ought to be the eye and guide of the people, had acted under that authority, divers of them publicly declaring that it

* In the course of his defence Peters said,—"I do not deny but that I was active, but not to stir in a way that was not honourable. I challenge a great part of the nations to manifest my carriage among them. I shall make it good divers ways;—I had so much respect to his majesty, particularly at Windsor, that I propounded to his majesty my thoughts three ways to preserve himself from danger, which were good, as he was pleased to think, though they did not succeed, and the work died. as for malice, I had none in me. It is true there was a difference amongst us, an army and an army. I never had a groat or a penny from Oliver Cromwell since I knew this place, I profess I have had no ends for honour or gain since I set foot upon this shore; I challenge any man that belonged to that party whether they had not the same respect from me as my own party; I have not persecuted any with malice. . . . . I was so far from malice that I have a certificate, if worth the reading, from one of the eminentest persons in the nation to show I had no malice. It is concerning the Marquess of Worcester, under his lady's hand, beginning with these words:—'I do here testify that, in all the sufferings of my husband, Mr. Peters was my great friend,' &c. I have here a seal (and then produced it) that the Earl of Norwich gave me to keep for his sake, for saving his life, which I will keep as long as I live."

was lawful to obey it. But the jury returned a hasty verdict of guilty against them.

The first that suffered was Major-general Harrison,—Harrison, whose honest soldier-like appearance and gallant bearing had removed the suspicions and excited the involuntary admiration of the captive Charles.* On the 13th of October he was drawn upon a hurdle from Newgate to Charing Cross, within sight of Whitehall, where the late king had suffered. His most sincere enthusiasm, political as well as religious, glowed more warmly than ever at the close approach of torture and death. He told the sheriff that his support was in his conviction that his sufferings were upon the account of Jehovah the Lord of Hosts. His prayers were now clearly answered. "For many a time," said he, "have I begged of the Lord, if he had any hard thing, any reproachful work, or contemptible service to be done by his people, that I should be employed in it." As he was dragged along, his countenance being placid and even cheerful, a low wretch in the crowd called after him in derision, and said, "Where is your good old cause now?" Harrison, with a smile, clapped his hand on his heart, and said, "Here it is! and I am going to seal it with my blood!" And several times on his way he said aloud, "I go to suffer upon the account of the most glorious cause that ever was in the world." He ascended the scaffold under the tall gibbet with an undaunted countenance; and thence he made a speech of some length to the multitude, telling them that they themselves had been witnesses of the finger of God in the deliverance of the people from their oppressors, and in bringing to judgment those that were guilty of blood; that many of the enemies of the commonwealth were forced to confess that God was with it; that for himself he blessed God for accounting him worthy to be instrumental in so glorious a work; that, though wrongfully charged with murder, he had ever kept a good conscience both towards God and towards man; that he had no guilt upon his conscience, but comfort and consolation, and the glorious hope of peace in heaven. The courtly crew that gained most by the event, that were inconceivably vain of a few insignificant graces they had borrowed from the French during their compulsory travels, made it their boast that the Restoration was the bright dawn of civilization to this gross and benighted island; but in truth the best parts of civilization were darkened and not brightened, and humanity and decency, which had been advancing, were made to retrograde with giant strides. The revolting indecencies, the atrocious cruelties which had been awarded in the dark ages in cases of treason, but from which the commonwealth-men and Cromwell had turned with horror and disgust, were all revived; the sentence was executed upon Harrison to the very letter; and the second Charles, whose vices have been varnished by certain writers till they look almost like virtues, and till he appears in the light of an easy, good-natured, and debonair prince, a little dissipated and nothing worse, witnessed at a short distance the detestable scene. Harrison was cut down alive, and saw his own bowels thrown into the fire, and then he was quartered, and his heart, yet palpitating, was torn out and shown to the people. The following day was a Sunday, but, on the day after, the 15th of October, John Carew suffered the same pains in the like manner, declaring with his last breath, that if it were to be done again he would do it, and that the blessed cause would not be lost. The day following, Coke and Hugh Peters were drawn to the same shambles. In the hurdle which carried Coke was placed the ghastly head of Harrison, with the face uncovered and turned towards Coke, who was, however, animated by the sight with fresh courage instead of being overpowered with fear and horror. The people expressed their detestation of such usage. On the scaffold Coke declared, among other things, that he had been earnest for the reform of the laws and for the expeditious and cheap administration of justice;* and that, as for the part he had borne in the action with which he was charged, he was far from repenting what he had done, and most ready to seal it with his blood. Hugh Peters was made to witness all the horrible details of Coke's execution, sitting within the rails which surrounded the scaffold.† While there, a man upbraided him with the king's death, using opprobrious language. "Friend," said Peters, "you do not well to trample upon a dying man: you are greatly mistaken; I had nothing to do in the death of the king." As he was going to his execution, he looked about him and espied a man he knew, to whom he gave a piece of money, having bent it first, and desired him to go to the place where his dear daughter lodged, and carry that piece of gold to her as a token, letting her know that his heart was as full of comfort as it could be; and that before that piece should come to her hands he should be with God in glory. And the old preacher, who had lived in storms and whirlwinds, died with a quiet smile on his countenance. On the next day Scot, Clement, Scrope, and Jones suffered; and, on the day after that, Hacker and Axtell. Scot attempted several times to address the people, but he was always interrupted, as the government now began to dread the effect of such discourses. "Surely," said Scot, "it must be a very bad cause which cannot suffer the words of a dying man," and so saying he resigned himself to death with the same courage as the rest. Some of

* See ante, p. 388.

* "For which," adds Ludlow, "he had suffered a more than ordinary persecution from those of his own profession."—*Memoirs.*

† According to Ludlow, "When this victim (Coke) was cut down and brought to be quartered, one Colonel Turner called to the sheriff's men to bring Mr. Peters to see what was doing; which, being done, the executioner came to him, and, rubbing his bloody hands together, asked him how he liked that work? He told him he was not at all terrified, and that he might do his worst. And when he was upon the ladder, he said to the sheriff, Sir, you have butchered one of the servants of God before my eyes, and have forced me to see it in order to terrify and discourage me; but God has permitted it for my support and encouragement."

these ten men were oppressed with age and sickness, but there was not one of them that betrayed either fear or repentance. Notwithstanding the great pains taken at different periods to brutalise them, the English people have never been able to tolerate any very prolonged exhibition of this kind. "Though the regicides," says Burnet, "were at that time odious beyond all expression, and the trials and executions of the first that suffered were run to by vast crowds, and all people seemed pleased with the sight, yet the odiousness of the crime grew at last to be so much flattened by the frequent executions, and by most of those who suffered dying with much firmness and show of piety, justifying all they had done, not without a seeming joy for their suffering on that account, that the king was advised not to proceed farther; or, at least, *not to have the scene so near the court as Charing Cross.*"* The processes of hanging, drawing, and quartering were therefore suspended for the present, but with the evident intention of renewing them at some future time; and though in the end none of the other nineteen victims now condemned suffered death, other victims did, and the fate of nearly all of the nineteen that were sentenced and spared was as hard as perpetual imprisonment, dungeons, and beggary could make it. Harry Marten lay in prison expecting death, but some of the royalists visited him and advised him to petition parliament. In his petition the witty republican said that he had surrendered in reliance upon the king's declaration of Breda, and that he hoped that he who had never obeyed any royal proclamation before should not be hanged for taking the king's word now. The Commons took no step on the side of mercy, and those members who prided themselves on their gravity and godliness opined that the wit ought to die. But the Lords were more merciful; the Lord Falkland and other peers spoke warmly in his behalf, and, after four months of doubt, Marten got the sentence of death remitted.†

About a month before the execution of Harrison the Duke of Gloucester died of the small-pox. He was the most virtuous of the three royal brothers, and by far the most beloved; but, like the other two, he was strongly suspected of papistry. And about a fortnight after the executions the queen-mother, Henrietta Maria, with the princess royal and a numerous train of French nobles, arrived, and was received with great state and triumph. To prepare the way for the widow of the "glorious martyr," a lying life of her had been published;‡ but the Londoners could not altogether forget facts or overcome their old antipathies, and, in spite of the pageant got up by authority, they showed rather plainly that her coming was not welcome. A few days before her arrival, Lord Chancellor Clarendon's daughter, Anne Hyde, had been delivered of a son, only about six weeks after her marriage to the Duke of York; who, however, was said to have owned a private marriage, or contract of marriage, with her about a year before.* The pride of the queen-mother was greatly irritated by the thought of this "debasing alliance;" and her daughters, the Princess of Orange and the Princess Henrietta, were equally violent against it. The king had also felt, or pretended, very strong objections; but, from various accounts, we are disposed to believe that he was all along jealous of his brother, and not very sorry to see him take a step which would lessen him in the eyes of the world. Clarendon, the father of the stray lady—the model and idol of politicians of a certain class—professed the greatest horror and abhorrence of the mischiefs which such a *mésalliance* would produce on royalty; and he informs us himself that he told his master Charles "that he had much rather his daughter should be the Duke's whore than his wife;" that, if the marriage had really taken place, he would give a positive judgment "that the king should immediately cause the *woman* to be sent to the Tower, and to be cast into a dungeon, under so strict a guard that no person living should be permitted to come to her, and then, that an act of parliament should be immediately passed for the cutting off her head, to which he would not only give his consent, but would very willingly be the first man to propose it."† But, notwithstanding this mock Virginius*ism*, on the wrong side, the great chancellor is said by others to have laboured in secret to promote the marriage, and to have at last removed the queen-mother's strong objections by engaging to get parliament to pay her great debts.‡ And about six weeks after Henrietta Maria's arrival at court the marriage was publicly owned, and the nobility and gentry paid their respects to her Highness the Duchess of York, who

* Own Time.

† State Trials.—An Exact and most Impartial Account, &c.—Noble, Lives of the Regicides.—Diaries of Pepys and Evelyn.—Memoirs of Ludlow and Mrs. Hutchinson.—Burnet, History of His Own Time.—Trials of Charles I. and of some of the Regicides.—Forster, Lives of Eminent British Statesmen; Memoir of Marten.

‡ Pepys says, sarcastically, that this "silly writ" book was "dedicated to that paragon of virtue and beauty, the Duchess of Albemarle"—*i. e.* Monk's wife.

* Pepys, Diary.—Clarendon says that the queen-mother was furious, and that her friend, Sir Charles Berkley, then captain of the duke's guard, in order to prevent the marriage, solemnly swore that he "had lain with her," *i. e.* with Anne Hyde. In the chancellor's own words,—"He (Sir Charles) had informed the duke that he was bound in conscience to preserve him from taking to wife a woman so wholly unworthy of him, that he himself had lain with her, and that for his sake *he would be content to marry her*, though he knew well the familiarity the duke had with her. And this evidence, with so solemn oaths presented by a person so much loved and trusted by him, made a wonderful impression on the duke."—*Life.* Pepys says, "Sir Charles Berkley is swearing that *he* and *others* had intrigued with her *often*, which all believe to be a lie".—*Diary.* According to Clarendon, when his daughter was in labour, Lady Ormond, the Countess of Sunderland, other "ladies of known honour," and the Bishop of Winchester, were present, and, "in the interval of her greatest pangs," the bishop "asked her whose the child was of which she was in labour?".... "Whether she had ever known any other man,' &c.? And the young lady averred that the child was the duke's; that she had never had any other lover, and that she considered she was the duke's wife. In the end Berkley ate his words, and said that he had only lied for the good and honour of the royal family. Such a scoundrel was sure of promotion in a court like this,—he became privy purse and Earl of Falmouth!

† Continuation of the life of Edward Earl of Clarendon, written by himself.

‡ "The queen would fain have undone it, but it seems matters were reconciled on great offers of the chancellor's to befriend the queen, who was much in debt, and was now to have the settlement of her affairs go through his hands."—*Evelyn.*

was still at her father's, in Worcester House, in the Strand, where the marriage had been performed, and all kissed her hand.* A few days after, the Princess of Orange, who had come over to salute the king, her brother, died of the small-pox; but these melancholy events scarcely checked for a moment the immorality of Charles's court.† A marriage was proposed between the Princess Henrietta and Philip Duke of Orleans, only brother of Louis XIV., which took place soon after.

The Convention Parliament had met again on the 6th of November. The Commons announced that they had prepared a bill for giving the king's "healing declaration" about religion the force of law; and the Presbyterian ministers presented an address to his majesty, thanking him for that grateful act. But Charles, Clarendon, and the bishops had fully arranged measures for converting this healing declaration into a piece of waste paper. The bill for making it law was lost in the House of Commons by a majority of 183 to 157; and the compromising and duped Presbyterians were whistled down the wind with no trifling loss of reputation. According to a manuscript diary quoted in the old Parliamentary History, Morrice, the creature of Monk, and now secretary of state, and Sir Heneage Finch, solicitor-general, strongly opposed the bill, the latter even saying "that it was not the king's desire that the bill should proceed." Conformity to the Church of England was now the law; and the Presbyterians, instead of having part in persecuting the Catholics and sectarians, had a share in their sufferings. Having made this arrangement to please the court, the Convention Parliament proceeded with other gratifying bills; and, on the 8th of December, they attainted Oliver Cromwell, Ireton, and Bradshaw. This vote had another meaning besides that of the forfeiture of the property of the dead, which was too insignificant to excite the cupidity of the wasteful and needy Charles or the selfish mean-souled courtiers: on the 30th of January of the following year, the anniversary of the death of Charles I., the solemn recesses of Westminster Abbey were invaded by a brutal crew, acting by authority of the restored king and clergy; the graves were broken open, the coffins of Cromwell, Ireton, and Bradshaw were put upon hurdles and dragged to Tyburn; there, being pulled out of their coffins, the mouldering bodies were hanged "at the several angles of that triple tree" till sunset, when they were taken down and beheaded. Their bodies, or, as the court chronicler calls them, "their loathsome carcasses" were thrown into a deep hole under the gallows; their heads were set upon poles on the top of Westminster Hall.‡ With the same decent loyalty the dean and chapter of Westminster, acting under his majesty's warrant and their own zeal, afterwards exhumed the bodies of all who had been buried in the Abbey since the beginning of the civil wars, and threw them in a heap into a deep pit dug in St. Margaret's churchyard. Among others, the inoffensive remains of Oliver Cromwell's mother and daughter, who had both been models of female domestic virtue; of Dorislaus, one of the lawyers employed on the trial of the late king, who had been basely murdered in Holland by the retainers of the present king; of May, the accomplished translator of the Pharsalia and historian of the Long Parliament, whose mild and comprehensive language we have so frequently quoted; of Pym, that great and learned champion of English liberty; and of Blake, the renowned and honest-hearted, the first of naval heroes, were torn from the sacred asylum of the tomb, and cast like dogs into that foul pit.

Notwithstanding its base compliances, Charles was anxious to be rid of the Convention Parliament, of the legality of whose first assembling and constitution some doubts were entertained by lawyers. His ministers hastened the progress of the money-bills, and agreed to accept half of the revenue derived from the excise, in lieu of the profits formerly drawn from the Court of Wards, which the commonwealth-men had abolished; and the chancellor told them that King Charles, whose time was notoriously spent with mistresses and profligates in theatres and midnight revels, was, like another Constantine, constantly employing himself in conferences with learned men for the settlement of the "languishing church."*

Clarendon assured them, moreover, that a desperate plot had been discovered to rescue the condemned regicides, seize the Tower, Whitehall, and Windsor Castle, and, by means of an insurrection in the counties, headed by General Ludlow, to restore the commonwealth; that several suspected persons had been clapped up and examined personally by his majesty, whose eloquence had wrought upon some of them to confess their guilt. General Ludlow was at this moment as far

* "This," continues Evelyn, who had just been performing the ceremony, "was a strange change,—can it succeed well?"

† "At court," says Pepys, "things are in very ill condition, there being so much emulation, poverty, and the vices of drinking, swearing, and loose amours, that I know not what will be the end of it but confusion. And the clergy so high, that all people that I meet with do protest against their practice."

‡ Gesta Britannorum, at the end of Wharton's Almanac, as quoted in Harris's Life of Cromwell.—It appears that ladies went to see this precious specimen of Gesta Britannorum. That pleasant rogue Pepys, who had been a great Roundhead and Cromwellian, and who, in his youth, had proposed that the proper text for a funeral sermon upon Charles I. would be—"The memory of the wicked shall rot," mentions, with seeming complacency, that his pretty wife had been abroad with my Lady Batten, "seeing of Cromwell, Ireton, and Bradshaw hanged and buried at Tyburn." It was just three days before these brutalities that a proclamation was read in all churches for the keeping for ever the 30th of January as a solemn fast for the martyrdom of Charles I. Evelyn, who had a little more morality and decency than Pepys, though he is scarcely entitled to have the epithets of good and gentle so lavished upon him, makes this exulting entry in his diary:—"Jan. 30.—This day were the carcasses of those arch rebels, Cromwell, Bradshaw,—the judge who condemned his majesty,—and Ireton,—son-in-law to the usurper,—dragged out of their superb tombs in Westminster among the kings, to Tyburn, and hanged on the gallows there from nine in the morning till six at night, and then buried under that fatal and ignominious monument in a deep pit, thousands who had seen them in all their pride being spectators. Look back at November 22, 1658 [Oliver's funeral], and be astonished! and fear God and honour the king, and meddle not with them who are given to change!"

* Clarendon told them at the same time that his majesty was not wholly successful,—that some men would still preach and write improperly,—but that these should soon be reduced by law to obedience.

off as Switzerland, trembling for his own life, which was threatened many times by royalist assassins; and it appears either that there was no plot at all or one of a very insignificant kind; and that Clarendon's talk about a general and desperate insurrection was a mere bugbear purposely devised.* It is true that there was an insane riot in London a few days after the delivery of the chancellor's speech in parliament; but the number of the rioters was so insignificant, and the whole thing so unconcerted and hopeless, that it could not have been either foreseen or dreaded when it actually occurred. On the night of the 6th of January Venner, a wine-cooper and fifth monarchy-man, who had been in trouble for similar outbreaks in Cromwell's time, and who was decidedly mad, inflamed some fifty or sixty visionaries by vehement preaching; and these men rushed from his conventicle in the city, and proclaimed "King Jesus!" They broke the heads of some incredulous watchmen and city-guards, but fled before the lord mayor and the people who took up arms. They concealed themselves for two days in Caen Wood, between the villages of Highgate and Hampstead, during which time the lord mayor pulled down their meeting-house in the city. On the 9th of January they returned, in the belief that neither bullets nor sharp steel could hurt them,—broke through the city-gates,—routed all the train-bands they met,—put the king's life-guards to the run; "and all this in the day-time, when all the city was in arms, and they not in all above thirty-one!"† At last they were hemmed in, but they cut their way into a house, which they defended for some time against thousands. They all refused quarter, but about sixteen were taken by force and kept alive for a worse death: the rest fell with arms in their hands, "shouting that Christ was coming presently to reign on earth." Among the prisoners, who were all tried and executed, was the mad wine-cooper himself. In dissolving the army, care had been taken to keep on foot Monk's regiment and a regiment of cavalry; and now, under colour of necessity and of apprehension of the great insurrection announced by Clarendon, some new troops were raised and many more officers of the old army put under arrest. The Earl of Southampton, who is generally considered as the most virtuous of Charles's ministers, took alarm at a scheme which was then seriously entertained of raising such a standing army as should put down all opposition to the royal will; and he waited upon the chancellor to expostulate. He said they had felt the effects of a military government, though the men were sober and religious, in Cromwell's time; that he believed vicious and dissolute troops would be much worse; that the king would grow fond of them; that they would become insolent and ungovernable; and that then ministers must be converted into mere tools: he said that he would not look on, and see the ruin of his country begun, and be silent;—a white staff should not bribe him. Clarendon admitted that he was in the right, and promised to divert the king from any other force than what might be proper to make a show with and capable of dispersing unruly multitudes. Southampton said that if the standing army went no farther than that, he could bear it; but that it would not be easy to fix such a number as would please the princes and not give jealousy to the people. Clarendon, however, went to the king, and his representations (but no doubt still more the poverty of the court) set aside the grand project for the present.* The guards and the new troops that were raised were made up of men recommended by Monk.

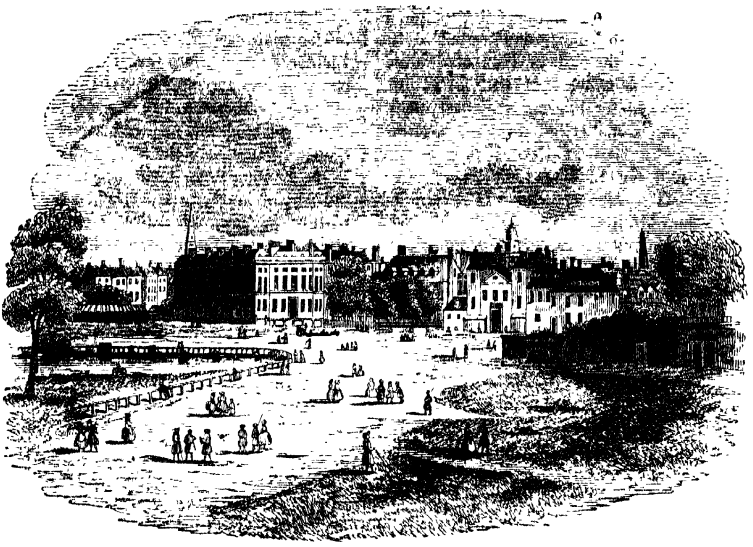
"Every one," says a bitter writer, "was now everywhere putting in for the merit of restoration, for no other reason, certainly, but that they might have the reward."† The Protestants in Ireland, whether high church or presbyterian, laid claim to Charles's gratitude for having been the first of all his subjects to invite him back, which they had done in a convention, almost immediately after the expulsion of Henry Cromwell. But, on the other side, the Irish Papists claimed a reward for their old loyalty and long sufferings under "the late usurpers;" and they humbly prayed for relief as to their forfeited estates, their religion, and liberties. But these Papists, notwithstanding their immense superiority in point of number, were the weaker party; to restore their lands would not only make deadly enemies of the Protestant soldiers and adventurers that had got possession of them, but also of powerful companies and individuals of note in England, connected by family or other interests with the occupants: to grant liberty of conscience to the Catholics would be to raise a general Protestant storm throughout all England and Scotland; and Charles was not the prince to run into these dangers either out of gratitude for services rendered to his father, or for the sake of the religion which he secretly preferred. The Protestants were, therefore, confirmed in pos-

* Under date of the 16th of December, Pepys notes,—"In the afternoon I went to Whitehall, where I was surprised with the news of a plot against the king's person and my Lord Monk's; and that since last night there are about forty taken upon suspicion; and, amongst others, it was my lot to meet with Simon Beale, the trumpeter, who took me and Tom Doling into the guard in Scotland Yard, and showed us Major-general Overton. Here I heard him deny that he is guilty of any such things; but that, whereas it is said that he is found to have brought many arms to town, he says it is only to sell them, as he will prove by oath." And this minute diarist never says a word more about the conspirators. Many of the parliament officers had been arrested previously to the disbanding of the army; and, now that that measure was accomplished, many more were seized out of caution.

† Pepys's Diary.—"We did believe them," adds Pepys, "because they were seen up and down in every place in the city, and had been in Highgate two or three days, and in several other places, to be at least 500: a thing that never was heard of, that so few men should dare and do so much mischief. Their word was, The King Jesus, and their heads upon the gates!"

* Burnet. Pepys says, a little later,—"The lord chancellor, it seems, taking occasion from this late plot to raise fears in the people, did project the raising of an army forthwith, besides the constant militia, thinking to make the Duke of York general thereof. But the house did, in very open terms, say they were grown too wise to be fooled again into another army, and said they had found how that man that hath the command of an army is not beholden to anybody to make him king."

† Oldmixon, Hist. of House of Stuart.



Old Horse Guards, St. James's Park. From a Painting by Canaletti.

session of all they had got during the Commonwealth; the Catholics were discountenanced; and a strictly high church government was established in Ireland under the Earl of Orrery, who called a parliament, and passed an "act of settlement," which was held to give legal investment in the forfeited estates to the officers and soldiers who had them for their arrears, to the merchant-adventurers who had advanced money to put down the great insurrection, and to those who had become purchasers at a later date. To still the clamours of the Papists a court of claims was established to examine into the cases of such as pretended that their property had been illegally confiscated; and in this court Charles sometimes interfered for those whom he was willing to favour. The Protestants were furious at every concession made to the Papists, and at the same time the Papists complained of this court as denying them justice. The one were resolute to hold what they had gained, the other to recover what they had lost. There was no possibility of reconciling the two interests; and, again, the question of property in this world set men more against each other than their difference of opinion as to the means of attaining to the enjoyment of the next.

In Scotland, the Presbyterians, who composed nearly the entire nation, flattered themselves that they had peculiar claims upon the restored king's gratitude. They had repeatedly taken up arms for monarchy; and, though they had been reduced to a quiescent state by the vigour of Cromwell, they had begun to move again as soon as death had relieved them from the domination of that wonderful man. And was it not from Scotland that Monk, the restorer, had proceeded to execute the great plan? The king, too, had been among them; had taken their covenant; had solemnly sworn to defend their kirk; and he had granted an "act of approbation" to indemnify all of them for earlier occurrences. But Charles, who had no scruples of conscience whatever, held that these oaths and engagements had been made under compulsion; that the Covenanters, while he was among them, had treated him with harshness and indignity; and, if he had any one strong feeling about religions or sects, it was hatred of the strict and formal Kirk of Scotland.* The Marquess of Argyle, the great chief of the Covenanters, was not without his misgivings, and, on the return of Charles to England, he retired for a time to the Highlands; but his son, the Lord Lorn, who claimed the merit of a constant opposition to the commonwealth-men and Cromwell, hastened to court to congratulate the sovereign; and the marquess himself wrote to the king to ask leave to come and wait upon him. To seize this victim among his mountains and the clans devoted to him would have been a work of difficulty, and therefore Charles replied in a seeming friendly manner. Upon that Argyle posted up to Whitehall, where, being denied admittance, he was seized and sent to the Tower as a traitor and regicide, it being asserted that he had encouraged the commonwealth-men to put the late king to death. The Earl of Glencairn, a leader of the Scottish cavalier party, was sent to Edinburgh to restore the Committee of Estates as it existed in 1650, when Charles was in the country, which Oliver Cromwell had not as yet reduced to a dependency of

* According to Burnet, he was accustomed to say that the Presbyterian was a religion quite unfit for a gentleman!

the English commonwealth. General Middleton, who had made some very unsuccessful attempts at shaking off Cromwell's yoke, was elevated to the Scottish peerage (by the title of Earl of Middleton), and appointed general of the forces and king's commissioner for holding the parliament; Glencairn was made chancellor, the Earl of Crawford treasurer, the Earl of Rothes president of the council, and the Earl of Lauderdale secretary of state. The chief power was divided for a time between Middleton and Lauderdale, who were fiercely jealous of each other, and each constantly engaged in intrigues to ruin his rival. These selfish, unprincipled, and violent men, partly with the consent of the Scottish parliament, and partly in spite of that disjointed and always ill-constructed legislature, soon erected one of the worst tyrannies that ever cursed a country. The Marquess of Argyle was sent down to be tried by the men that were thirsting for his blood and hungering for his estates. He was charged in thirty articles with all possible treasons and crimes—the charges beginning with the rising of the Covenanters in 1638, and ending with his sitting in Richard Cromwell's parliament in 1659. The delivering of Charles I. to the English at Newcastle,—the blood of Montrose and his followers,—and all the cruelties that had been committed in the course of the long and fierce conflict in Scotland were heaped upon him with every possible exaggeration. The old marquess, who was assisted by the notoriety of the facts, made an admirable defence. He urged that, during the late unhappy wars, he was but one among a great many, and that he had always acted by authority of parliament; that, as to all things done before the year 1641, the late king had buried them in an act of oblivion then passed, as the present king had done with all things up to the year 1651, so that he could not be bound to answer to any particular before the latter date; that he was absent in England when most of the barbarities set forth against him were committed, without his orders and without his being able to prevent them; that many of these stories were mere inventions, or aggravated much beyond the truth; that Montrose and the fierce clans that followed him had begun the atrocities by burning and blood-shedding; and that the retaliation was natural and inevitable in the heat of the times and the temper of the people; that, as for his compliance with the usurpation, he had not complied till the nation was quite conquered, when he was justified, both by divines and lawyers, in submitting to an inevitable necessity; that this submission was the epidemical sin of the whole nation; and that his compliance with Cromwell might well be excused, seeing that a man so eminent in the law as his majesty's advocate (now his prosecutor) had taken the engagement to the usurper. Here Fletcher, the lord advocate, was so inflamed that he called him an impudent villain! Argyle gravely said that he had learned in his affliction to bear reproaches; but if the parliament saw no cause to condemn him he should not be concerned at the king's advocate's railing. Fletcher afterwards inserted an additional article, charging him with accession to the late king's death, offering, as his only evidence, a bold presumption.* While the trial was in progress, the Lord Lorn obtained a letter from the king, ordering that the lord advocate should not insist upon any offences committed previously to 1651, when the present king had given his indemnity, which of course included everything relating to his father's trial. In the same letter Charles also required that, when the trial was ended, the whole process should be submitted to him before the parliament gave sentence. But the king's commissioner, Middleton, who doubted whether an attainder could be procured if the occurrences of 1648 were passed over,—who expected to be enriched by Argyle's forfeiture,—and who, no doubt, had good encouragement in his seeming opposition to the royal will, represented that the staying of sentence till the proceedings were submitted to the king would look "like a distrust of the *justice* of the parliament;" that it would "much discourage this *loyal* and affectionate parliament;" and at his instance Charles recalled that part of his letter, and allowed the commissioner to disregard the other part of it, which limited the offences to the year 1651. Middleton then made a search for precedents of men who had been condemned upon presumptive evidence, and argued the matter in person, hoping that the weight of his authority would bear down all opposition. But Gilmore, though recently promoted to be President of the Court of Session, had the honesty to say that to attaint Argyle upon such evidence would be more unjust than the much decried attainder of the Earl of Strafford; and after a fierce debate, in which Middleton stormed and swore, Gilmore carried a majority, and the prisoner was acquitted on that count. Argyle now thought that he was safe; but Middleton resolved to make his compliance with Cromwell high treason. Even here the lord commissioner would have been defeated had it not been for the villanous offices of his friend the Duke of Albemarle. Monk, the restorer,—a servant worthy of the prince he had restored,—searched among his papers and found some private letters which Argyle had written to him when he (Monk) was the sworn friend of Cromwell and the general of the Commonwealth, and in which the marquess expressed his zeal for the maintenance of that system of government. These private letters Monk sent down to Scotland by an express; and Middleton ordered them to be read in parliament after the production of further evidence was strictly illegal. The effect was

* Cromwell, while he was in Scotland, in 1648, had many long conferences with Argyle, and immediately upon his return to London the treaty with the king in the Isle of Wight was broken off, and the king was brought to trial. Hence Fletcher maintained that it was clear that Cromwell and Argyle had concerted that matter together.

Market Cross of Edinburgh.—Execution of Argyle. From a Drawing of the time.

instantaneous and fatal; all the friends of the marquess ran out as if a bomb had fallen among them; the rest agreed that these letters proved that the prisoner's compliance with the usurper was not feigned and compulsory, but sincere and voluntary, and they condemned him as guilty of treason. At first they designed that he should be hanged as Montrose had been; but in the end it was carried that he should be beheaded, that his head should be set up over the jail where the Covenanters had set the head of Montrose, and that this should be done within *two days*. Argyle begged for ten days' respite in order that the king's pleasure might be known; but, when this was refused, he understood the intention of the court, and exclaimed, "I placed the crown upon his head, and this is my reward."* No time was lost in showing what feeling the restored government entertained towards the free-spoken ministers of the kirk. Twelve eminent preachers who came to Edinburgh with a "warm paper" were seized by order of the Earl of Glencairn, the chancellor, together with their remonstrance.† After suffering imprisonment, insults, and deadly threats, all these ministers were dismissed except Guthry, who was the author of the paper, and who, ten years before, "had let fly at the king in his sermons." "This personal affront," says Burnet, "had irritated the king more against him than against any other of the party; and it was resolved to strike a terror into them all by making an example of him." The reader will understand that in such a case justice and law were wholly disregarded; and, besides, Middleton, the king's commissioner, had a personal animosity against the preacher, who, in the late times, had excommunicated him. All people were disgusted at Middleton's bloodhound eagerness in the prosecution; but the Earl of Tweeddale was the only one that had courage to urge that death was too severe a punishment,—that banishment had been hitherto the severest penalty that had been laid on preachers for any expression of their opinions. Guthry was condemned to die, and he was hanged a few days after the execution of Argyle. With him was hanged one Gowan, who had deserted to Cromwell while the king was in Scotland. "The man," says Burnet, "was inconsiderable till they made him more considered by putting him to death on such an account at so great a distance of time." The fourth victim was Bishop Burnet's own uncle, Johnstone of Warriston, one of the greatest and most eloquent asserters of the covenant, who had done as much as any man in Scotland against episcopacy and the tyranny of Charles I. This old man fled to the continent;

* When Charles was crowned at Scone, in 1651, Argyle placed the crown upon his head, and at that time it was generally believed that he would soon be the king's father-in law.

† "In it, after some cold compliment to the king upon his restoration, they put him in mind of the covenant which he had so solemnly sworn while among them: they lamented that, instead of pursuing the ends of it in England, as he had sworn to do, he had set up the common prayer in his chapel, and the order of bishops; upon which they made terrible denunciations of heavy judgments from God on him if he did not stand to the covenant, which they called the oath of God."—*Burnet.*

but some time after, the French government gave him up to Charles, and he was sent back to Scotland, and tried and hanged. It had been assumed as a principle that the destroyers of Montrose, the idol of the cavalier party, should feel the full weight of retaliation; and yet Macleod of Assin, who had so infamously betrayed Montrose to his enemies, "was let go without any censure." Burnet attributes this impunity to habits of debauchery in Macleod which were largely sympathised with by the now dominant faction; but probably Macleod's purse and estates told another story. Swinton, who had been attainted for deserting, and who had been the man of all Scotland most trusted and employed by Cromwell, was admitted to mercy, *because* Middleton, in hatred to Lauderdale, who had got the gift of his estate, recommended him to the king. Many others suffered in liberty and estate; but, as open bribery was a rule of government, and as money bought pardons, no more executions took place at present. The royal commissioner, Middleton, who treated all state affairs after the fashion of the cavalier camp, and had no patience for details, and no respect for slow constitutional courses, proposed and carried, as the better and shorter way, "a general act rescissory," that is, an act annulling all the proceedings of all the parliaments, conventions, synods, and committees, all the acts of indemnity, &c., that had been held or passed since the year 1633.* "This act," says Burnet, "was a most extravagant act, and only fit to be concluded after a drunken bout. It shook all possible security for the future, and laid down a most pernicious precedent." Lauderdale, in his secret, underhand way, was against it, not out of any love for his country, but out of hatred to Middleton. He thought it would be a good handle to a court intrigue whereby to ruin his rival; and he told the king that Middleton was ignorant of the first principles of government, and that he would cut off all hopes of peace and submission in Scotland. Middleton, in his turn, as soon as he had heard of these insinuations, accused Lauderdale of misrepresenting the proceedings of parliament, and of belying the king's good subjects,—an offence called in Scottish law lesing-making,—and he went so far as to propose that Lauderdale should be impeached. But Clarendon told him that impeachments were dangerous things,—that "the assaulting of a minister, as long as he had *an interest in the king*, was a practice that never could be approved: it was one of the *uneasy things that a House of Commons of England sometimes ventured on, which was ungrateful to the court.*" Thus the matter dropped; and the two rivals, reconciled in appearance, went on in amiable unison to ride rough-shod over the kirk and the laws and liberties of Scotland. "This," says Burnet, who was living in the midst of it, "was a mad roaring time, full of extravagance; and no wonder it was so when the men of affairs were almost perpetually drunk." They passed an act making the 29th of May a perpetual holiday, since on that happy day the king had been restored, and an end put to three-and-twenty years of rebellion. The presbyterian ministers saw that by observing this act they should condemn all their former proceedings as rebellious and hypocritical; and it was a tenet of the kirk, which had rubbed out all the old rubric, that no human authority could make a day holy,—that no day was holy save the Sabbath. But they had not courage to offer a decided resistance, and it was enacted in their presbyteries that they should observe that day as a day of thanksgiving. In spite of the alarming warning held out by the past, and by the fate of the first Charles, it was resolved to set up episcopacy; and Sharp, a minister who was to the Kirk of Scotland what Monk had been to the Commonwealth, pressed Middleton to take advantage of the present general consternation and establish bishops. At the same time he duped his brethren with professions of an ardent zeal for the kirk, and persuaded them to send him up to court as their delegate, assuring them that he would labour to procure the settlement of presbytery on a new and undisputed basis. Sharp, accordingly, went to London, and soon returned Archbishop of St. Andrew's! Other men "were sought out to be bishops," only one of the Scottish prelates of Laud's making being now alive; and these men, after receiving consecration from the Archbishop of Canterbury, hurried down to Scotland, "all in one coach," to take possession of their sees. In the first session of parliament after their arrival Middleton proposed that, although, the act rescissory having annulled all enactments since the year 1633, the old laws in favour of episcopacy were revived, and the bishops had, accordingly, a right to come and take their places in parliament, yet it would be a piece of respect to send a deputation to invite them to resume their seats. This was readily agreed to; and so the bishops again appeared among the lords of parliament. The power in the church of this restored hierarchy was made very absolute, and all meetings of the synods and presbyteries were forbidden in a royal proclamation, under pain of treason. Some of the presbyterian preachers were summoned before parliament to answer for reflections made in their sermons against episcopacy; and presently all men were required to take the oath of allegiance and supremacy, acknowledging the right of the king to settle religion and the church. In the midst of a general subservience in parliament, two men, the Earl of Cassilis and Dr. Robert Leighton, who had somewhat reluctantly been induced to accept the bishopric of Dunblane,* had the courage to resist. Cassilis offered to take the oath

* Burnet says that Sir Archibald Primrose, "the subtilest of all Lord Middleton's creatures," first suggested, "half in jest," this precious act, which was not resolved upon till the conclave "*had drunk higher*," when, in drunken boldness, it was determined to venture it.

* He was the son of Alexander Leighton, who was so barbarously punished in 1630 for his book against prelacy. See ante, p. 151.

provided he might join his explanation to it; and Leighton said that the land mourned already by reason of the many oaths that had been taken,—that this oath was capable of a double meaning,—that it ought to be explained and made clear, and that otherwise the imposing of it would look like laying snares for people. To this Sharp, who had so recently worn the Genevan gown himself, replied, with great bitterness and insolence, that it was beneath the dignity of government to make acts to satisfy the weak scruples of peevish men; that it ill became those who had forcibly imposed their covenant on all people without any explanation to expect now such extraordinary favours to themselves. But the enlightened Leighton insisted that the indulgence ought to be granted for that very reason, that all people might see a difference between the mild proceedings of the government now and the proceedings of the Covenanters then; and that it ill became the very same persons who had complained of that rigour to practise it themselves, for thus it would be said that the world goes mad by turns. Middleton, who wanted the oath as a trap for scrupulous consciences, was furious at this philosophical reasoning, which, however, had no effect, and the odious act was made as sharp as Archbishop Sharp and the king's commissioner desired. But, not satisfied with this, they proposed another oath, abjuring formally both the league and covenant and the national covenant; and between these two oaths they drove the presbyterians from all offices in the church, the state, or magistracy, and not a few of them into perpetual banishment. It is an astounding fact, that, in the country which a quarter of a century before had risen like one man against much less than this, not a sword leaped from its scabbard, not a blow was struck for the league and covenant; but the people were stupified by the suddenness of these proceedings, and they were abandoned and betrayed by the majority of the selfish and time-serving aristocracy.*

A.D. 1661.—The new English parliament met on the 8th of May. The elections had gone greatly in favour of the royalists and the cavaliers, and the sons of cavaliers predominated; for the great families, the old gentry and the episcopal clergy had recovered and practised their ancient influence over elections, while the presbyterians were scared into inactivity—the cavaliers every where proclaiming them enemies to monarchy. Not more than fifty or sixty of the presbyterian party found their way into the House of Commons; all the rest of the members entertained, or were ready to embrace upon advantageous conditions, the most extravagant notions touching the prerogative of the king and the rights of the church. This parliament—for the disgrace of the country—lasted much longer than that which is distinguished in history by the name of the Long Parliament; but a distinctive epithet was not wanting—it was called the Pension Parliament. The House of Commons began with voting that all their members should receive the sacrament by a certain day according to the rites of the church of England, under pain of exclusion. Alderman Love, who at first stood out, was actually suspended; but, as he afterwards sat in the House as an active member of the opposition, he must have conformed like the rest of his brethren, only a little later. Then, in concert with the Lords, the Commons condemned "that great instrument of mischief, the Solemn League and Covenant," to be burned by the common hangman. The acts establishing the Commonwealth, and the chief ordinances of the Long Parliament, were treated in the same manner. They then passed a number of bills, which all had for their object the strengthening of the monarchical government. They declared that there was no legislative power in either or both houses of parliament without the king; that the sole supreme command of the militia, and of all forces by sea and land, was, and ever had been, by the laws of England, in the crown; that neither House could pretend to it, nor lawfully take up arms against the king in any case whatever; and that an oath should be taken to that effect.* They restored the bishops to their seats in the House of Peers; they increased the rigour of the law of treason; they declared it to be a high misdemeanor to call the king a papist; and they materially curtailed one of the most important of the popular rights, the right of petitioning the king or parliament, by enacting that no petition should have more than twenty signatures, unless by permission of three justices of the peace, or the majority of the grand jury. The cavaliers would also gladly have struck at the Bill of Indemnity, in order to wrench from the adherents of the Commonwealth all the property they had acquired; but Clarendon felt that any invasion of that act would be too dangerous, and the cavaliers were obliged to content themselves with a vote of 60,000*l.* to be distributed among the sufferers of their class, and to confirm the Indemnity Act. At the same time they passed a Bill of Supply for the king; and then (on the 30th of July) this parliament adjourned to the 28th of November.

When they reassembled there was no visible diminution of their loyalty or orthodoxy; and Clarendon excited their zeal by disclosures of a pretended conspiracy, which was said to extend all over the country. The king confirmed the awful disclosures made by the chancellor; but perhaps, at that moment, Charles may have been made to believe that the airy conspiracy really existed. The Commons, in a paroxysm of rage and terror,

* Burnet, Own Time.—Clarendon, Life.—State Trials.—Miscellanea Aulica.—Malcolm Laing, Hist. Scot.

* The form of the oath was:—"I, A. B., do declare and believe that it is not lawful, upon any pretence whatsoever, to take arms against the king; and that I do abhor that traitorous position of taking arms by his authority against his person, or against those who are commissioned by him. so help me God." And this oath, commonly called the corporation oath, was to be taken by all magistrates and persons bearing offices of trust in corporations. The bill, enforcing the oath, was not passed till the next session.

called for more blood—for the execution of such of the condemned regicides as had hitherto been spared—and demanded the trial of Sir Harry Vane and General Lambert, who had both been excepted from the Act of Oblivion, but recommended by the Convention Parliament to the king, who had promised to spare their lives. But Charles, who never respected a promise, lent a ready ear to the recommendation of the Pension Parliament, and it was arranged that Vane and Lambert should suffer during the next recess. In the mean time, to stay the appetite of vengeance, three distinguished Commonwealth-men, the Lord Monson, Sir Henry Mildmay, and Sir Robert Wallop, were drawn upon sledges, with ropes round their necks, from the Tower to the gallows at Tyburn, and then back to the Tower, there to remain prisoners for life. In this session a Conformity Bill, recommended if not actually drawn up by Clarendon, was debated and passed in all its intolerant rigour, the Lords having vainly attempted to soften some of its clauses. It enacted that every parson, vicar, or other minister, should publicly declare before his congregation his unfeigned assent and consent to everything contained and prescribed in the Book of Common Prayer; and that every preacher that had not received ordination from the hands of a bishop must submit to that process before the next feast of St. Bartholomew. A few new collects added by the bishops to the Prayer Book did not tend to make this act more palatable. In one of these collects a new epithet was added to the title of the openly profane and immoral Charles, he being styled "our most religious king;" and the dissenters "could not down with" the story of Bel and the Dragon, introduced from the Apocrypha; nor with the new holidays, such as St. Barnabas, the Conversion of St. Paul, and the 30th of January, now dedicated to King Charles the Martyr. When the Commons had done with this Conformity Bill, they voted the king a subsidy of 1,200,000*l.*, and a hearth or chimney-tax *for ever*:* and the parliament was prorogued on the 19th of May with a flattering speech from Charles, who promised to take better care both of his money and his morals.

It was high time, for [illegible] the eve of marriage. Nearly all the courts of Europe had struggled for the honour of giving a wife to this dissolute, heartless man, for the morals of princes are never nicely weighed in these arrangements; and whatever contempt Charles had excited on the continent as an exiled, errant king *de jure*, he became one of the most important of crowned heads as *de facto* king of England. Charles held himself at auction, and Portugal became the highest bidder, offering, with the Princess Catherine, Tangiers, Bombay, the advantages of a free trade, and half a million sterling; and it was resolved that the offer should be accepted, notwithstanding the religion of the princess and the opposition of Spain, which still claimed the Portuguese kingdom, and treated the House of Braganza as rebels and usurpers. The orthodox Clarendon decided Charles in this resolution, in spite of the representations of many of his own party, who rationally feared that the king, already suspected of popery, would be still more mistrusted when he should have a Catholic wife and a mass-chapel in his own house. After some necessary delays that were irksome to the king, not because he longed for the royal bride, but because he was greatly in need of the dower, the treaty was concluded, and Lord Sandwich was dispatched with a small fleet to take possession of Tangiers and bring home the bride and the money. Catherine of Braganza arrived at Portsmouth on the 20th of May, and was there met by her husband, who conducted her in state to Hampton Court. At this time Charles's mistress, *en titre*, was "one of the race of the Villiers," married to Mr. Palmer, who, on her account, and for his base connivance, was taken into the diplomatic service and raised to the Irish peerage as Earl of Castlemaine. People expected that he would now break with the mistress, or, at least, manage his intercourse with her as privately as possible. But he was not prepared to make any, the least, sacrifice, either to duty or decency: he dined and supped with my Lady Castlemaine every day and night of the week that preceded the queen's arrival; he was there on the night that bonfires were lit in the street for that event;* he left her to go to his bride; and, when Catherine was established at Hampton Court, he not only presented her himself, but also insisted that she should be one of the queen's ladies of the bedchamber.† Clarendon, who worshipped the proprieties and outward appearances, according to his own account, spoke with great boldness to the king on the subject of this scandalous appointment, telling him "of the hard-heartedness and cruelty in laying such a command upon the queen which flesh and blood could not comply with. The king," says he, "heard him with patience enough, yet with those little interruptions which were natural to him, especially to that part where he had levelled the mistresses of kings and princes with other lewd women, at which he expressed some indignation, being an argument often debated before him by those who would have them looked upon above any other men's wives." But, according to the historian's own account, the moral conversa-

* Every house rated above twenty shillings was to pay two shillings.

* Pepys's Diary.

† "He (Charles) led her into her chamber and presented her to the queen, who received her with the same grace as she had done the rest, there being many lords and other ladies at the same time there. But whether her majesty, in the instant, knew who she was, or, upon recollection, found it afterwards, she was no sooner sat in her chair but her colour changed and tears gushed out of her eyes, and her nose bled, and she fainted; so that she was forthwith removed into another room, and all the company retired out of that where she was before. And this falling out so notoriously when so many persons were present, the king looked upon it with wonderful indignation, and as an earnest of defiance for the decision of the supremacy, and who should govern, upon which point he was the most jealous and the most resolute of any man; and the answer he received from the queen, which kept up the obstinacy, displeased him more."—*Clarendon, Life.*

Catherine of Braganza. From an Original Pai[illegible] [illegible] Pepysian Library.

tion ended by the king's "requiring him to use all those arguments to the queen which were necessary *to induce her to a full compliance with what the king desired.*" And the lord high chancellor of England—the model Clarendon—who is still styled, *by some*, one of the most illustrious of Englishmen, one that through all circumstances maintained the innate dignity of his character,—the upright minister, the true patriot, and the honest man,—undertook the office, and waited several times on the forlorn young queen to prove to her the suitableness of submission and resignation "to whatsoever his majesty should desire of her," and to *insinuate* (his own words!) "what would be acceptable with reference to the lady." Catherine, who had told this hoary-headed mediator for royal profligacy that she had to struggle with more difficulties than ever woman of her condition had known,—that at times she was forced "to give vent to that passion that was ready to break her heart,"—now assured him "that the king's insisting upon that particular could proceed from no other ground but his hatred of her person, and to expose her to the contempt of the world, who would think her worthy of such an affront if she submitted to it, which before she would do, she would p[illegible] [illegible]erself on board any little vessel, and so be trai[illegible]ted to Lisbon." The chancellor upon this rem[illegible] her "that she had not the disposal of her [illegible] person, nor could go out of the house where s[illegible] [illegible]as without the king's leave;" and therefore adv[illegible] [illegible]er "not to speak any more of Portugal, where t[illegible] were enough who would wish her to be." Th[illegible] [illegible]ancellor then made haste to inform his employer [illegible] all that had passed, and to request, not that he w[illegible]d give up his design of fixing his mistress con[illegible]tly in court as the servant of his wife, but [illegible] he would forbear pressing the queen in th[illegible]tter for a day or two, till he had once more [illegible] upon her. But, according to his narrative, [illegible]-king listened to other counsellors, and resol[illegible] [illegible]o make his wife submit at once. "The fir[illegible]med that night higher than ever: the king [illegible]ached the queen with stubbornness and want [illegible]uty, and she him with tyranny and want of [illegible]ection: he used threats and menaces which [illegible]ver intended to put in execution, and she [illegible] loudly how ill she was treated, and that [illegible]d return again to Portugal. He replied, [illegible] she should do well first to know whether [illegible] mother would receive her; and he would [illegible] her a fit oppor-

tunity to know that, by sending to their home all her Portuguese servants; and that he would forthwith give order for the discharge of them all." What the threats and menaces were which Charles never intended to put in execution we know not, but he forthwith executed his cruel threat of depriving his wife of her servants,—her countrymen and countrywomen, the friends of her childhood. After an interview with the chancellor, who had been again with the queen, using arguments and cajolery to overcome her natural repugnance, "he persevered in all his resolutions without any remorse,—directed a day for all the Portuguese to be embarked without assigning any considerable thing of bounty to any of them, or vouchsafing to write any letter to the king or queen of Portugal of the cause of the dismission of them. And this rigour prevailed upon the great heart of the queen, who had not received any money to enable her to be liberal to any of those who had attended her out of their own country, and promised themselves places of great advantage in her family; and she earnestly desired the king that she might retain some few of those who were known to her, and of most use, that she might not be wholly left in the hands of strangers; and employed others to make the same suit to the king on her behalf. Whereupon the Countess of Penalva, who had been bred with her from a child, and who, by the infirmity of her eyes and other indisposition of health, scarce stirred out of her chamber, was permitted to remain in the court; and some few inferior servants in her kitchen and in the lowest offices, besides those who were necessary to her devotions, were left here. All the rest were transported to Portugal." Nor did Catherine's trials end here. "In all this time," continues Clarendon, "the king pursued his point: the lady came to the court,—was lodged there,—was every day in the queen's presence,—and the king in continual conference with her, whilst the queen sat untaken notice of; and if her majesty rose at the indignity and retired into her chamber, it may be one or two attended her; but all the company remained in the room she left, and too often said those things aloud which nobody ought to have whispered. . . . . She alone was left out in all jollities, and not suffered to have any part of those pleasant applications and caresses which she saw made almost to everybody else; an universal mirth in all company but in hers, and in all places but in her chamber; her own servants showing more respect and more diligence to the person of the lady than towards their own mistress, who, they found, could do them less good. The nightly meetings continued with the same or more licence; and the discourses which passed there, of what argument soever, were the discourse of the whole court and of the town the day following; whilst the queen had the king's company those few hours which remained of the preceding night, and which were too little for sleep. All these mortifications were too heavy to be borne; so that at last, when it was least expected or suspected, the queen on a sudden let herself fall first to conversation and then to familiarity, and, even in the same instant, to a confidence with the lady; was merry with her in public, talked kindly of her, and, in private, used nobody more friendly."*

On the 2nd of June, a few days after the king's marriage, the republican Sir Harry Vane was arraigned before the Court of King's Bench. Upon the Restoration, Vane, knowing that he had taken no share in the trial or death of Charles I., and that the new king, in his declaration from Breda, had promised a wide indemnity, continued at his house in Hampstead, near London.† He was allowed to remain undisturbed for about five weeks, when he was arrested and sent to the Tower, whence he had been carried from one prison to another for the space of two years. He had now been brought up from a lone castle or block-house on one of the Scilly islands. The indictment charged him with compassing and imagining the death of Charles II., and conspiring to subvert the ancient frame of the kingly government of the realm; and the overt acts to sustain this charge were, his consulting with others how to bring the king to destruction, and to hold him out from the exercise of his regal authority; and then his usurping offices of government and appointing officers of the army and navy raised against his majesty, and also his actual assembling in a warlike manner in the county of Middlesex. This indictment would have applied just as well to almost every person concerned in, or employed by, the government since the death of the late king. Vane objected that the offences charged against him were committed either in his capacity as a member of parliament, or as a servant of government acting under the commission of parliament; and he maintained that he could be tried only by parliament, and not by any inferior tribunal. His judges, who were met to condemn, not to try him, overruled these objections, and bade him plead guilty or not guilty. Vane represented that he could not expect justice from judges who, in another place, had prejudged him and recorded their votes against him; that the length of time taken to search out matters against him, and the undue practices and courses to find out witnesses against him, were further proofs that he could not have an equal and impartial trial; that, during all that time, he had been kept in close imprisonment without being once examined, or having any question put to him whereby he might conjecture what would be charged against him; that he had been treated as a great delinquent—his rents stopped, his tenants forbidden to pay them, his very courts prohibited by officers of great personages claiming the grant of his estates; that, by these undue proceedings, he had not wherewithal to maintain himself in prison, and his debts, to the amount of above 10,000*l.*,

* Life. † Ludlow.

were undischarged, either principal or interest; and that the hopes of private lucre and profit were such in his tenants and other persons, sought out for far and near to be witnesses against him, that it would be no wonder if, at last, some charges should be exhibited; but these charges were so general and vague, that nothing certain, or that applied peculiarly to himself, could be gathered out of them. "Unless," continued Vane, "some remedy be afforded by the justice, candour, and favour of this court, it may be better for the prisoner (for ought he yet knows) to be immediately destroyed by special command (if nothing else will satisfy) without any form of law, as one to whom quarter, after at least two years' cool blood, is thought fit to be denied in relation to the late wars. This may seem better than, under a colour and form of justice, to pretend to give him the benefit of the law and the king's courts, whose part it is to set free the innocent, upon an equal and indifferent trial had before them, if their cause will bear it; but it is very visible beforehand, that all possible means of defence are taken and withheld from him, and laws are made *ex post facto* to forejudge the merit of the cause, the party being unheard." After expressing his faith and reliance on God, who now called him to *suffer*, as he had formerly called him to *act*, for the good of his country,—after expressing his consciousness that for himself the issue would be good, whatever this court might make it—he continued: "Far be it from me to have knowingly, maliciously, or wittingly offended the law, rightly understood and asserted; much less, to have done anything that is *malum per se*, or that is morally evil. This is what I allow not, as I am a man, and what I desire with stedfastness to resist, as I am a Christian. If I can judge anything of my own case, the true reason of the present difficulties and straits I am in is because I have desired to walk by a just and righteous rule in all my actions, and not to serve the lusts and passions of men, but rather to die than wittingly and deliberately sin against God and transgress his holy laws, or prefer my own private interest before the good of the whole community I relate unto, in the kingdom where the lot of my residence is cast." The counsel for the prosecution were reduced to silence; but the Chief Justice Foster muttered—"Though we know not what to say to him, we know what to do with him." Vane claimed the benefit of counsel, which had been denied to Harrison and the other regicides, and which it was not usual to grant in cases of treason.* The court, impatient to make him plead, advised him that if he would put himself on the issue he should have counsel. He then pleaded not guilty, and was sent back to the Tower for four days. When he re-appeared he claimed the promise which had been given him; on which his judges, who had received fresh instructions to condemn him, told him that *they* would be his counsel. The attorney-general, Sir Geoffrey Palmer, a fanatic royalist, produced his evidence, of which the principal points were, that Vane had signed warrants to the officers of the navy, commanding them to issue out stores for the service of the government; that he, with others, had given orders to suppress the attempts of any who should pretend title to the kingly government; that, in 1649, after the late king's execution, he had been a member of the council of state and treasurer of the navy, in both which capacities he had laboured to keep out his present majesty; that, in 1651, he had been president of the council of state, and, as such, had signed orders for military equipments; that, in 1659, after Cromwell's death, he had been a member of the provisional government or committee of safety, and, as such, had conferred with foreign ambassadors, appointed officers in the army, and acted in various other ways for the maintenance of the Commonwealth, when all good subjects were looking for the happy return of his majesty; that he had proposed a new model of government, and had declared that it would be destructive of the people's liberty to admit any king; and that he had once been seen at the head of a company of soldiers in Southwark. Vane combated these charges with great learning and eloquence. He maintained that the word king in the statute of treasons meant only a king regnant, a king in actual possession of the crown, and not a king merely *de jure*, who was not in possession; but the judges decided that Charles II. was king of England *de facto*, as well as *de jure*, even when he was a beggared and despised exile, and when the government of the Commonwealth was universally obeyed at home and recognised abroad. Vane justified the conduct of the Commonwealth by the inevitable necessity of the case. "This matter," said he, "was not done in a corner. The appeals were solemn, and the decision by the sword was given by God! . . . . When new and never-heard of changes do fall out in the kingdom, it is not like that the known and written laws of the land should be the exact rule, but the grounds and rules of justice, contained and declared in the law of nature, are and ought to be a sanctuary in such cases, even by the very common law of England: for thence originally spring the unerring rules that are set by the divine and eternal law for rule and subjection in all states and kingdoms." In

* Formerly, it was a settled rule at common law, that no counsel should be allowed a prisoner upon his trial, upon the general issue, in any capital crime, unless some point of law should arise proper to be debated. It was not till after the Revolution that, by the statute 7 Will. III. c. 3, persons indicted for such high treason as works a corruption of the blood, or misprision thereof (except treason in counterfeiting the king's coin or seals), were allowed to make their full defence by counsel, not exceeding two, to be named by the prisoner, and assigned by the court or judge. By the statute 20 Geo. II. c. 30, the same indulgence was extended to cases of parliamentary impeachments for high treason.—*Blackstone, Comment.* iv. 356. Now, by statute 6 and 7 Will. IV. c. 114, the privilege of making full answer and defence by counsel has been accorded to all persons tried for felony. In cases of treason, as well as in all other felonies, prisoners were always entitled to the assistance of counsel in arguing points of law, though the exercise of that privilege was hampered by so many restrictions when the court chose to tie down the prisoner to the rigour of ancient precedents, that it was of little real value.

the course of his defence he called attention to the facts that the resolutions and votes for changing the government of England into a commonwealth were all passed before he was returned to parliament; that he was bound to obey the powers then regnant; that he had done nothing for any private or gainful ends, to profit himself or enrich his relations, as well appeared by the great debts he had contracted, and the destitute condition in which he should now leave his family. "I do publicly challenge," said Vane (and all the great men of the Commonwealth might have said as much), "I do publicly challenge all persons whatsoever that can give information of any bribes or covert ways used by me during the whole time of my public acting: and therefore I hope it will be evident to the consciences of the jury that what I have done hath been upon principles of integrity, honour, justice, reason, and conscience, and not, as is suggested in the indictment, by instigation of the devil, or want of the fear of God." But the court was not to be moved by such appeals as these, and they determined that the evidence against the prisoner was good, and that the acts imputed to him amounted to high treason. Vane then offered a bill of exceptions, and claimed the benefit of the promise which the king had made to the Convention Parliament—that, if Vane should be attainted by law, he would not suffer the sentence to be executed. The solicitor-general openly declared that "the prisoner must be made a public sacrifice;" and, alluding to Vane's urgent and repeated demands for the benefit of counsel, he brutally exclaimed—"What counsel does he think would dare speak for him in such a manifest case of treason, unless he could call down the heads of his fellow-traitors, Bradshaw or Coke, from the top of Westminster Hall?" With these words thundering in their ears, the jury retired, and in half an hour returned into court with a verdict of guilty.*

On the morrow Charles thus wrote from Hampton Court to Clarendon:—"The relation that hath been made to me of Sir H. Vane's carriage yesterday in the Hall is the occasion of this letter; which, if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in England but a parliament, and many things to that purpose. You have had a true account of all; and, if he has given new occasion to be hanged, *certainly he is too dangerous a man to let live, if we can honestly put him out of the way.* Think of this, and give me some account of it to-morrow; till when, I have no more to say to you." What Clarendon's account was, we may easily divine†—for, on that day week (June 14), a scaffold was prepared on Tower Hill, on the very spot where the Earl of Strafford had suffered so many years before. At an early hour Vane took leave of his wife and children and of a few generous friends that were not afraid of incurring the hatred of government by showing a deep sympathy. He entreated them not to mourn for him. His religious enthusiasm blended itself, as it had ever done, with his republicanism and passionate love of liberty. "I know," said he, "that a day of deliverance for Sion will come. Some may think the manner of it may be as before, with confused noise of the warrior, and garments rolled in blood; but I rather think it will be with burning and fuel of fire. . . . . I die in the certain faith and foresight that this cause shall have its resurrection in my death. My blood will be the seed sown, by which this glorious cause will spring up, which God will speedily raise. . . . . As a testimony and seal to the justness of that quarrel, I leave now my life upon it, as a legacy to all the honest interest in these three nations. Ten thousand deaths rather than defile my conscience, the chastity and purity of which I value beyond all this world!" He was dragged on a sledge from the Tower to the scaffold, looking so cheerful that it was difficult to convince many of the spectators that he was the prisoner about to die. The government had been alarmed by the impression made by the dying words of Harrison, Scot, and Peters; and so they had resolved to interrupt, at all critical passages, the more dangerous eloquence of Vane.* When he attempted to describe the conduct of his judges, Sir John Robinson, the lieutenant of the Tower, interrupted him, saying, in a furious manner, "It is a lie; I am here to testify that it is a lie. Sir, you must not rail at the judges." Vane replied, "God will judge between you and me in this matter. I speak but matter of fact, and cannot you bear that? It is evident the judges refused to sign my bill of exceptions." . . . . . Here the drummers and trumpeters were ordered to come close under the scaffold, and the trumpeters blew in his face to prevent his being heard. Sir Harry lifted up his hand, laid it on his breast, and, after a mild remonstrance, silence being restored, he proceeded to detail to his fellow-countrymen and fellow-Christians some circumstances of his life and of the late civil wars. Upon this, the trumpets again sounded, the sheriff snatched at the paper he held in his hand,† and the lieutenant of the Tower furiously called out for the books of some that were taking notes of Vane's solemn and last discourse. "He treats of rebellion," said the lieutenant, "and you write it." And there-

* The attorney-general, who had the last word, was even permitted to hold a secret consultation with the foreman as the jury were leaving the box.—See Foster's Life of Sir Henry Vane in *Lives of Eminent Statesmen.*

† Clarendon, in his Life, avoids saying a single word about the trial and execution of Vane.

* Burnet says—"A new and very indecent practice was begun. It was observed that the dying speeches of the regicides had left impressions on the hearers that were not at all to the advantage of the government. So, strains of a peculiar nature being expected from him, to prevent that, drummers were placed under the scaffold, who, as soon as he began to speak of the public, upon a sign given, struck up with their drums: this put him in no disorder, he desired they might be stopped, for he understood what was meant by it."

† Pepys, who was an eye-witness of the execution, says, "He made a long speech, many times interrupted by the sheriff and others there; and they would have taken his paper out of his hand, but he would not let it go. But they caused all the books of those that writ after him to be given to the sheriff; and the trumpets were brought under the scaffold that he might not be heard.

upon six note-books were delivered up. Vane said, meekly, that it was hard that he might not be permitted to speak, but that this was what all upright men might now expect from the worldly spirit. Here fresh blasts were blown upon the trumpets, and fresh efforts made by the lieutenant of the Tower and two or three others to snatch the paper out of his hand, "and they put their hands into his pockets for papers, as we pretended, which bred great confusion and dissatisfaction to the spectators, seeing a prisoner so strangely handled in his dying words." At last Vane gave up all hope of being allowed to explain himself to the people, and, turning away from the front of the scaffold, he knelt in prayer for a few minutes by the side of the block, then laid his head upon that sharp pillow, and stretched out his arm as a signal to the executioner, who struck a good blow, which severed his neck at once. The royalists, who still held not merely that Strafford's trial and attainder had been irregular and illegal, but also that that arbitrary and dangerous man was one of the best of ministers and a pure-souled martyr, justified the execution of Vane as a proper retaliation for his conduct on Strafford's trial; and some there were that declared it was a judgment of God that he should die on the same spot where Strafford had perished. But in the mind of Charles and his ministers there were other things which weighed far more heavily against Vane than did anything connected with the fate of Strafford; and these were, his unspotted virtues and his eminent abilities. When Clarendon suggested the necessity of excluding Vane from the bill of indemnity, he did so on the avowed grounds of his being "a man of mischievous activity," whose influence was great, and might cause the court fresh troubles; and we have seen the king himself declaring that he was "too dangerous a man to let live." And yet it was doubted whether the court gained or lost more by his death. His magnanimity on the scaffold made a wonderful and lasting impression, which became the deeper when men saw more and more of the ways of the restored government and of the universal corruption, immorality, irreligion, and indecency, that obtained among public men.* General Lambert was tried and condemned at the same time; but he had given very evident proofs that he was *not* a dangerous man; he pleaded guilty, threw himself abjectly upon the royal mercy, and was suffered to wear out the remainder of his days in an unhonoured prison in the island of Guernsey. Other blood, however, was shed. Colonels Okey, Corbet, and Barkstead, who had been concerned in the execution of the late king, had fled to Holland, but they were hunted out by Downing, who had once been chaplain in Okey's regiment; the States basely gave them up, and they were brought to the gibbet and the knife. They died glorying in the good old cause, and Downing was held up to detestation.* General Ludlow, Mr. Lisle, and a few other Commonwealth-men, who either had taken a part in the trial of Charles I., or had otherwise incurred the hatred of the royalists, had found an asylum among the congenial republicans of Switzerland—a sacred asylum, which was not suffered to be invaded either by the threats or promises that were repeatedly held out through a series of years by the government and family of Charles II. Not being able to obtain their expulsion or their surrender by the Swiss, the royalists had recourse to assassination in a private way. Lisle was shot in the back in the month of August, 1664, on the Lord's day, as he was going into a church at Lausanne. He fell dead on the spot in the churchyard, and close to the church-porch; and his murderer mounted a swift horse that was held for him at hand by another villain, and the two, shouting "God save the king," galloped off and crossed the Swiss frontier into France. Other less successful attempts were made in the same detestable manner upon the life of Ludlow, who distinctly charges King Charles, his mother the queen-dowager, and his sister the Duchess of Orleans, with employing these assassins.

As the anniversary of St. Bartholomew approached, the presbyterian ministers, threatened with deprivation, reminded the king of all they and their party had done for his restoration, and then implored his majesty to suspend the execution of the Act of Uniformity for three months longer, by his letters to the bishops, by proclamation, by an act of council, or in any other way his majesty should think fit. Charles made them a positive promise that he would do what they desired; and this promise was solemnly given to them in the presence of Monk, who was still considered as leaning towards the presbyterians through his wife. But Clarendon stepped in and urged the absolute necessity of enforcing obedience to the Act of Uniformity without delay or connivance; and he told the king that it would not be in his power to preserve from deprivation those ministers that would not submit to it. This is Clarendon's account, almost in his own words. He tells us, indeed, that he was very tender of the

* Burnet says, "It was generally thought the government had lost more than it gained by his death." The time-serving and timhearted Pepys, who no doubt would have witnessed the death of a dozen Vanes rather than have lost his snug place in the Admiralty, says, "The courage of Sir H. Vane at his death is talked on every where as a miracle..... The lieutenant of the Tower, upon my demanding how Sir H. Vane died, told me that he died in a passion; but all confess with so much courage as never man did.... W. S. told me that certainly Sir H Vane must be gone to heaven, for he died as much a martyr and saint as ever man did; and that the king hath lost more by that man's death than he will get again a good while. At all which I know not what to think; but, I confess, I do think that the bishops will never be able to carry it so high as they do."

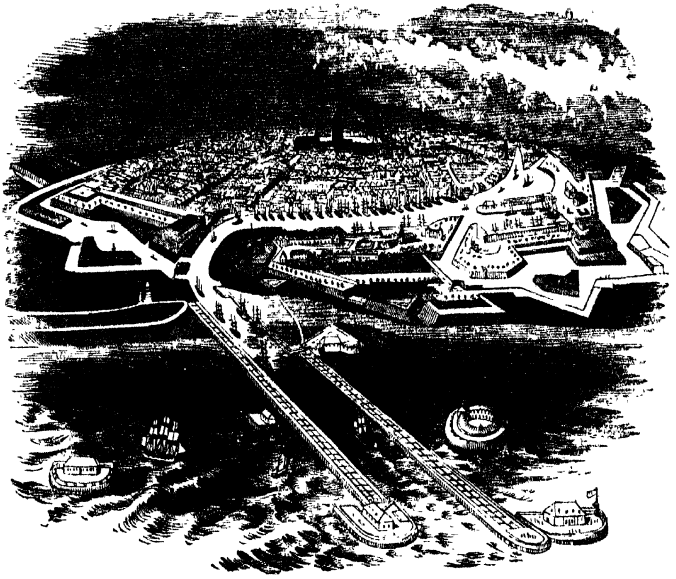
* This Downing had been Cromwell's ambassador at the Hague, but, being ready to do any kind of work, he was continued in his post by Charles. He employed a perfidious artifice to get possession of his victims, who had once been his friends and patrons. Even Pepys is indignant at this "perfidious rogue." He says, "Sir W. Pen, talking to me this afternoon of what a strange thing it is for Downing to do this, he told me of a speech he made to the Lords States of Holland, telling them to their faces that he observed that he was not received with the respect and observance now that he was when he came from the traitor and rebel Cromwell; by whom, I am sure, he hath got all he hath got in the world—and they know it too."

king's honour, and told his majesty that, having [illegible]ed his word, he ought to perform what he had promised. But Clarendon knew that Charles never regarded his word, and he had given him a strong inducement to break it. Some of the bishops were then summoned to Hampton Court, and the question was debated in the presence of the king, the chancellor, the lord general (Monk), the Duke of Ormond, the chief justice, the attorney-general, and the secretaries of state. "The bishops," says Clarendon, "were very much troubled that *those fellows* should still presume to give his majesty so much vexation, and that they should have such access to him. They gave such arguments against the doing what was desired as could not be answered; and, for themselves, they desired to be excused for not conniving in any degree at the breach of the act of parliament, and that his majesty's giving such a declaration or recommendation (*for the three months' respite*) would be the greatest wound to the church, and to the government thereof, that it could receive."* As a matter of course, the crown-lawyers sided with the bishops; and so, "upon the whole matter, the king was converted; and, with great bitterness against that people in general, and against the particular persons, whom he had always received too graciously, concluded that he would not do what was desired, and that the connivance should not be given to any of them. The bishops departed full of satisfaction with the king's resolution."† Accordingly, upon the day prescribed, which the suffering presbyterians compared to the great St. Bartholomew massacre of the French, the Act of Uniformity was enforced in all its rigour.‡ Some complied with the terms for the sake of their families, but upwards of two thousand ministers refused and were thrust out of their livings. The Long Parliament had assigned a fifth of the revenues of the church for the support of the episcopalian clergy whom they dispossessed, but now the episcopalians allowed nothing of the sort. "This," says Burnet, "raised a grievous outcry over the nation. . . . . Some few, and but few, of the episcopal party were troubled at this severity, or apprehensive of the very ill effects it was like to have. Here were very many men, much valued, some on better grounds, and others on worse, who were now cast out ignominiously, reduced to great poverty, provoked by much spiteful usage, and cast upon those popular practices that both their principles and their circumstances seemed to justify." But it was not merely the presbyterian ministers and their flocks that suffered; all the Non-conformists (which now had become the general term, as that of Puritans had been formerly) were visited by a sharp persecution, their conventicles being everywhere suppressed and their preachers and many of themselves cast into prison as men guilty of the double sin of heresy and disloyalty. Hoping nothing from the laws or the parliament of their country, these men projected extensive emigrations to Holland, to New England, to other plantations beyond the Atlantic,—to any spot where they might be safe from the "prelates' rage." Upon this the Earl of Bristol, the rash and eccentric Lord Digby of the Civil Wars, and as rash and eccentric now as ever, conceived a plan into which the leading Catholics entered very readily. This plan was to procure, under cover of indulgence to the Protestant non-conformists, whose departure from the country would be most mischievous to trade and industry, a wide and liberal toleration, which would include all that did not conform,—and themselves, as papists, with the rest. The project pleased the king, and did not displease the minor sects; but the presbyterians preferred being persecuted to sharing in a toleration with the papists; and the bishops and the high church party, who were for a strict conformity on the part of all sects whatsoever, had abated none of their old dread or detestation of the Roman Church. Charles, however, influenced by his brother the Duke of York, by Bristol, by Secretary Bennet, and by other avowed or concealed papists, put forth a Declaration of Indulgence.* Whatever were his motives, this was indisputably Charles's best act; but we shall presently see that the bigotry of part of his subjects did not allow him to maintain it. In the preamble to the Declaration of Indulgence Charles artfully, yet with some truth as far as the question of religious toleration was concerned, shifted the odium of the infractions of the Breda Declaration from himself to the parliament. He then declared that, having provided for the maintenance of the true Protestant religion, he was glad to lay hold of this occasion to renew to all his subjects concerned in his former pro-

* Life. † Id.

‡ Burnet says,—"St. Bartholomew's day was pitched on, that, if they were then deprived, *they should lose the profits of the whole year, since the tithes are commonly due at Michaelmas.* The presbyterians remembered what a St. Bartholomew's had been held at Paris ninety years before, which was the day of that massacre, and did not stick to compare the one to the other. The Book of Common Prayer, with the new corrections, was that to which they were to subscribe; but the corrections were so long a preparing, and the vast number of copies—above two thousand—that were to be wrought off for all the parish churches of England, made the impression go on so slowly, that there were few books set out to sale when the day came. So, many that were well affected to the church, but that made conscience of subscribing to a book that they had not seen, left their benefices on that very account. Some made a journey to London on purpose to see it. With so much precipitation was that matter driven on that it seemed expected that the clergy *should subscribe implicitly to a book they had never seen.* This was done by too many, as I was informed by some of the bishops."—*Own Time.* There is abundance of authority to confirm this account of the indecent haste used, and the effects of it. "It is worth your knowledge that so great was the zeal in carrying on this church affair, and so blind was the obedience required, that, if you compute the time in passing this act with the time allowed for the clergy to subscribe the Book of Common Prayer thereby established, you shall plainly find it could not be printed and distributed so as one man in forty could have seen and read the book they did so perfectly assent and consent to."—*Letter from a Person of Quality, in Locke's Works.*

* It is dated the 26th of December, 1662. Clarendon attributes the *blame* of it to Ashley Cooper (Shaftesbury), who had passed, by turns, for Presbyterian and Independent, but who, like his master King Charles, had neither bigotry nor any strong attachment to any religion. The chancellor also informs us that, to crown all the hopes of the papists, "the lady,"—that is Castlemaine, the king's mistress, in whose apartment half the business of government was transacted,—"declared herself of that faith, and inveighed sharply against the church she had been bred in."—*Life.* But he says nothing about the conversion of his own daughter, the Duchess of York, which took place soon after.



Dunkirk. From a Print of the period.

mises of indulgence, by a true tenderness of conscience, the assurance that he would incline the wisdom of parliament at the approaching session to concur with him in making some act to enable him to exercise that power of dispensing which he conceived to be inherent in the crown, and so to allow more freedom to those who modestly and without scandal performed their devotions in their own way. But what contributed to increase the suspicion entertained as to his intentions was the length and warmth with which he spoke of his Catholic subjects, directly setting off their loyalty and devotion to his father of blessed memory, and to himself, against the disloyalty of those sectarians who, "under the name of zealous Protestants, had employed both fire and sword to overthrow the throne."*

Nearly at the same time the whole English nation, without any distinction as to sects or parties, was disgusted by the sale of Dunkirk,—that place which had been acquired by Oliver Cromwell, and which had been held of such importance even by the convention parliament who called home Charles, that several months after his arrival they had passed a bill annexing it to the imperial crown of this realm; being encouraged thereto by Clarendon, who, on several public occasions, both before and after the vote, dwelt with pompous rhetoric on the subject.† When Charles made up his mind to "chaffer away" the conquest of the "magnanimous usurper," there were three bidders in the market,—Spain, from whom the place had been taken; Holland, that wished to secure it as a bulwark against the now encroaching and powerful French; and France, that longed for it as an extension of frontier, and a beginning to the occupation of all Belgium and Holland to boot. All three bid high: but Charles expected more services from the growing power of France than he could hope for from the fast declining power of Spain or from the cautious government of Holland—(he and Clarendon were actually engaged in a secret negotiation with Louis XIV. for a French force of 10,000 foot and some cavalry to subdue what remained of the liberties of England); and, after driving a long and hard bargain, Dunkirk was given up to France for five millions of livres, payable in three years by bills of different dates. It is true that the value of Dunkirk as a possession and dependency of England was exaggerated; but

* Kennet's Register.

† "Whether it would really have been of great advantage to England, had it been preserved, may be doubted; as, though, from its situation, it might have afforded a shelter for our privateers instead of those of the enemy, a retreat for our fleets if beaten, or a safe landing-place for our armies; all these advantages would apparently have been fully balanced by the very large expense attending its preservation. These, however, are the views which a more enlightened system of policy has taught the world. In the days of Clarendon they were very much unknown. It was then thought that establishments on the continent of Europe were of the greatest importance to England, and were to be preserved as the most valuable appendages of the British crown. Hence the despair of Mary at the loss of Calais: hence the anxiety of Cromwell to obtain Dunkirk as an equivalent for that loss: and hence the universal cry of reprobation through the country when the latter place was lost to us for ever"—*Historical Inquiries respecting the Character of Edward Hyde, Earl of Clarendon, by the Hon. George Agar Ellis (the late Lord Dover).*

this exaggeration was a deep-rooted, popular belief, and, apart from their interests, the people considered themselves as wounded in their pride and honour by the abandonment of the place. Those who knew anything of foreign affairs saw the dangerous impropriety of facilitating and forwarding the schemes of Louis's ambition; it remained for ages after as a dogma among our statesmen that the occupation of the Low Countries by France would be destructive to England; and few will, even now, admit, considering it in all its bearings, that the sale of Dunkirk to Louis was either a politic or an otherwise defensible measure. In the views of every patriot of the time it was a measure full of danger and infamy; but what would it have been had they known the diplomatic secrets which have since come to light?*

A.D. 1663.—The parliament re-assembled on the 18th of February, and presently fell with exalted zeal upon the king's Declaration of Indulgence; and the bill to give the crown a dispensing power without consent of parliament was abandoned in the Lords, where the bishops were vehement against it, and it was deprecated in both Houses, which joined in representing to Charles the alarming growth and increase of popery and of Jesuits in the kingdom. The Commons, however, voted him a grant of four subsidies, and then, their best work being done, he was about to prorogue the parliament, when the Earl of Bristol delayed that measure by suddenly impeaching the lord chancellor. But with the help of the judges, who declared against the legality of the charges, the matter soon fell to the ground: Bristol absconded; and the prorogation took place on the 27th of July. During the long holiday which followed, the court pursued their old course of revelry and riot, and a very insignificant insurrection took place at Farnley Wood in Yorkshire. "The Duke of Buckingham set to work one Gere, sheriff of Yorkshire, and others, who sent out trepanners among the discontented people to stir them to insurrection to restore the old parliament, gospel ministry, and English liberty, which specious things found very many ready to entertain them; and abundance of simple people were caught in the net, whereof some lost their lives and others fled."* It appears, from other and better evidence, that the government, if it did not actually foment it, was perfectly well aware of the existence of this plot, which was promoted by religious persecution, but which did not include a single person of any rank or consequence.

A.D. 1664.—On the re-assembling of parliament, on the 16th of March, Charles made a great deal of the affair of Farnley Wood. He told the two Houses that that plot was extensive and dangerous; that some of those conspirators maintained that the authority of the long parliament still existed in the surviving members; and that others computed that, by a clause in the triennial act, the present parliament was, by lapse of time, at an end several months since, and that, therefore, as the court issued no new writs, the people might themselves choose members for a new parliament. He said that he had often read over that bill, and, though there was no colour (as, indeed, there was not) for the fancy of the determination of the parliament (that is, its ending in three years), yet he would not deny that he had always expected them to reconsider "the wonderful clauses"† in that bill, which had passed in a time "very uncareful for the dignity of the crown." He now requested them to look again at that triennial bill: he said that he loved parliaments,—that he was much beholden to parliaments,—that he did not think the crown could ever be happy without frequent parliaments. "But assure yourselves," said he, in conclusion, "if I should think otherwise, I would never suffer a parliament to come together by the means prescribed by that bill." In this language was implied a bolder threat than had ever been used by his father; but Charles was aware that the Hampdens and the Pyms were no more; he knew the baseness of the present parliament, which had been already nibbling at the triennial act more than once,‡ and which now, without a murmur, annihilated that bulwark of liberty. This was so grateful to Charles that he went in person to the House of Lords to pass the repealing bill, and to thank them. He told them that every good Englishman would thank them for it; for the triennial act could only have served to discredit parliaments, to make the crown jealous of parliaments, and parliaments jealous of the crown, and persuade neighbour princes that England *was not governed by a monarch.*§ Such is the account of this momentous transaction as given by Clarendon, who, in his tenderness to royalty,

* See Memoires d'Estrades, the French diplomatist who negotiated the sale.—Œuvres de Louis XIV.—Clarendon's State Papers and Life.—A recent writer, of strong opinions, seems to think that the sale was very justifiable, and that it was justified by the long acquiescence of the parliament. But if that parliament, which was as base as the king, said nothing of the subject for several years, it's calculated silence was not imitated by the nation. Everywhere the people denounced the sale; and the merchants of London (no bad judges, by the way, of the value of Dunkirk) offered, through the lord mayor, any sum of money to the king so that Dunkirk might not be alienated. And we are disposed to believe that, but for the hopes he entertained that Louis would afford him the means of making himself as absolute as his Most Christian Majesty, Charles would have turned aside from the unpopular measure, and contented himself with some large annual allowance from the merchants. Pepys, who hoped to get some of the French livres "to pay the navy,"—a hope in which he was disappointed, for Charles employed the money on less national objects,—gives several indications of the popular feeling at the time. The diarist says, under different dates,—"I am sorry to hear that the news of the selling of Dunkirk is taken so generally ill as I find it is among the merchants." "Public matters are full of discontent, what with the sale of Dunkirk and my Lady Castlemaine and her faction at court."

* Mrs. Hutchinson.

† These wonderful clauses, that were wormwood to the king and all the absolutists, were to the effect that, if the king did not summon a fresh parliament within three years after a dissolution, the peers were to meet and issue writs of their own accord; if they did not within a certain time perform this duty, the sheriffs of every county were to take it on themselves, and in default of all constituted authorities, the electors might assemble, without any regular summons, to choose representatives. Clarendon can scarcely speak with decent language of this bill. He calls it "a bill that had passed in a very jealous and seditious time, when the wickedness was first hatching that ripened afterwards to dismal perfection" but he had himself voted for that bill, nevertheless, when it was passed in 1641.

‡ Bills had been brought in for the repeal of the triennial act on the 3rd of April, 1662, and the 10th of March, 1663.

§ Clarendon, Life.

forgets to mention that the king assured them he would not be a day more without a parliament on this account, and that the repealing bill contained a provision that parliaments should not in future be intermitted for above three years at the most. But, as an eminent living writer has observed, the necessity of the securities in the triennial act, and the mischief of that servile loyalty which now abrogated those securities, became manifest at the close of the present reign; nearly four years having elapsed between the dissolution of Charles's last parliament and his death.* In this same session was passed the infamous bill called the Conventicle Act. It forbade the nonconformists to frequent any conventicles or places of worship not of the establishment, and it imposed a scale of punishments ranging from three months' imprisonment to seven years' transportation. Clarendon applauds the act, and says that, if it had been *vigorously* executed, it would no doubt have produced a thorough conformity. The chancellor's notions of vigour of execution must have been high indeed, if he thought that what actually took place was weak or mild. The execution of the act was not only committed to the civil authorities, but to militia officers and the king's forces, who broke open every house where they knew or fancied there were a few nonconformists gathered together to worship God in their own way. The close, unwholesome prisons were soon crammed with conscientious victims,—with men and women, with old and young,—while others were ruined in their estates by bribing and purchasing the insecure connivance of the most corrupt and rapacious of the myrmidons of the court. And when (as now and then happened) a few enthusiasts were driven to madness and insurrection, they were strung up on the gallows a dozen or more at a time,—this good-natured king rarely or never exercising the prerogative of mercy in their behalf. In the middle of the month of May, Charles, "after giving such thanks to them as they deserved," prorogued parliament till November.†

In Scotland, where there were few or no conventicles or sects,—the intolerance of the kirk having kept them down,—the whole force of this conventicle act was turned against the presbyterians, whose faith, whether good or bad, was decidedly the national religion. "All people," says Burnet, "were amazed at the severity of the English act; but the bishops in Scotland took heart upon it, and resolved to copy from it: so an act passed there almost in the same terms."‡ Lord Lauderdale, who had supplanted Middleton, and made himself supreme in Scotland, which he governed for many years like a Turkish pashalic, forgetting his old presbyterianism, at the passing of the bill expressed great zeal for episcopacy and the church; and the voice of the Earl of Kincardine, an enemy to all persecution, was drowned in the plaudits of the time-serving majority. By another act the Scottish parliament made an offer to the king of an army of 20,000 foot and 2000 horse, to be ready, upon summons, to march with forty days' provision into any part of his majesty's dominions to oppose invasions, to suppress insurrections, or to do any other duty for the authority or greatness of the crown. The Earl of Lauderdale wished by this to let the king see what use he might make of Scotland if he should attempt to set up arbitrary government in England by force of arms. The Scots—according to the reasoning of this able and resolute, but unprincipled minister—had not much money to offer, but they could send him good and hardy soldiers. Invigorated by the Scotch conventicle act, Archbishop Sharp "drove very violently," establishing what proved to be a high commission court,—one of the worst tyrannies cast down by the civil war,—and persecuting his former brethren of the kirk without pity, and without calculation of the personal danger he was thereby incurring. This aspiring churchman, not satisfied with his immense and unconstitutional ecclesiastical powers, attempted to get himself made the head of the law in Scotland; and, though he failed in this, his creature, the Lord Rothes, was made chancellor; and Rothes browbeat the magistrates and lawyers, and twisted the law as Sharp thought fit. The prisons in Scotland were soon crammed like those of England, the prisoners meeting with still worse usage. Sometimes they were fined, and the younger sort whipped about the streets. Troops were quartered throughout the country to force the people to respect the bishops, the liturgy, and the new-imposed episcopalian preachers. These troops were commanded by Sir James Turner, "who was naturally fierce, but he was mad when he was drunk, and that was very often." He scoured the country, and received such lists as the new ministers brought him of those who would not go to church and use the Book of Common Prayer; and then, without any proof or legal conviction, he fined them according to their substance or his own caprice, and sent soldiers to live upon them till the fines were paid.* The proceedings in the law-courts, and in all the departments of government, resembled those of an inquisition; and yet Archbishop Sharp was never satisfied, but complained, like Clarendon, that there was not vigour enough. He accused Lauderdale to the king; he intrigued to bring Middleton into business again; and when he found that he could not succeed, that his plot was discovered, he fell a trembling and weeping before the mighty and choleric pasha, protesting that he meant no harm; that he was only sorry that Lauderdale's friends

* Hallam, Const. Hist. † Parl. Hist.—Clarendon, Life. ‡ Own Time.

* "He told me," says Burnet, "he had no regard to any law, but acted as he was commanded, in a military way: he confessed it went often against the grain with him to serve such a debauched and worthless company as the clergy generally were; and that sometimes he did not act up to the rigour of his orders, for which he was often chid both by Lord Rothes and Sharp, but was never checked for his illegal and violent proceedings. And though the complaints of him were very high, so that, when he was afterwards seized on by the party, they intended to make a sacrifice of him, yet, when they looked into his orders, and found that his proceedings, how fierce soever, fell short of these, they spared him, as a man that had merited by being so gentle among them."

PEST-HOUSE IN TOTHILL FIELDS, WESTMINSTER. From a Print by Hollar.

were upon all occasions pleading for favour to the *fanatics*.

The English parliament reassembled on the 24th of November, with cries of foreign war and anticipations of victory and plunder. The Duke of York, as lord high admiral and governor of the African Company on the coast of Guinea, ordered the seizure of some Dutch settlements on that coast: the Dutch retaliated and captured a number of English merchantmen. Moved by their old commercial jealousy of the Dutch, many of the English merchants clamoured for a war; the king, hoping to appropriate to himself a good part of the war-money that should be voted, fell in with their humour; peaceful negotiations, which might easily have settled the matters in dispute, were interrupted; and both countries prepared their fleets. Ministers now detailed to the Houses all the wrongs which the king and kingdom had sustained from the insolent subjects of the United Provinces; and the Commons, by a large majority, voted a supply of 2,000,000*l.*, the king protesting that, as he was compelled to enter into this war for the protection, honour, and benefit of his subjects, so he would never make a peace but upon the obtaining and securing those ends for which the war was begun. The city of London also furnished several sums of money, for which they afterwards received the thanks of parliament.*

A.D. 1665.—As soon as the war broke out, and before any battle was fought, a most terrible plague broke out also in the city of London, which scattered all the inhabitants that were able to remove elsewhere, interrupted the trade of the nation, and in the course of five months swept away about a hundred thousand souls; the greatest havoc, it was said, that any plague had ever made in England. "This," continues Burnet, "did dishearten all people; and, coming in the very time when so unjust a war was begun, it had a dreadful appearance. All the king's enemies, and the enemies of monarchy, said, here was a manifest character of God's heavy displeasure upon the nation; as, indeed, the ill life the king led, and the viciousness of the whole court, gave but a melancholy prospect." On the 3rd of June, while this pestilence was raging, and half the houses in the city were marked with the ominous tablet—"The Lord have mercy upon us!"*—the Duke of York encountered the Dutch fleet, under the command of Admiral Opdam, off Lowestoffe. The battle was terrible: the Dutch lost Opdam, who was blown up with his ship and crew, three other admirals, an immense number of men (stated by the English at eight or ten thousand), and eighteen ships that were sunk or blown up; the English lost Rear-Admiral Sansum, Vice-Admiral Lawson, three captains, the Earl of Falmouth, Muskerry, and some other volunteers of rank who were serving on board the duke's fleet; but their loss in men was comparatively inconsiderable, and they decidedly had the advantage. Towards evening the Dutch, crippled and disheartened, sheered off for the Texel, and the English stood after them under a press of sail: but the Duke of York went

* Parl. Hist.—Clarendon.—Burnet.

* See Pepys's Diary.

to bed, and Lord Brounker, a gentleman of his bed-chamber, went upon deck and told Penn, the commanding-officer, "as if from the duke," that he must slacken sail. Penn, to the astonishment of the fleet, obeyed this order, and thereby all hope of overtaking the Dutch was lost. The duke, whose hereditary duplicity is at least as well proved as his courage, seemed amazed at this manœuvre; but it was generally believed in the fleet that he had really given the order, and neither Brounker nor Penn ever met with that punishment which his severity would have awarded if either had acted on his own responsibility. According to Burnet, Penn told the duke that, if he meant to fight again, he must prepare for hotter work, as the courage of the Dutch would grow with their desperation. The historian adds, "The Earl of Montague, who was then a volunteer, and one of the duke's court, said to me, it was very visible *that* made an impression. And all the duke's domestics said he had got honour enough; why should he venture a second time? The duchess had also given a strict charge to all the duke's servants to do all they could to hinder him to engage too far. . . . . Lord Montague did believe that the duke was struck, seeing the Earl of Falmouth, the king's favourite, and two other persons of quality, killed very near him; and that he had no mind to engage again, and that Penn was privately with him." The Earl of Sandwich, who was in the action, and who had expected to have the chief command, was irritated at seeing that the printed relation published by government did not give him one word of honour. He assured Pepys that though, by accident, the prince was in the van in the beginning of the fight, yet all the rest of the day he (Sandwich) was in the van, and bore the brunt; that, notwithstanding all the noise about the duke, he had hardly a shot in his side, or a man killed, whereas his own ship had above thirty shots in her hull, had not a mast or yard left whole, but was the most battered ship of the fleet, and lost the most men, saving the Mary, Captain Smith's ship; that the most the duke did was almost out of gun-shot; but that the duke did, indeed, come up to his rescue after he had fought a long time with four of the enemy.* The duke and his courtiers returned from sea, "all fat and lusty, and ruddy, by being in the sun;"† and these gentlemen gave out that the victory was a great victory—that a greater had never been known in the world; but the English people had not forgotten Blake; and they were very critical upon the whole affair. The duke was rewarded by a grant of 120,000*l.*; yet it was thought expedient to remove him from the fleet, and to entrust the command to the Earl of Sandwich, a man whose courage and skill were not more conspicuous than his want of all principle. Sandwich got scent of a Dutch fleet from the East Indies very richly laden (the united cargoes being estimated as worth millions), which had taken refuge in the neutral port of Berghen, in Norway. The King of Denmark, the sovereign of the country, had some grounds of complaint against the Dutch government, and he was so tempted by the value of the fleet, that he agreed to allow Sandwich to capture them in his port, upon condition that he should have half of the rich prize. But Sandwich wanted the whole of the spoil; and, in spite of the warning of the governor of Berghen, who said that he could not let him enter till he received further instructions from his court, the English admiral ordered captain Teddiman to dash into the port with twenty-two ships and cut out all the Dutchmen. Teddiman encountered a tremendous fire, not only from the Dutch ships, but also from the Danish castle and land-batteries: five of his commanders were killed, and he was obliged to retreat with disgrace and loss. Sandwich did not repeat the attack, but went in search of easier prey, taking care to appropriate a good portion of what he got for his own private use.

As the plague still raged in London, the court had removed to Oxford, and there parliament reassembled on the 9th of October, to vote a fresh supply of 1,250,000*l.* for the carrying on of the war. The king spoke of traitorous enemies to the crown at home, that were in league with the public enemies abroad; and Monk, who took charge of the capital during the plague, had hanged a few desperate enthusiasts that were maddened by that daily prospect of horror. The high-church party that controlled the cabinet, and that were all-powerful in the House of Commons, continued to blend the church with the state, and the state with the church, and to insist that the king would never be able to establish a truly regal authority unless he permitted the clergy to coerce the consciences of his subjects; and at Oxford, in a congenial atmosphere, they introduced and carried the memorable Five Mile Act. In the preamble to this bill they declared that the non-conformist ministers instilled principles of schism and rebellion into the people; in the body of it they enacted that it should be penal for any non-conformist minister to teach in a school or come within five miles (except as a traveller in passing) of any city, borough, or corporate town, or any place whatever in which he had preached or taught since the passing of the Act of Uniformity, unless he had previously taken *the oath of non-resistance.** Having gained this triumph, the high-church party brought a bill into the House of Commons for imposing the oath of non-resistance upon the whole nation; and, but for an accident, this parliament at Oxford would have passed the bill. "And the providence by which it was thrown out was very remarkable: for, Mr. Peregrine Bertie, being newly chosen, was that morning introduced into the House by his brother, the now Earl of Lindsey, and Sir Thomas Osborne,

* Pepys, Diary. † Id.

* The oath already mentioned at p. 684, declaring it unlawful, on any pretence whatsoever, to take arms against the king or *any commissioned by him*, and that the person taking it would not, at any time, endeavour to make any alteration in church or state.

now lord treasurer (Danby), who all three gave their votes against that bill; and the numbers were so even upon the division, that their three votes carried the question against it."* But though the bill was lost, the bishops and parsons acted and preached as if it had been passed, and as if the people of England were slaves both by act of parliament and by the word of God. Their pastoral charges and their sermons rolled in louder thunder than that of Laud and Manwaring upon the divine right of kings, the duty of passive obedience in subjects, and the eternal damnation provided for those who should resist the Lord's anointed or the ministers of the only true church upon earth. Meanwhile the debauchery of the court continued on the increase, and Oxford became the scene of scandalous intrigues, drinking, and gaming. "The lady," though allowed to dictate to chancellors and secretaries of state, and to dispose of benefices and promotions in this loyal church, was obliged to share the king's affections with various other women; the Duke of York in these respects closely copied his elder brother; and at Oxford the duchess (Clarendon's daughter) began to retaliate in kind.† Well might Clarendon exclaim—

* Locke.—Ralph says, "*Three* voices had the merit of saving their country from the greatest ignominy that could have befallen it—that of riveting as well as forging its own chains."—*Hist. Eng.*

† Burnet, who mentions no name, says, "At Oxford there was then a very graceful young man of quality that belonged to her court, whose services were so acceptable that she was thought to look at him in a particular manner: this was so represented to the duke, that he, being resolved to emancipate himself into more open practices, took up a jealousy, and put the person out of his court with so much precipitation, that the thing became very public by this means."

"It was a time when all licence in discourse and in actions was spread over the kingdom, to the heart-breaking of many good men, who had terrible apprehensions of the consequence of it!"

A.D. 1666.—The great plague which had converted a great part of London into a wilderness decreased during the winter months, and disappeared altogether in February, after a tremendous hurricane. The court ventured as far as Hampton Court, and, at last, when all danger was over, the king returned to Whitehall, to insult the miseries of his people with fresh exhibitions of riot and licentiousness.* During his absence the seamen of the royal navy, upon whose bravery and conduct the honour and safety of the nation depended, had been left to lie starving and moaning in the streets

—*Own Time.* But Pepys gives the name at length, and allots the duchess two lovers instead of one:—"As an infinite secret, my lord (Sandwich) tells me the factions are high between the king and the duke, and all the court are in an uproar with their loose amours; the Duke of York being in love desperately with Mistress (Miss) Stewart. Nay, that the duchess herself is fallen in love with her new master of the horse, one Harry Sidney, and another Harry Savill."—*Diary.* The Harry Sidney here mentioned was younger brother of the republican Algernon Sidney, who had remained abroad ever since the Restoration, and who was at this moment devising means for restoring the Commonwealth. Harry Savill was one of the grooms of the bedchamber to the Duke of York and a brother to Sir George Savill, for whom the duke and his wife earnestly solicited a peerage, though, as Clarendon tells us, this Sir George was "a man of very ill reputation, and void of all sense of religion." In the case of Miss Stewart here mentioned, as in several others, the king and the duke both pursued the same woman, and were madly jealous of each other.

* His absence in the time of danger and his long delay in returning were much noticed. "Matters," says Pepys, "must needs go bad, while all the town, and every boy in the street, openly cries, 'The king cannot go away till my Lady Castlemaine be ready to come along with him,' she being lately put to bed; and that he visits her and Mrs. Stewart every morning before he eats his breakfast."

THE BROAD STONE, EAST RETFORD, NOTTINGHAMSHIRE,—on which Money, previously immersed in Vinegar was placed in Exchange for Goods. From an Original Drawing.

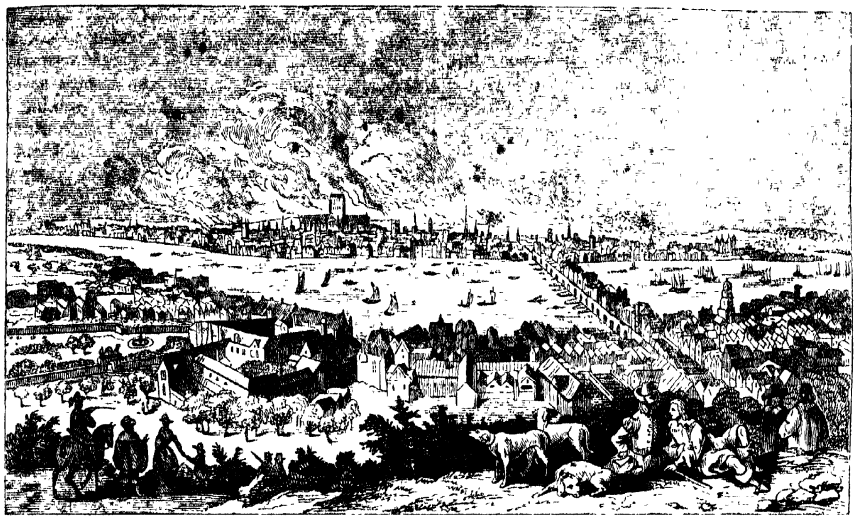
of London for lack of money to pay their arrears. And now the war threatened to be more formidable than it had been; for the French king, by a sudden turn in his politics, made common cause with the Dutch. De Ruyter came out of the Texel with a splendid fleet of eighty-four sail, and Louis promised to join him with a small fleet—all that he as yet possessed—which was in the Mediterranean. The English fleet, commanded by Monk and Prince Rupert, had been divided. It was not expected that the Dutch could get to sea so soon, and Rupert had steered westward with the white squadron, consisting of thirty sail, to look after the French, who were expected from the Mediterranean. Early the next morning, the 1st of June, Monk, to his great surprise, discovered De Ruyter and his fleet lying at anchor half-channel over. He called a council of war: Sir John Harman, a brave officer, and "most sober man there," urged that it would be rash to begin the fight then, with such an inferior force, and with a wind and sea that would prevent the use of their lower tier of guns; but his grace of Albemarle, who had taken to drinking to excess, and who was probably then drunk, resolved to wait neither for weather nor Prince Rupert, and he gave the signal for attack. This order was obeyed with great spirit; the English had the weather-gage, and the wind at south-west blowing a stiff gale carried them so rapidly upon the Dutch that they had not time to weigh anchor, but they cut their cables and away for their own coast. Monk followed them, though he had only sixty ships, which were so laid down by the gale, that they could not open their lower portals to leeward, while the Dutch, facing them with their broadsides to windward, had the free use of all their tiers of guns. Sir William Berkley led the van. When they got off the coast of Dunkirk, Monk, to avoid running on a sand-bank, made a sudden tack, which brought his topmast by the board; this forced him to lie-to for a long time; meanwhile Berkley kept his course, knowing nothing of what had happened to Monk, got engaged in the thick of the enemy, and was killed on his quarter-deck. His ship, after a gallant fight, was taken, and so was the Essex frigate. Sir John Harman fell among nine ships of the Zealand squadron, and was grappled by two fire-ships, but he fought himself free, killed a vice-admiral, and, when all his masts were shot away by chain-shot and himself badly wounded, he escaped under jury-masts. In this day's "mad fight" the English suffered severely, and nearly all their ships that came into action* were ruined in their masts and rigging by the chain-shot—a new invention attributed to the great De Witt. In the night the Dutch received some reinforcement; yet, on the morrow, Monk renewed the combat, and all that day the English mariners vindicated their old reputation, fighting most bravely against a far superior force. Night again separated the combatants; and again the dawn of day—the third day of carnage—saw the fight renewed. But now Monk fought retreating, and, after taking out the men, he burned several of his most disabled ships. Towards evening he espied the white squadron under Prince Rupert making towards him. Rupert, who ought not to have gone at all, had not gone further westward than to St. Helen's, where he was stopped by intelligence that the Dutch fleet was at sea. He put about for Dover, but he did not reach that point till late on the night of the 1st of June (the first day of the battle); and when he got into the Downs he neither heard any sound of battle nor could obtain any information. He then made for the Gun-Fleet, an important anchorage near Harwich, previously appointed by Monk for their meeting; but now the wind was against him. While beating about on the 3rd of June, he heard a heavy cannonading, "spread his flying canvass to the sound,"* and came up just in time to save Monk from destruction. That evening the Prince Royal—esteemed the best man-of-war in the world, and the best gunned—struck on a sand-bank and was taken by the Dutch. Next day the fight was renewed, both sides fighting more desperately than ever, until a thick fog interrupted the slaughter. When the fog dispersed the Dutch were seen in retreat, but the English were in no condition to follow them. "The court," says Burnet, "gave out that it was a victory; and public thanksgivings were ordered, which was a horrid mocking of God and a lying to the world: though we had in one respect reason to thank God that we had not lost our whole fleet."† By the month of July De Ruyter was again at sea with a stronger fleet than ever; but Monk and Rupert gave him a decided defeat, drove him back in rage and despair to the Texel, and detached Sir Thomas Holmes with a considerable force, which scoured the coast and burned two ships of war, one hundred and fifty merchantmen and fishing craft, and one or two defenceless villages.

But a mightier conflagration was at hand. The summer had been the hottest and driest that had been known for many years, and London, being then for the most part built of timber filled up

* Roger Coke, who gives a very particular account of this battle, which he says he had from Sir John Harman himself, says that Sir Thomas Teddiman, now rear admiral of the red, refused to engage.

* Dryden, Annus Mirabilis.

† In this tremendous action innumerable professional mistakes were committed by the English officers, who, for the greater part, were young men, very ignorant of sea affairs. The old officers who had served under the great Blake had been nearly all dismissed on account of their republicanism or their non-conformity; and the Duke of York had filled up their places with a set of lordlings, pages, and courtiers. Pepys, whose situation as secretary to the Admiralty afforded him ample means of knowing the real state of the fleet, is full of lamentations upon this head. Among many other things he says, "The truth is, that the gentlemen-captains will undo us, for they are not to be kept in order; their friends about the king and duke, and their own houses, are so free, that it is not for any person but the duke himself to have any command over them. . . . . We did begin to discourse of the young genteel captains, which he (Admiral Penn) was very free with me in speaking his mind of the unruliness of them, and what a loss the king hath of his old men. . . . . He told me that our very commanders, nay, our very flag-officers, do stand in need of exercising among themselves, and discoursing the business of commanding a fleet: he telling me that even one of our flag-men in the fleet did not know which tack lost the wind or kept it in the last engagement."—*Diary.*



LONDON, as it appeared from Bankside, Southwark, during the Great Fire From a Print of the period by Visscher.

with plaster, was as dry and combustible as firewood; and in the middle of the night between the 2nd and 3rd of September a fire broke out, "that raged for three days, as if it had a commission to devour everything that was in its way." It began at a baker's house near London Bridge, on the spot where the obelisk called the Monument now stands, and it was not stopped until it had reduced nearly the whole of the city from the Tower to Temple Bar to a sightless heap of cinders and ashes.* In the midst of this terrible conflagration a report was raised and spread that it was the effect of a conspiracy of the French and Dutch with the papists; and the people believed that all the Frenchmen in the city were drawn together to destroy with the sword such as escaped the fire. A stupified and desperate mob ran up and down seizing upon all the foreigners and English Catholics they could find; but, to the lasting honour of the London populace, desperate and bewildered as they were, and mad with excitement, they shed no blood, leaving such iniquities to be perpetrated by the fabricators of popish plots, the parliament, and the judges. A mad Frenchman, of the name of Hubert, who was taken and thrown into Newgate by the mob, and who had been for many years looked upon as insane, accused himself of having been in a plot with two other poor Frenchmen, and of having set fire to the first house. His evidence or confession plainly indicated the state of his intellect, and the chief justice told the king that all his discourse was so disjointed that he could not believe him guilty. Nor was there one man to prosecute or accuse him. According to Clarendon, neither the judges nor any person present at his trial believed his story, but all saw that he was a poor distracted wretch, weary of his life and anxious to part with it in this way. Yet the jury found him guilty, and the king and the judges, notwithstanding their conviction of Hubert's insanity, allowed him to be executed. "Certain it is," adds Clarendon, whose account is confirmed on all hands, "that, upon the strictest examination that could be afterwards made by the king's command, and then by the diligence of the House, that, upon the general jealousy and rumour, made a committee, that was very diligent and solicitous to make that discovery, there was never any probable evidence (that poor creature's only excepted) that there was any other cause of that woful fire than the displeasure of God Almighty: the first accident of the beginning in a baker's house, where there was so great a stock of fagots, and the neighbourhood of much combustible matter, of pitch and rosin, and the like, led it in an instant from house to house through Thames-street, with the agitation of so terrible a wind to scatter and disperse it."* While the terrors occasioned by this conflagration remained on the minds of men, the bishops and magistrates suspended their persecuting rage, and many of the non-conformist ministers preached in

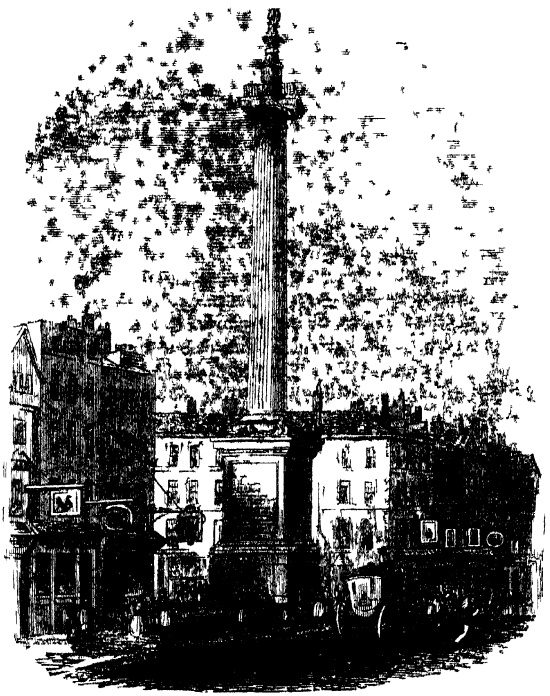
* Clarendon says "The fire and the wind continued in the same excess all Monday, Tuesday, and Wednesday, till afternoon, and flung and scattered brands burning into all quarters; the nights more terrible than the days, and the light the same, the light of the fire supplying that of the sun . . . . . Let the cause be what it would, the effect was very terrible; for above two parts of three of that great city were burned to ashes, and those the most rich and wealthy parts of the city, where the greatest warehouses and the best shops stood. The Royal Exchange, with all the streets about it—Lombard-street, Cheapside, Paternoster row, St. Paul's Church, and almost all the other churches in the city, with the Old Bailey, Ludgate, all Paul's churchyard, even to the Thames, and the greatest part of Fleet-street, all which were places the best inhabited, were all burned without one house remaining. The value, or estimate of what that devouring fire consumed, over and above the houses, could never be computed in any degree."—*Life.*

* Life.

the midst of the smoking ruins to contrite and attentive audiences. At the same season of calamity many excellent divines of the established church exerted themselves in the most praiseworthy manner. Acts of Christian charity were performed on all sides, old animosities were mutually forgotten, nothing was remembered but the present desolation, "all kinds of people expressing a marvellous charity towards those who appeared to be undone."*

On the 21st of September, while the citizens were yet bivouacking on the ruins of London, the parliament reassembled after nearly a year's recess, and voted the king 1,800,000*l.* for prosecuting the ill-managed war. But it was soon made evident that a regular opposition to the court was gaining ground in both Houses. This opposition, though it included some *few* honest and patriotic men, was chiefly directed by the passions and interests of a selfish crew that were not a whit more honest or virtuous than the court, and it was headed by the profligate Duke of Buckingham, who had "a mortal quarrel with the lady." These men courted the presbyterians and non-conformists of all classes, got up a fresh cry against popery, and brought about the appointing a committee to examine and report on the alarming growth of that proscribed religion. Having thus disturbed the court in its religion, they proceeded to touch it in the purse; and they introduced a bill for appointing commissioners to examine the accounts of those who had received and issued the money for this war. Mistresses and ministers, and all men holding public employments, were thrown into consternation: they declared that this would be touching the royal prerogative in its most vital part; and Clarendon opposed the proceedings with all his might, exhorting the king, his master, to prevent these "excesses in parliament,"—not "to suffer them to extend their jurisdiction to cases they had nothing to do with,"—"to restrain them within their proper bounds and limits,"—and affirming to the same eager listener that "this was such a new encroachment as had no bottom; and the scars were yet too fresh and green of those wounds which had been inflicted upon the kingdom from such usurpation." In the House of Lords an attempt was made to defeat the bill, which proposed nothing more than that those who voted the public money for the war should see how that money was spent; but the Commons hotly re-

* Clarendon.—Burnet.—Evelyn.—Pepys.



Monument on Fish Street Hill,—to commemorate the Fire of London. From an old Print

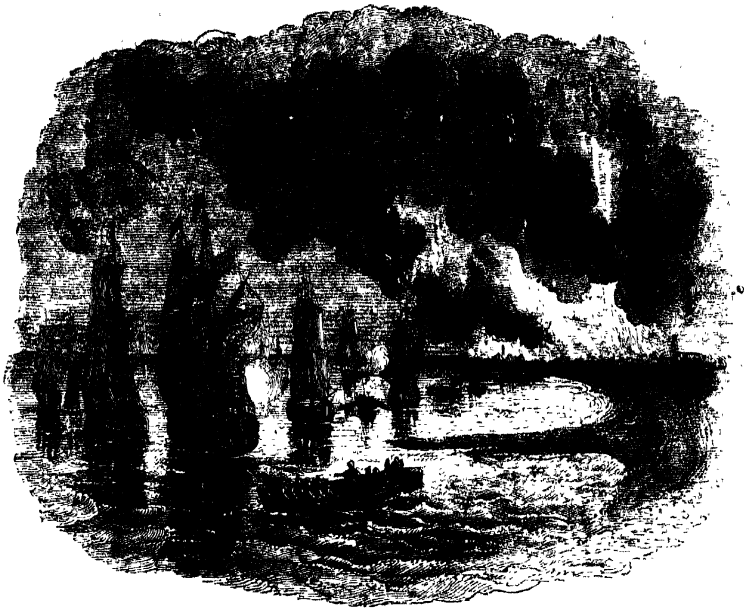
sented this interference with their privileges, and threatened to impeach the chancellor and the Lady Castlemaine; and thereupon Charles, in spite of Clarendon's advice "to be firm in the resolution he had taken," ordered the Lords to submit, and so the bill was allowed to pass. But the party that had won this victory knew not how to use it, or could not agree among themselves as to the division of the personal profit to be derived from it; and, in the end, it was turned into a mockery by the king's being allowed to appoint a commission of his own for auditing the accounts. Charles then told the Commons that they had dealt unkindly with him,—that they had manifested a greater distrust than he deserved,—that he had *never broken his word;* and parliament was prorogued with evident ill-humour on both sides, and Buckingham was deprived of all his places.*

During the session an insurrection, forced on by the detestable tyranny of Lauderdale and Archbishop Sharp, broke out in the west of Scotland, the stronghold of the Covenanters. The people, after being ridden over by the dragoons of Turner, were excited by Semple, Maxwell, Welsh, Guthry, and other "fiery ministers;" and were told that the fire of London had put things in such confusion at court that any vigorous attempt would disorder all the king's affairs. So, on the 13th of November, they rose in a mass, seized Turner, and appointed a solemn fast-day to be held at Lanark. There they renewed the covenant, and drew up a manifesto, professing loyalty to the king, but calling for a redress of the grievances and oppression under which they groaned, and for the removal of episcopacy. Lauderdale was at court, and so Sharp managed this bishops' war with two troops of horse and a regiment of foot-guards. Dalziel, a military man of some reputation, commanded, under the archbishop, in the field. The insurgents, who now began to be called Whigamores, or Whigs, were badly officered, and had few gentlemen with them, for all the suspected had been "clapped up" long before. On the 28th of November they were attacked by Dalziel on the Pentland Hills: their ministers preached and prayed to infuse courage into them; and they sung the 74th and 78th Psalms; but, after stoutly resisting one charge of the guards, they were thrown into disorder, and then ran for their lives. Forty were killed on the spot, and one hundred and thirty were taken prisoners. Even in their first fury they had avoided the shedding of blood, and had even respected the life of the lawless Turner; but no mercy was shown to them in return. Sharp could not be mollified: ten were hanged upon one gibbet at Edinburgh, and thirty-five more were sent back to the west, and there hanged up before their own doors,—the ministers of the established church treating them with great harshness, and declaring them all damned to all eternity for their rebellion. The archbishop made a keen search for all who had been in any way concerned in the insurrection; and, to extort confession, he employed a new torture of an infernal description, called the boots, in which the leg of the victim was crushed by a wedge driven in between the bone and a case or boot of iron in which it was inclosed. Though for the most part poor and obscure men, the victims bore their sufferings with heroic constancy, preferring death to the betraying of their friends. Maccail, a young preacher, was atrociously tortured and then executed under an unproved suspicion: he died in a rapture of joy, revealing nothing, and professing his adherence to the government. Dalziel, a wild drunkard, hanged a man because he would not tell where his father was, and killed many others without any form of trial. When he heard of any that would not go to church, he quartered soldiers upon them to eat them up. By these means people were forced to church; and the episcopalian clergy began to consider that a golden age was coming. The Earls of Tweedale and Kincardine went up to court, and represented to the king that the severities were excessive and dangerous: they obtained some alleviation of them, but this was only temporary and partial.

Louis XIV., who had now other projects in hand, wished to creep out of the war; and Charles, being disappointed in his expectations of plunder and prize-money, was well disposed to peace. Negotiations between the three powers of France, Holland, and England, were opened at Breda; but hostilities were not suspended, and De Witt, being well aware of the condition of the English fleet, resolved to avenge his country for the injury it had sustained by the destructive, and, in part, wanton, expedition of Holmes. To save the money which parliament had voted, and to apply it to his own pleasures, Charles had neglected to pay the seamen and to fit out the fleet. The streets were again full of starving sailors; and only a few second and third-rate ships were in commission. In the beginning of the month of June De Ruyter dashed into the Downs with a fleet of eighty sail and many fire-ships, blocked up the mouths of the Medway and the Thames, destroyed the fortifications at Sheerness, cut away the paltry defences of booms and chains drawn across the rivers, and got to Chatham on the one side and nearly to Gravesend on the other. The Royal Charles, one of the best of our ships, was taken; the Royal James, the Oak, and London (all first rates), were burned. Upnor Castle had been left without gunpowder; and there was scarcely any gunpowder or shot in any of the ships. "I did hear," says Pepys, the secretary of the Admiralty, "that there were many Englishmen on board the Dutch ships speaking to one another in English; and that they did cry and say, We did heretofore fight for tickets—now, we fight for dollars!"* If

* Parl. Hist.—Clarendon, Life.—Burnet.

* The following are significant entries in the secretary's diary: "Several seamen came this morning to me to tell me that if I would get their tickets paid they would go and do all they could against the Dutch; but, otherwise, they would not venture being killed, and lose all they have already fought for; so that I was forced to try what I



Dutch Fleet in the Medway: Burning of Sheerness. From a Drawing of the time of Charles II.

De Ruyter had made for London at once he might have burned all the shipping in the river; but, while he was in the Medway, Prince Rupert threw up some strong batteries at Woolwich, and sank a number of vessels to block up the passage. After doing a vast deal of mischief, and inflicting still more disgrace, the Dutch, at the end of June, sailed from the Downs, scoured the coast, and then returned in triumph to the Texel. In the month of August a treaty of peace was concluded at Breda. Charles had no great anxiety to redeem the honour of his arms; but he had entered into a secret treaty with the French king for the conquest of Spanish Flanders, which was to be followed, at some not distant time, by the subversion of the Dutch republic and a partition of territory. While smarting under this disgrace and loss, the people of London had clamoured for "A parliament! a parliament!" The king, who had raised an army of 10,000 men without their consent, called his old parliament together on the 25th of July; but, without allowing them to proceed to any business, he dismissed them till the month of October. In the interval Clarendon was ruined by a vast cabal against him, whose proceedings were so illegal and whose motives were so base as almost to conceal the real iniquities of that despotic minister. The Duke of Buckingham, who had made his peace with Lady Castlemaine and recovered the king's favour, joined with Shaftesbury, Clifford, Lauderdale, Monk, Sir William Coventry, and others, in a concentrated attack upon the chancellor, and they were joined by many members of both Houses, some of whom hated him as Catholics, some as Presbyterians, and *a few* as patriots. The king himself had no great affection for his old servant, and Lady Castlemaine, the other mistresses, and the queen, were all his declared enemies. Even his own son-in-law, the Duke of York, was inimical to his interests, or lukewarm in regard to them;* and *he* undertook the unseemly task of intimating to him that the king thought it best and safest for himself that he should resign the great seal. Clarendon replied to this, that he knew there was a conspiracy against him, but that he would not be frightened from his post; that he could not believe he was so "very odious" to the parliament; that he would speak with the king before he returned any answer. He was sick of the gout at the time, and confined, "by the common rules of decency" (of which he was a great observer), to his house, on account of the recent death of his wife. The king promised to go to him at his own house on the morrow; but several days passed and he went not. The

could do to get them paid. . . . And indeed the hearts as well as affections of the seamen are turned away; and in the open streets in Wapping, and up and down, the wives have cried publicly,—This comes of your not paying our husbands; and now your work is undone, or done by hands that understand it not." Some time before this, while the plague was raging in London, he notes,—"Did business, though not much, at the Navy Office, because of the horrible crowd and lamentable moan of the poor seamen that lie starving in the streets for lack of money, which do trouble and perplex me to the heart; and more at noon, when we were to go through them, for then above a whole hundred of them followed us,—some cursing, some swearing, and some praying to us."—*Diary.*

* Clarendon himself says that James was earnest and warm in his behalf; but there are many reasons for doubting the correctness of this assertion.

Duchess of York repaired to his majesty "with some passion," and the Archbishop of Canterbury and the Duke of Albemarle (Monk) accompanied her. Other friends interfered, but Charles told them all that what he intended was for the chancellor's good, and the only way to preserve him. At his majesty's desire, Monk waited upon Clarendon and told him that what had been done had been done under a mistake; that he doubted not a private conference would settle everything to his heart's content, and that the king would see him the next morning. Clarendon went at the appointed hour to Whitehall, and made a desperate struggle for the preservation of his posts and honours. He asked the king what fault he had committed to draw down this severity upon him. His master told him that he was assured that the parliament was resolved to impeach him as soon as they should come together; that his *innocence* would no more defend him against their power than the Earl of Strafford had defended himself against them; that he was sure his taking away the seal from him at this moment would so well please parliament that he would thereby be enabled to preserve him and to provide also for the easy passage of his own business. But the chancellor said that he did not fear parliament; that he would not suffer it to be believed that he was willing to deliver up the seal or withdraw himself from office at a time when his majesty would have need of honest servants; that he could not consider a favour was meant him. He then recalled to the royal memory his long services to the crown, and the discouraging example that would be given to others if one so devoted should be cast off. The king spoke again of the great power of parliament, which he was in no condition to resist. The chancellor, after using other arguments, assured him that the power of the parliament was more, or less, or nothing, as he, the king, pleased to make it, and that it was yet in his power to govern them. In the warmth of the moment he mentioned "the lady," with some reflections and cautions, which he afterwards thought he would have done better to omit. The king rose and left him without saying a word; and, as the chancellor returned from Whitehall, "the lady," the Lord Arlington, and Mr. May, looked together at him out of her open window "with great gaiety."* According to Clarendon's own account, which we are following, "many members of the privy council and other persons of honour" presumed to speak with the king, and to "give testimony of his *integrity*;" but his majesty ended their discourse by saying that he had made himself odious to the parliament, and so was no longer capable of doing him service. On the other side, "the lady" and her friends declared that the chancellor was become so imperious that he would endure no contradiction; and that the king would be inevitably ruined by the parliament if he did not remove him. After four days Charles sent Secretary Morrice with a warrant, under the sign-manual, to require and receive the great seal. Clarendon, unable to help himself, delivered the great symbol, which was presently transferred to Bridgman, who had proved his loyalty in the trial of the regicides. Clarendon believed that the storm was now blown over; but he had offended too many parties, besides the king and "the lady," to be allowed to escape so easily. Very opposite parties detested him, both as a man and as a minister; the cavaliers hated him on account of the Act of Indemnity, and the presbyterians hated him on account of the Act of Uniformity; but it appears that the Presbyterians were not so strenuous against him as the cavaliers, fearing that worse might come. The whole courtly crew hated him because he preserved decorum and dignity, and all the outward appearances of religion and virtue; the servants of government, the office and bureau-men, hated him because he was invariably stern and overbearing; and many a member of both Houses, who might have approved of a great part of his conduct and excused the rest, was enraged at his arrogance and haughtiness.

On the 10th of October the session was opened; and the Commons soon voted an address of thanks to the king for all his acts of grace,* and particularly for his removal of Clarendon. The Lords joined with the Commons, and Charles assured them both that he had removed the late chancellor from his service and from his councils for ever. If this royal declaration were intended to cover Clarendon from further attack, it was a failure. The Commons proceeded to impeach him of treason, without examining witnesses, but simply upon the grounds of common fame, as had been done in the cases of the Duke of Buckingham and the Earl of Strafford. The articles of impeachment were in number seventeen. The heaviest of the charges were, that he had advised the king to dissolve the parliament, and govern by a standing army, to be maintained at free quarters and by forced contributions; that he had traitorously declared the king to be a papist or popishly inclined; that he had advised and effected the sale of Dunkirk to the French king, for no greater price than the ammunition, artillery, and stores were worth; that he had betrayed the king's secret councils to the enemy; and that he had been guilty of various acts of corruption, which were assumed to be proved by the fact that his estate was greater than it could possibly be by any open or lawful means. Several things were then unknown that are now known; but, even from the materials they had before them, the Commons might have framed a closer impeachment. There was some foundation for the charge about the army; but it was exaggerated. The case was this: when the Dutch fleet were burning our ships and riding triumphantly at the mouth of the Thames, Clarendon advised levying money and provisions in the counties for

* Clarendon, Life.

* *Ad captandum*, a proclamation had been issued to enforce the laws against the Roman Catholics, and Pett, a commissioner of the navy, had been sent to the Tower.

the soldiers that were called out, telling the king that Queen Elizabeth did all her business in 1588 (the year of the grand Armada) without calling a parliament, and so might his majesty for anything he saw. His remarks touching the king's religion were merely dropped in private conversation, and the charge founded upon them was not urged with a good grace by men that equally doubted the Protestantism of Charles and his brother. In the sale of Dunkirk, the whole council had gone along with Clarendon; and the Earl of Sandwich* and perhaps one or two others, including Monk, had more to do with that sale than the chancellor had, although it appears that the first overture, of which the French had no expectation, came from Clarendon. In his long and secret correspondence with the French court, he probably betrayed nothing that the king wished him to conceal; but he undoubtedly revealed things which the country would have concealed; and, what was worse, though not so well known then as now, was the capital misdemeanour of clandestinely soliciting pecuniary aid for his own sovereign from the king of France. Clarendon, indeed, first taught a lavish prince to seek the wages of dependence from a foreign power,—to elude the control of parliament by the help of French money:† and we shall see in the sequel how this beginning was followed up, and what were the effects of this unnational, debasing, and most perilous system. Whether upon trial the Commons could have made good any great charges of corruption and peculation may be somewhat uncertain, as matters never came to that issue; but, it should seem, that Clarendon's grasping, money-getting disposition was sufficiently notorious, not merely among the people, but also among men of business who were conversant in all the affairs of court and government. Long before this impeachment was either begun or thought of, Pepys, who was otherwise his ardent admirer, says that, at a supper with Evelyn, Sir William D'Oyly, and Captain Cocke, wherein they discoursed of the neglect of business, the captain declared, "My lord chancellor, he minds of getting of money, and nothing else;" and, on another occasion, when calculating how he should raise himself, he tells us that Evelyn, who was personally a friend to Clarendon, assured him that my lord chancellor never did nor ever would do anything but for money.* And as Clarendon was ostentatious, he built such a house, and collected such pictures and furniture, as excited the surprise of all who knew the poverty in which

* Even according to his own creature, Pepys, Sandwich himself said—"If it should in parliament be inquired into the selling of Dunkirk (though the chancellor was the man that would have sold it to France, saying the King of Spain had no money to give for it), yet he (Sandwich) will be found to have been the greatest adviser of it; which he is a little apprehensive may be called upon by this parliament."—*Diary.*

† Hallam.

* Evelyn's cavalier principles and his friendly feeling towards Clarendon break out in many instances. The following was written after the chancellor's fall:—"Visited the lord chancellor, to whom his majesty had sent for the seals a few days before; I found him in his bedchamber, very sad. The parliament had accused him, and he had enemies at court, especially the buffoons and ladies of pleasure, because he thwarted them, and stood in their way; I could name some of the chief. The truth is, he made few friends during his grandeur among the royal sufferers, but advanced the old rebels. He was, however, though no considerable lawyer, one who kept up the form and substance of things in the nation with more solemnity than some would have had. He was my particular kind friend on all occasions."

Clarendon House: Arrival of the King in State. From Prints of the Period.

he had returned to England only a few years before. The great house was particularly odious; and if the people went upon a wrong scent in christening it "Dunkirk House," there are good reasons for believing that that unlucky palace was built and stocked by no very honest means.* He was charged loosely in one of the articles of his impeachment with inflicting imprisonment against law in remote islands, garrisons, and other places, upon divers of his majesty's subjects; and of this offence he was unquestionably guilty; but it suited not his prosecutors to charge him home with his constant approbation of despotic principles and with (his worst crimes) his fierce intolerance and his persecution of the non-conformists. On the 12th of November Mr. Edward Seymour presented the impeachment at the bar of the Lords, and, in the name of the Commons, demanded that the Earl of Clarendon should be committed as a traitor. The Lords received the impeachment, but refused to commit the earl, "because the House of Commons only accused him of treason in general, and did not assign or specify any particular treason." The Duke of Buckingham, Bristol, Arlington, and others of that party, including Monk and three bishops, entered a protest against the refusal of their House to commit upon the general charge. The Lower House was thrown into a fury, and demanded a conference with the Lords. Here Charles set some of the bishops to work to persuade the chancellor to be gone in order to save his own life and preserve his majesty's peace of mind. According to Clarendon's account, he resisted till the 29th of November, when the king told his son-in-law, the Duke of York, that *he* "must advise him to be gone," his majesty much blaming him for not putting trust in the bishops and in his own royal word. "The king," continues Clarendon, "had no sooner left the duke, but his highness sent for the bishop of Winchester, and bade him tell the Chancellor from him, that it was absolutely necessary for him speedily to be gone, and that he had the king's word for all that had been undertaken by the Bishop of Hereford." And that same rough November night, as soon as it was dark, the infirm old chancellor fled with two servants to Erith, and there embarked for France. When his departure and safe arrival at Calais were known to his friend the Earl of Denbigh, that peer rose in his seat and said he had an address to the House from the Earl of Clarendon, which he desired might be read. This was an apology, under the name of an humble petition and address, in which the ex-chancellor defended himself against some of the imputations, or, as he called them, "foul aspersions," of his accusers. After the paper had been read in the Lords it was sent to the Commons, who voted that it contained much untruth, and scandal, and sedition, and that it should be publicly burned by the hand of the hangman. The Lords concurred in this sentence, and the paper was burned accordingly. A bill for banishing and disenabling the fugitive was soon passed by both Houses. By this bill, unless he surrendered himself before the 1st of February, he was to be banished for life; disabled from ever again holding any office; subjected, if he afterwards returned to England, to the penalties of high treason; and rendered incapable of pardon without the consent of the two Houses of Parliament. Only Hollis and a few others of no name protested against this bill. The proud old man bore his misfortunes with little dignity, and he died an exile in France about seven years after his flight.

Sir Thomas Clifford, first commissioner of the Treasury, afterwards Lord Clifford and high-treasurer, the Earl of Arlington, secretary of state, the Duke of Buckingham, Lord Ashley, chancellor of the Exchequer, afterwards Earl of Shaftesbury and lord chancellor, and the Duke of Lauderdale, now divided among them the authority and profits of government. The five initial letters of their names, put together, spelt the word CABAL, and their doings answered to this title by which their ministry is commonly designated. Secretary Morrice, the creature of Monk, was succeeded by Sir John Trevor, a creature of Buckingham; and under the same influence the government of Ireland was taken from Ormond and given to Lord Robarts.

A. D. 1668.—Some of the acts of the Cabal ministry were, however, such as might meet the approval of better and purer politicians than the members of the parliament of that time. They took alarm at the daring ambition of Louis XIV., who had invaded Spanish Flanders with three

* This magnificent structure, which was begun some time after the sale of Dunkirk, occupied, together with its gardens, the site of Dover-street and Albemarle-street, Piccadilly; and the centre of its front exactly answered to the top of St. James's-street, which it commanded. Evelyn, a traveller, and a good judge of such things, said he had "never seen a nobler pile"—that every part of it was stately, solid, and beautiful,—that nothing in England came near to it.

According to Lord Dartmouth (note to the Oxford edition of Burnet's History of his Own Time), the furniture and the pictures—the last all family portraits of the old nobility—were procured in the following way: "He (Clarendon), on the Restoration, undertook the protection of those who had plundered and sequestered the others, which he very artfully contrived, by making the king believe it was necessary for his own ease and quiet to make his enemies his friends; upon which he brought in most of those who had been the main instruments and promoters of the late troubles, who were not wanting in their acknowledgments in the manner he expected, which produced the great house in the Piccadilly, furnished chiefly with cavaliers' goods, brought thither for peace-offerings, which the right owners durst not claim when they were in his possession. In my own remembrance Earl Paulett was an humble petitioner to his sons for leave to take a copy of his grandfather and grandmother's pictures (whole lengths, drawn by Vandyke), that had been plundered from Hinton St. George; which was obtained with great difficulty, because it was thought that copies might lessen the value of the originals. And whoever had a mind to see what great families had been plundered during the civil wars, might find some remains either at Clarendon House or at Cornbury." (Cornbury Park, together with Wychwood Forest, in Oxfordshire, was one of the liberal grants made to the chancellor by the king.) Nor does this broad charge of Lord Dartmouth's want the support of strong circumstantial evidence.

The Londoners put the main offences of Clarendon into a couplet, which was sung about the streets and chalked upon the walls:—

"Three sights to be seen,—
Dunkirk, Tangier, and *a barren queen*."

For, it was an article of popular belief, that he had knowingly and purposely chosen a queen incapable of bearing children, in order that his own grandchildren (the progeny of the Duke of York by his daughter) might succeed to the throne. For further curious particulars relating to Dunkirk House, which was soon sold and pulled down, see Evelyn and Pepys, and the late Lord Dover's "Historical Inquiries respecting the Character of Edward Hyde, Earl of Clarendon."

armies, and was threatening the independence of the United Provinces, and, by means of that able diplomatist Sir William Temple, they opened negotiations with the great De Witt, who was still at the head of the Dutch republic. The speedy result was, the formation of the famed triple alliance between England, Holland, and Sweden, with the object of mediating a peace between France and Spain, and checking the schemes of Louis.* The French monarch knew that a league where Charles was concerned could not be lasting, and, setting on foot new intrigues, he, for the present, made a show of moderation, and in the month of April concluded the treaty of Aix-la-Chapelle, retaining Lille, Tournay, Douay, Charleroi, and other places of great strength and importance in Flanders, and giving back to Spain the whole of Franche-Compté, which he had overrun. As a sample of his public honesty, it may be mentioned, that while his minister was actually negotiating the triple alliance at the Hague, Charles was maintaining a close correspondence at Paris, and, through his sister, the Duchess of Orleans, the Duke of Buckingham, and Rouvigny, was making overtures for a clandestine treaty with Louis. The Duke of York also was bent upon this union with the despotic court of France, declaring that nothing else could re-establish the English court.† In fact, it was already the cherished project of both brothers to make the power of the English crown absolute by the aid of Louis XIV. Parliament had met on the 10th of February. It was charmed with the triple league,—with its essentially Protestant character, and with the recognition by Spain of the independence of Portugal. By his marriage treaty Charles had engaged to support the interests of the House of Braganza, and he had even sent a small body of English troops into Portugal, where, though left in a miserable, payless condition,‡ they had behaved very gallantly at the great battle of Evora, in which the Spaniards, under Don John of Austria, had been completely defeated. The parliament was further gratified by a treaty of commerce which had been concluded with Spain. But all their good humour disappeared at the first blush of a project of religious toleration. The king, in his speech, had recommended "some course to beget a better union and composure in the minds of his Protestant subjects in matters of religion;" and it became known that Bridgman, now lord-keeper, the chief Baron, Sir Matthew Hale, Bishop Wilkins, Ashley, and Buckingham, had laid the foundations of a treaty with the nonconformists, on the basis of a comprehension for the presbyterians and a toleration for the minor Protestant sects. The orthodoxy of the House of Commons was as powerful and as intolerant as it had been in 1662. Members could not speak fast enough or loud enough. They declared that the only true Protestant religion and monarchy would be subverted; they kept back the supplies; they spoke of making a searching inquiry into the miscarriages of the late Dutch war, and into the corruptions and peculations of ministers and other servants of government. Charles wanted the money, was alarmed at their fury, and gave up the scheme of toleration. It was said at the time, that whoever proposed new laws about religion must do it with a rope about his neck! The Commons finished by continuing the Conventicle Act and increasing its rigour.* They adjourned on the 8th of May to the 11th of August, at the desire of the king, who wisely interrupted a struggle which had arisen between the two Houses, touching a question of privilege, and a bold attempt of the Lords to extend their jurisdiction at the expense of the Commons. They had voted a supply of 310,000*l.*

The bishops and high churchmen were satisfied, and continued to preach divine right and passive obedience, while the court plunged more deeply than ever into debauchery and profaneness. My Lady Castlemaine was now "mightily out of request, the king going little to her." He had been captivated by Mary Davies, who danced a jig marvellously, and by Nell Gwyn, another public actress, both of whom he was accustomed to introduce at court. Lady Castlemaine retaliated; but, in spite of the king's inconstancies and her own, she retained for many years a great influence.† There were royal projects of abduction and divorce, adulterous if not incestuous intrigues, which might figure in the Satires of Juvenal, but which can find no place in our pages.

Parliament re-assembled in October to vote the king more money, to strengthen the coercive powers of the church, and to do nothing else; for they were abruptly dissolved after a short session. They were not so liberal as was desired, and Charles was now completing his arrangements with Louis, which he hoped would render him for ever independent of parliaments.‡

A.D. 1670.—When the Houses met again (on

* In relinquishing the pay of the French king, Charles tried to get supplies for his pleasures from the now humbled and impoverished court of Spain; and Temple was instructed to ask from the Spanish ambassador "as much money as he could spare."

† Memoirs of Great Britain and Ireland, by Sir John Dalrymple, Bart.

‡ Memoirs of Lady Fanshawe, wife of Sir Richard Fanshawe, ambassador from Charles II. to the courts of Portugal and Madrid.

* Pepys says, "This law against conventicles is very severe; but Creed, whom I meet here, do tell me that it being moved that papists' meetings might be included, the House was divided upon it, and it was carried in the negative; which will give great disgust to the people, I doubt. . . . . And this business of religion do disgust every body, the parliament being *vehement* against the non-conformists, while the king seems to be willing to countenance them. So we are all poor and in pieces. God help us!"

† As the king had two actresses, so "the lady" took to herself two actors—or, rather, one stage-player and a rope-dancer! She also gambled outrageously. "I was told," says the gossiping Pepys, "that my Lady Castlemaine is so great a gamester as to have won 15,000*l.* in one night, and lost 25,000*l.* in another night at play, and hath played 1000*l.* and 1500*l.* at a cast."

In the following year (1670), by which time she had had four or five children, which the king owned, he elevated her to be Duchess of Cleveland, with remainder to her natural sons. "She was," says Burnet, "a woman of great beauty, but most enormously vicious and ravenous; foolish, but imperious; very uneasy to the king; and always carrying on intrigues with other men, while yet she pretended she was jealous of him. His passion for her, and her strange behaviour towards him, did so disorder him, that often he was not master of himself, nor capable of minding business." This account is more than borne out by a variety of authorities.

‡ Dalrymple.

the 14th of February), Charles, contrary to English usage, and in imitation of Louis XIV., went to open the session with an escort of his guards. His whole tone, too, was changed, and he seemed to threaten where he used to cajole. Nor was there any increase of spirit on the part of the Commons to meet this absolute bearing. They allowed the king to speak contemptuously of the commission for auditing the public accounts; and, after voting some supplies, they separated like a set of venal cowards. Charles, and his brother, whose religious zeal was very different, but whose love of absolute power was pretty equal, though James was the steadier despot, and Charles chiefly loved absolutism for the command it would give him over the purses, pens, and tongues * of his people, conceived that it would now be an easy task to change both the religion and government of the nation. They proposed to fortify Plymouth, Hull, and Portsmouth. The fleet was under the duke, who was still the lord admiral; the guards had been increased, and it was calculated—rather rashly, no doubt—that both the army and navy would stand by the king in any attempt. Louis stepped in with offers of assistance in men and money; but he drove a hard bargain, and involved his secret ally in a foreign scheme of gigantic iniquity. The French monarch panted to crush the independent republic of Holland, and to grasp the entire Spanish monarchy, which was then feebly held by a boy, the sickly and imbecile Charles II., who was not expected to live. He therefore proposed:—1. That he and Charles should declare and make war with their united forces by land and sea upon the United Provinces, and never make peace or truce until they had completely conquered that ungrateful and insolent republic: then Louis was to give the king of England a part of Zealand, to provide, if possible, a territory or an indemnity for Charles's young nephew, William Prince of Orange. 2. That in the event of any new rights or titles accruing to his Most Christian Majesty (that is, on the death of the young king of Spain), Charles should assist him with all his force by sea and land, the expense of that war to be borne by Louis, and Charles to have, as his share of the spoil, Ostend and Minorca, and such parts of Spanish South America as he might choose to conquer for himself at his own expense and risk. And then came the more immediate, or most tempting, part of the bargain, which was, that Charles was to have an annual pension of 200,000*l.* to be paid quarterly by the king of France, and the aid of 6000 French infantry. With this assistance he was to make a public declaration of *Catholicity*. Louis wished to begin with a declaration of war against Holland; Charles, with his profession of the Roman Catholic religion,—or so at least he pretended.* He also wanted money from France before he did anything. To remove these difficulties Louis employed Henrietta Duchess of Orleans, Charles's sister, who came over to Dover with the fascinating Mademoiselle Kerouaille in her train. Charles wavered in his resolutions, and, with Clifford, Arundel, and Arlington, all Catholics (Arundel not being of the cabinet), fully concluded the treaty on this footing on the 22nd of May, 1670.† The Duchess of Orleans returned with the treaty to France, where she died very shortly after, not without unusually strong suspicions of being poisoned by her husband. Mademoiselle Kerouaille became mistress to Charles, Duchess of Portsmouth, &c.; and, as she served his interests well in many ways, Louis XIV., in 1673, gave her a French title and estate. Of the cabal ministry only Clifford and Arlington were admitted into the secret of the treaty, and, the better to keep Buckingham, Ashley, and Lauderdale in the dark, they were employed upon a simulated treaty, in which Charles's change of religion was omitted. When parliament re-assembled in the month of October, the badge of corruption and slavery was still more conspicuous on the majority in the Commons. They voted an extraordinary supply for the navy, because they were told by the court that the French king was enlarging his fleet and required looking after. In providing the ways and means, they had put a tax upon land, a tax upon stock, a tax upon law proceedings, a tax upon salaries, &c. It was asked why a tax should not be put upon play-houses? It was answered, that the players were the king's servants, and a part of his pleasure. Sir John Coventry put a question, which was taken as a gross reflection on the king's amours, and the unlucky member was denounced with fury at court. It was said that, if this were allowed to pass, worse disloyalty would follow; that it would grow into a fashion, and that it was therefore fit to take such severe notice of this slip as should stop people's mouths for the future.‡ "The Duke of York," says Burnet, "told me he said all he could to the king to divert him from the resolution he took, which was to send some of the guards, and watch in the streets where Sir John lodged, and leave a mark upon him. Sands and Obrian, and some others, went thither, and, as Coventry was going home, they drew about him. He stood up to the wall and

* According to Burnet, Charles once told Lord Essex that he did not wish to sit like a Turkish sultan, and sentence his subjects to the bow-string; but he could not bear that a set of fellows should inquire into his conduct.

* Dispatches, Memorials, &c., in Appendix to Memoirs of Great Britain and Ireland, by Sir John Dalrymple, who had the merit of first producing many of them from the friendly obscurity of the Dépôt des Affaires Etrangères at Versailles.

† The treaty, as finally concluded at Dover, is given at length by Dr. Lingard (Hist. Eng.), from the original, in possession of Lord Clifford.

‡ Very severe notice had been taken of other slips before this. In 1668 the puritans and apprentices about Moorfields took the liberty to pull down certain brothels, and then to say that "they did ill in contenting themselves with pulling down the little brothels and did not go and pull down the great one at Whitehall." *Eight* of the ringleaders of these rioters and censors were condemned to die; but this did not prevent the composition and circulation of a bitter satire, in the shape of a petition to the king's mistress, from the poor prostitutes whose houses had been pulled down. "This," adds Pepys, "shows that the times are loose, and come to a great disregard of the king, or court, or government."

snatched the flambeau out of his servant's hand, and, with that in one hand and his sword in the other, he defended himself so well that he more credit by it than by all the actions of his life. He wounded some of them, but was soon disarmed; and then they cut his nose to the bone, to teach him to remember what respect he owed to the king; and so they left him, and went back to the Duke of Monmouth's, where Obrian's arm was dressed. That matter was executed by orders from the Duke of Monmouth, for which he was severely censured, because he lived then in professions of friendship with Coventry, so that his subjection to the king was not thought an excuse for directing so vile an attempt on his friend, without sending him secret notice of what was designed. Coventry had his nose so well sewed up that the scar was scarce to be discerned." This outrage was so atrocious that even that parliament could not overlook it. They passed a bill, known by the name of the Coventry Act, making cutting and maiming a capital offence: but they had not courage sufficient to bring the king's bastard or any of his bravoes to trial. "Lords' noses," said Sir Robert Holt, in the course of the debate, "are even as our noses, and not of steel: it concerns the Lords as well as us,—as in Lord Ormond's case." Here allusion was made to outrages committed the same year by a very conspicuous villain—the noted Colonel Blood. This desperado, with five other ruffians, had seized the Duke of Ormond as he was returning from a public dinner in the city, dragged him out of his coach, mounted him behind one of the gang on horseback, to whom they bound him fast, and rode off with him towards Tyburn, with a design to hang him there, to revenge the deaths of Blood's fellow-conspirators, who were executed for a plot to surprise the castle of Dublin in 1663: but, in the way thither, his grace made a shift to dismount his man, and while they lay struggling together on the ground, his domestics, who had been alarmed by his coachman and some people living in the neighbourhood, came up to his assistance. Blood then let go his hold, and made off, firing a pistol at the duke. So villanous an attempt excited the indignation of the whole kingdom, and a proclamation was issued offering a thousand pounds reward to any man who should discover any one of the assassins; and the like sum and a free pardon to any one of the band who should betray the rest. But no discovery was made till Blood himself was taken the next year in a most daring attempt to carry off the crown of England out of the Tower. "The king," says Ralph, "had the curiosity to see a villain of a size and complexion so extraordinary; and the Duke of Ormond remarked upon it, that the man need not despair, for surely no king should wish to see a malefactor but with intention to pardon him." Blood's behaviour before the king is described as being as extraordinary as his exploits. It is said that he not only

Jewel House in the Tower. From an Original Drawing.

Since the robbery by Colonel Blood, the Regalia have been covered by a strong iron grating, omitted in the Cut in order to show the articles more clearly.

avowed his crimes, but seemed to glory in them,—observing that his attempt on the crown he could not deny, and that on the Duke of Ormond he would not; that, upon being asked who were his associates, he replied that he would never betray a friend's life, nor ever deny a guilt in defence of his own; that he even confessed that he had once been engaged in a plot to shoot the king with a carabine, for his severities to the *godly*, when his majesty went to swim the Thames above Battersea; but that, struck by an awe of majesty, his heart failed him, and he not only gave over the design, but obliged his confederates to do the same. It is added that he boasted of his indifference to life or death, but said that the matter was of more consequence to his majesty, inasmuch as there were hundreds of his friends, yet undiscovered, who were all bound to each other by the strongest of oaths to revenge the death of any of the fraternity. Charles, it is said, was touched pleasantly in his vanity and very unpleasantly in his fears, and thought it most advisable to be friends with such a desperado. Blood was not only pardoned, but his pardon was accompanied with the grant of an estate in Ireland worth 500*l.* a-year. Nor was this all: he was admitted into all the privacy and intimacy of the court,—became a personal favorite of the king,*—was constantly seen about Whitehall,—"and, by a particular affectation, oftenest in the very room where the Duke of Ormond was.†" "All the world," says Carte, "stood amazed at this mercy, countenance, and favour showed to so atrocious a malefactor, *the reasons and meaning of which they could not see nor comprehend.* The general opinion, at the time, was, that Blood was put upon the assassination by the Duke of Buckingham and the Duchess of Cleveland (late Lady Castlemaine), who both hated the Duke of Ormond mortally."‡ And it is considered probable that the ruffian acted from a double motive, and not simply out of revenge for Ormond's having hanged some of his friends seven years before. Ormond's son, the gallant, free-spoken Lord Ossory, told Buckingham, in the king's presence, that he knew very well he was at the bottom of the design. "And, therefore," continued his lordship, "I give you fair warning, if my father comes to a violent end by sword or pistol,—if he dies by the hand of a ruffian, or by the more secret way of poison,—I shall not be at a loss to know the first author of it: I shall consider you as the assassin—I shall treat you as such; and, wherever I meet you, I shall pistol you, though you stood behind the king's chair; and I tell it you in his majesty's presence, that you may be sure I shall keep my word."*—[Our omissions, for the sake of brevity, are numerous, but it is necessary to give a few of these details, in order to convey a true notion of this reign.]

The chief state performances of the next year (1671) were a cruel persecution of the nonconformists, "to the end that these might be more sensible of the ease they should have when the Catholics prevailed;"† a public proclamation made by Charles, that as he had always adhered to the true religion established, so he would still employ his utmost care and zeal in its maintenance; and hurried preparations for that joint war with Louis, who was bound to make England a Catholic and an absolute monarchy. De Witt, who suspected from the beginning where the first blow would fall, who had certainly more than an inkling of the Dover treaty, and who felt that the vaunted triple alliance was now a mockery, concluded an alliance, offensive and defensive, with the bewildered and insulted court of Spain. Louis imperiously demanded from that court a free passage through the Spanish Netherlands in order to humble the Hollanders; and told them that if they refused, he would force his way with sixty thousand men.

A.D. 1672.—Charles attempted to keep on the mask to the last moment. He offered himself as a mediator, and he probably imposed for some time both upon the Spaniards and the Dutch. But Louis was now ready, and his satellite rushed into the war like a robber and a pirate. During one of those long prorogations of parliament which were now becoming so frequent, he, with the advice of the Cabal ministers, and without the least opposition from any one member of his council, on the 2nd of January, suddenly shut up the Exchequer, an act which amounted to an avowed national bankruptcy, and which had the immediate effect of spreading ruin far and wide, and of entirely uprooting credit. This was the robbery;—now for the piracy. Before any declaration of war, and while, as he thought, the Dutch were relying upon him as a mediator and friend, he detached Sir Robert Holmes to capture the homeward bound Smyrna fleet of Dutch merchantmen, whose freight was supposed to be worth a million and a half sterling. Holmes, afterwards styled "the cursed beginner of the two Dutch wars," fell in with this rich fleet, and attacked it; but he found it so well prepared that he was beaten off, and, after two days' hard fighting, he got little or nothing save the eternal disgrace of the attempt. Then Charles, sorely disappointed of his expected prey, declared war; and his ally, Louis, put forth his ordinance, proclaiming his intention of "running down" the

* Blood was immediately admitted into what is called the very best society! On the 10th of May, 1671, when his exploits were fresh, Evelyn mentions,—"Dined at my Lord Treasurer's, where dined Mons. de Grammont and several French noblemen, and one Blood, that impudent, bold fellow, who had not long before attempted to steal the imperial crown itself out of the Tower, pretending curiosity of seeing the regalia there, when, stabbing the keeper, though not mortally, he boldly went away with it through all the guards, taken only by the accident of his horse falling down. How he came to be pardoned, and even received in favour, not only after this, but several other exploits almost as daring both in *Ireland* and here, I could never come to understand. Some believed he became a spy of several parties, being well with the sectaries and enthusiasts, and did his majesty service that way, which none alive could do so well as he; but it was certainly, as the boldest attempt, so the only treason of this sort that was ever pardoned. The man had not only a daring, but a villanous, unmerciful look; a false countenance, but very well spoken, and dangerously insinuating."

† Ralph.

‡ Life of the Duke of Ormond.

* Life of the Duke of Ormond.

† Life of James

Dutch. De Witt was well prepared at sea; and, on the 28th of May, the brave De Ruyter attacked the combined English and French fleets at Solebay. The English were commanded by the Duke of York and Lord Sandwich; the French by D'Estrées, La Rabiniere, and Du Quesne. The battle was terrible, as never failed to be the case when Dutch met English; but the French, whose navy was in its infancy, were very careful of their ships and men, as they were afterwards in other sea-fights. There appears, indeed, to have been a standing order to the French admirals that they should risk as little as possible, and promote all occasions for the Dutch and English navies to destroy each other. The Dutch vice-admiral Van Ghent was killed,—the Earl of Sandwich was blown up by a fire-ship and perished, with nearly all his crew,—and the Duke of York was well nigh sharing the same fate.* After fighting from morning till evening, the fleets separated, miserably shattered, and with no very apparent advantage on either side. Meanwhile Louis, threatening to drown those shop-keepers in their own ditches, was marching to the Rhine with 100,000 men, commanded by those great and experienced generals, Turenne, Condé, and Luxembourg, and with money-chests filled with gold, to bribe and to buy. He crossed the Rhine almost without a show of opposition, overran three of the seven United Provinces, and spread such consternation in the great trading city of Amsterdam, that the municipal authorities proposed sending their keys to the conqueror. Even the great De Witt despaired, and suggested the inevitable necessity of submission. But behind the river Maas and the broad dikes of South Holland there lay a phlegmatic youth who never knew despair, and who was destined to check the proud monarch of France in his prime,—to oppose him with marvellous perseverance through thirty years, and to organize a system which triumphed over him in his old age. This was William of Nassau, Prince of Orange, who was then in his twenty-first year, of a sickly habit of body, and, as yet, of no experience. He was the posthumous child (by the daughter of our Charles I.) of William Prince of Orange, who had rendered the stadtholderate, which had become almost hereditary in his house, so odious by his tyranny, and close imitations of the proceedings of absolute monarchs, that, upon his premature death in the year 1650, the states had abolished for ever that supreme magistracy, and created a sort of president in the person of the pensionary John De Witt, who not only administered the affairs of government, but took charge of the education of the young prince. At the present terrible crisis the Dutch remembered that it was the Princes of Orange that had first made them an independent people by rescuing them from the atrocious tyranny of the Spaniards; and as, besides the *prestige* of his name, young William had given indications of unusual prudence and conduct, they resolved to intrust him with the supreme command of all their forces. De Witt, who could not prevent this appointment, induced the republican party to bind the prince by an oath to observe the edict of the abolition of the stadtholderate, and never advance himself to that office. But now, the people seeing their towns and garrisons fall daily into the hands of the enemy, began to suspect the fidelity of De Witt, who, unfortunately for himself, had contracted an alliance with the French in the course of the preceding war between Holland and England, and, still more unfortunately, had now recommended treating with the haughty and ungenerous Louis. The two parties had always been inveterate against each other, and now, while the republicans blundered, the Orangeists—the quasi-royalists—who had long been deprived of the honour and emoluments of office, intrigued, and, without doubt, fanned the popular fury into a flame. At Dort, at Rotterdam, at Amsterdam, and Middleburgh, the people rose and called for a stadtholder; the pensionary De Witt and his brother were barbarously murdered at the Hague; and the Prince of Orange, being absolved from his oath both civilly and canonically, took the reins of government into his own hands. William rewarded the assassins; and then, with an undivided command, and all the resources of the country at his disposal, he made head against the French. Amsterdam was saved by inundating the surrounding country; and, wherever the enemy attempted an advance, the dikes were cut and the country laid under water. The warlike Bishop of Munster, an ally of King Louis, was foiled at the siege of Groningen; and William beat the French in several smart attacks. He already showed all the coolness, and closeness, and invincible taciturnity of his great ancestor, the founder of the Batavian independence, whom the Spaniards had used to call "Silence." His plans were never known till they were put into execution; and so close was he that, when he had done one thing, no one knew what he would attempt next. One of his colonels, after the affair of Woerden, asked him what was his next great design. "Can you keep a secret?" said the prince. "I can," said the colonel. "And so can I," said William. As the war was no longer a pleasant promenade, Louis returned to his capital, leaving Turenne to manage the war. Charles sent over 6000 English auxiliaries, under the command of his son the Duke of Monmouth. These troops did very little to assist the French, who paid them; and an attempt made upon the coast of Zealand, by the united fleet of France and England, failed altogether. Turenne remained master of many important places, but, at the end of this campaign, he was convinced that the conquest of Holland would be no easy matter.

A.D. 1673.—After a recess of nearly a year and a half, parliament met in the month of February. Sir Anthony Ashley, the most crafty of the Cabal,

* La Rabiniere, the rear-admiral of the French, died of his wounds and was buried at Rochester.

and now Earl of Shaftesbury and lord chancellor, undertook to justify the shutting of the exchequer, and to prove that the war with Holland was a national war, which ought to be prosecuted with vigour, and never ended till the Dutch were ruined. The Commons (some of the leaders of the opposition had been bribed highly) voted 1,200,000*l.*, the sum proposed by the court; but they fell with violence upon a declaration of indulgence which the king, by the advice of Shaftesbury, had thought fit to issue during the recess. The minister saw the mighty benefit that would accrue to himself and party if he could win over the non-conformists, and the court calculated that the papists should partake largely in the indulgence. The Duke of York, blinded by his religious zeal, was for a plain declaration of conversion to the Roman Church; but Charles, infinitely less zealous, was alive to all the danger of such a step. Bound, however, as he was to France, it was necessary to do something, and he fancied that, by suspending all the penal laws in matters of religion, he was giving the papists an opportunity of recovering by degrees all that they had lost since the Reformation. Certain it is that parliament regarded the declaration of indulgence in this light, and that the non-conformists of all sects preferred remaining as they were—oppressed and persecuted—to participating in a toleration with the Catholics. The Commons, after a stormy debate, passed a resolution, "That penal statutes, in matters ecclesiastical, cannot be suspended but by act of parliament, and that an address and petition, for satisfaction, should be presented to the king." At first Charles made a show of resistance, and was supported by the House of Lords; but his resolution soon gave way, and he not only recalled his declaration, but also assented to a bill to check the growth of popery, which was passed under the name of the Test Act. By this intolerant law, which remained to disgrace the statute-book even to our own days, all who refused to take the oaths and receive the sacrament according to the rites of the Church of England, formally renouncing the fundamental Catholic doctrine of transubstantiation, were debarred from all public employments. The great question of the eucharist apart, the Protestant dissenters rejected the Anglican sacrament, and therefore this test excluded them as well as the papists. For their concurrence in putting down the royal declaration, they had expected more liberal treatment from the zealots of the Church of England; but they were amused and duped by a factitious bill for repealing some of the persecuting laws especially directed against their worship: the bill never came to anything, and the presbyterians and non-conformists were shut out from all offices of trust more than they had been before. Upon the passing of the Test Act, Clifford, the popish lord treasurer, resigned his staff; and the Duke of York, whose religion was equally well known, gave up his office of lord high-admiral. Charles thought it was absurd that his brother should not conform in all outward appearance, and take the sacrament by law established, in order to keep his command; but if James's conscience had been as pliant as his brother's, nothing that he could have done would have removed the conviction that he had set his life and soul upon the restoration of the old religion. His first wife, Anne Hyde, the daughter of the ultra-Anglican Clarendon, had died with a public and ostentatious profession of popery; and he was now, contrary to the advice of parliament, on the point of marrying an Italian princess of the very Catholic House of Este. It was during a most violent debate upon the subject of this marriage that Charles suddenly prorogued parliament, on the 4th of November. Soon after the prorogation, the king took the great seal from Shaftesbury and gave it to Sir Heneage Finch, as lord keeper. The other members of the Cabal ministry, Arlington, Buckingham, and Lauderdale, were in seeming odium at court; and Clifford, who had resigned on account of the test, was unexpectedly succeeded by Sir Thomas Osborn, "a gentleman of Yorkshire, whose estate was much sunk," but who was "a positive, undertaking man." Osborn, created lord treasurer and Earl of Danby, became in effect prime minister; and we now enter upon the Danby administration, which was, in many respects, more iniquitous than that of the Cabal. Shaftesbury at once carried his splendid abilities, his cunning, and remorselessness into the service of opposition, and became a patriot because he could not be the supreme minister of an absolute king.

A.D. 1674.—The parliament re-assembled on the 7th of January. The king, alarmed at the reports which had got abroad touching the Dover treaty, solemnly declared that he had been very strangely misrepresented,—that he had no secret or dangerous agreement whatever with France. The Commons thanked him for his care of the Protestant religion, but spoke ominously of popish plots and desperate designs, and called for a day of fasting and prayer. Then, guided by Shaftesbury, they hurled their thunders at a part of the late Cabal ministry. Clifford was out of their reach, for he died soon after resigning the treasurer's staff; but Arlington, Buckingham, and Lauderdale were denounced as dangerous ministers and counsellors that ought to be removed for ever from the king's presence. But, in part through the favour of the new mistress, the Duchess of Portsmouth, in part through Charles's aversion to impeachments, and his congeniality with the debauched Buckingham, he was brought to take them all three under his protection, and to enable them to retain their places. In the mean time the war with Holland was become more odious than ever to the nation, which saw the immense sums it cost, and the slight probability there was of bringing it to an honourable issue by force of arms. In three naval engagements De Ruyter had repulsed or baffled the combined fleets of England and France; the King of Spain, the Emperor, the

Elector of Brandenburg, and some other German princes, had taken up arms against Louis; and with their assistance, the Prince of Orange had driven the French out of the United Provinces. In this state of affairs abroad, and of the public mind at home, Charles durst not reject proposals that were tendered by the Dutch for a peace, of which the treaty of Breda was the basis; and, after some shuffling, a separate peace between England and Holland was proclaimed in London, to the great joy of the people, on the 28th of February. In the month of June, Charles, who was still receiving money from France, offered his mediation anew; but the French arms were again victorious upon the Rhine; the Prince of Orange would make no disgraceful concessions, and the negotiations of Sir William Temple, who was sent to the Hague, came to nothing. The war continued to rage: the great Turenne defeated the badly amalgamated armies of the empire; and Condé gained a somewhat questionable victory over the Prince of Orange at Senef, near Mons. Notwithstanding the popularity of the recent peace with Holland, the court, and, above all, the Duke of York, dreaded the meeting of parliament; but Charles wanted money, and it was not until he had received 500,000 crowns from France—a sum granted at the earnest prayer of his brother—that he consented to put off the session five months longer.*

A. D. 1675.—In the mean time the profligate Buckingham, having quarrelled with the French mistress, had gone to join Shaftesbury in the ranks of opposition; and a regular system of attack had been organized under the management of those two pseudo-patriots. The session opened on the 13th of April, when Charles again expressed his anxious care of the Protestant religion, and Finch, who now held the seals taken from Shaftesbury, told them that "they served a prince in whose preservation miracles had become familiar, whose style, *Dei gratia*, seemed not to be written by a vulgar pen, but by the arm of Omnipotence itself." The Commons passed a vote of thanks for these assurances; and then demanded that the English auxiliaries under the Duke of Monmouth should be recalled from the continent; for, notwithstanding his peace with the Dutch, Charles had left these troops to assist the French. The king returned a shuffling answer. The House resolved itself into a committee, and the debate became so high, that many members were near drawing their swords on one another. But to this great heat, which is said to have been increased by Dutch money, there suddenly succeeded a cool quiet, which is attributed to a timely distribution of money made by Danby.† Monmouth and the troops remained where they were, and the patriots turned the artillery of their tongues against the Duke of Lauderdale. The king again sheltered this pernicious minister, who was equally abhorred by Scots and English. Sir Samuel Barnadiston and other members of the opposition threatened Danby himself with impeachment; but oil from the treasury cruise was poured upon these stormy waves also. The House of Lords was the scene of a much more dangerous tempest. Danby had resolved to take the no-popery cry into his own mouth; he had conferred with the bishops, and had made sure of them and their party, by promising measures of increased severity, which should be applied alike to the papists and to all classes of Protestant non-conformists; and the bill which he now brought into the House of Lords was supported by the bench of prelates—Bishops Morley and Ward speaking vigorously in its favour. It was entitled, "A Bill to prevent the danger which may arise from persons disaffected to the government," and it proposed to extend to all officers of state, privy counsellors, members of parliament, &c., the passive obedience oath already required to be taken by all magistrates in corporations. When Clarendon had attempted to do the same thing, Danby, then Sir Thomas Osborne, and Lord Lindsey were two of the three persons that defeated him by their votes in the Commons; but now this very Lindsey brought in the bill into the Lords, and Danby seconded him. The king himself attended every day, to encourage, by his presence, the champions of absolutism. These unworthy Englishmen represented the measure as a moderate security to the church and crown, and insisted, that, after admitting the principle of the test in corporations, the militia, &c., they could not reject its application to members of parliament, and that none could refuse it unless they entertained anti-monarchical sentiments, which made them unfit to be in parliament. The opposition, which included all the Catholic peers, and Shaftesbury and Buckingham, and some few lords who were neither *Catholics* nor friends to those two unprincipled drivers,* insisted that while the test was limited there remained the high court of parliament to define and control it, but that by this bill it was intended to silence and bind the parliament itself, and undo the whole birthright of Englishmen. As to imposing the oath on peers, they urged that every peer was born to the right of sitsing in that House. And here ministers gave way, and, at the instigation of the Duke of York, adopted, as a standing order, that "no oath should ever be imposed, by bill or otherwise, the refusal of which should deprive any peer of his place or vote in parliament, or of liberty of debate therein." The debates lasted seventeen long days, during which the lords "that stood up now for English liberty, fought it out, under all the disadvantages imaginable, being overlaid by numbers; and the noise of the House, like the wind, was against them."† At last the bill was passed by the Lords, with the oath as amended, in the following form:—"I, A. B., do declare that it is not lawful, on any pretence whatsoever, to take

* Dalrymple. † Id.

* But most of these peers were dissenters.
† Andrew Marvel.

up arms against the king; and I do abhor the traitorous position of taking arms by his authority against his person or against those that are commissioned by him according to law in time of rebellion and war, in pursuance of such commissions. I, A. B., do swear that I will not endeavour any alteration of the Protestant religion now established by law in the church of England, nor will I endeavour any alteration in the government in church or state, as it is by law established." And the penalty was fixed at 500*l.* fine to the king, and incapacity to hold any office or commission under the crown. Peers or members of the other House were not to be unseated, but they were held to be liable to the fine at every new parliament. When the test, in this form, was sent down to the House of Commons, parties seemed so nearly balanced there as to make the opposition fear it might pass; but Shaftesbury, who often served the cause of liberty, though his motives were never pure, adroitly got up a quarrel with the Lords about privilege, arising out of a question that in itself had nothing to do with the test. The king detected the adroit hand of his former minister, and denounced the check upon the bill as a malicious contrivance of some that were enemies to himself and to the church; but he failed in his endeavours to make up the quarrel between the two Houses; and thereupon (on the 9th of June) he prorogued parliament in an ill humour. When they met again in the month of October, the Commons did not seem very ready to gratify the king's earnest longings for more money. They told him that after a careful calculation of the monies he had received from parliament and from the Dutch upon the late treaty, they found that he ought to have a large surplus instead of being deeply in debt. They, however, voted 300,000*l.* for building ships of war, perceiving with alarm that even the infant navy of the French king was exceeding our own. An attempt was made to check bribery and corruption, and even to put an end to this parliament, which had already lasted nearly fifteen years, but it failed; and on the 22nd of November, the king prorogued it for fifteen months!

Affairs had not improved in Scotland. Archbishop Sharp still tyrannized over the consciences of men, and Lauderdale and his Duchess sold the honours and employments of the state. But at length the persecutions of the primate seemed to produce so much mischief and threaten so much danger, that the indolent Charles roused himself for a moment, and commanded Sharp to hold his hand and attend to spiritual concerns alone. In the year 1668 a young Covenanter named James Mitchell, who had fought in the battle on the Pentlands, and who had witnessed the horrid executions which followed it, thought himself inspired by heaven to kill the apostate archbishop; and, choosing his time, he fired a pistol into his carriage. A cry was raised of murder, but some one said it was only a bishop; and so universally was Sharp hated, that nobody offered to seize the assassin, who stepped into a house, changed his coat and wig, and then came back and mixed in the crowd. He had, however, missed his aim; for, though the Bishop of Orkney, who was in the same carriage, was badly wounded in the wrist, Sharp was not touched. Proclamations were issued offering great rewards, but not one would betray or inform against Mitchell. In the month of October, 1669, Lauderdale held a parliament, in which the project of a union between the two kingdoms was again agitated, to be again cast aside as impracticable. But Lauderdale carried measures which he had at least as much at heart. The parliament, by one slavish vote, transferred the whole government of the church from themselves, and vested it in the king alone, who was declared to have an inherent right to it, and to an absolute and uncontrolled supremacy; and by another act they settled that the considerable Scottish army which had been raised should be kept up, and that these troops should be ready to march into any part of the king's dominions for any cause in which his majesty's authority, power, or greatness might be concerned, upon orders transmitted to them from the council-board. By these two votes, Scotland was thrown prostrate, and her sons were marked out for the service of making the English as much slaves as themselves. But a little later the parliament that made these dangerous concessions took fire at monopolies and taxes upon brandy and tobacco; and they became so unruly that Lauderdale hastened to a dissolution. After this check it was considered prudent to have recourse to measures of gentleness and conciliation. In 1673 Lauderdale followed up some minor indulgences to the Covenanters by the publication of an act of grace pardoning all offences against the Conventicle Act: but this lenity was correctly attributed to weakness; it gained no hearts; and in the increasing and multiplying conventicles the fiery preachers taught an enthusiastic multitude to hate episcopacy more than ever, and to abhor the court and government which had forced bishops upon them at such an expense of blood and suffering. Christian gentleness was not to be expected: the people made their Arminian pastors suffer almost as much as the bishops made the presbyterians; in the greater part of the country no intrusive minister could perform service unless he were backed by dragoons; and their parish churches became like pest-houses, and were abandoned and locked up.

A. D. 1676.—The war which Louis had kindled by his violent attack on the Dutch commonwealth was now become general in the Low Countries, in Spain, in Sicily, on the Upper and Lower Rhine, in Denmark, in Sweden, in the German provinces, and it was carried on at one and the same time in the Mediterranean, the Ocean, and the Baltic. France supported this war with seeming honour and advantage on nearly every side, but at a ruinous expense. She fought

almost single-handed, for, of her three allies, Bavaria, Hanover, and Sweden, only the last made a diversion in her favour. What favoured her more than her friends was the want of concert among her enemies, with the straggling nature of the territories of Spain and the empire, and the disaffection which prevailed in parts of those territories, and which she skilfully encouraged. Thus Messina, the second city in Sicily, had revolted against the Spanish viceroy, and Louis had sent a fleet thither; and thus the Hungarians were about taking up arms against the emperor, who had invaded their privileges, and Louis was in close correspondence with the disaffected there. De Ruyter, who was dispatched by the Prince of Orange to assist the Spaniards in Sicily, died of a wound he received off Messina. On the other hand, Louis's great general, Turenne, was killed near the village of Saltzbach, on the Rhine, and after his death the imperialist general, Montecuculi, defeated the French in several encounters, crossed the Rhine, and recovered Alsace. Directed by the genius of Vauban, who revolutionized the science of fortification, and the art of defending and attacking places of military strength, the French continued to be rather successful in their sieges: the Prince of Orange was compelled to raise the siege of Maestricht, and, in attempting to relieve St. Omer, he was defeated with great loss. In the words of Bolingbroke, this prince "raised more sieges and lost more battles than any general of his age had done; but his defeats were manifestly due in great measure to circumstances independent of him; and that spirit, which even these defeats could not depress, was all his own."* Under the very partial auspices of the English court, an interminable treaty had been transferred from Cologne to Nimeguen, where a sort of congress was opened in the summer of the preceding year. But the hollow talk of diplomatists did not interrupt the roar of cannon;—the war went on, and during its vicissitudes Charles again sold himself to Louis, who engaged to pay him an annual pension of 100,000*l.*, and to send over French troops if required. Charles wrote this secret treaty with his own hand, and signed it with his private seal, while his brother James, Danby, and Lauderdale, all knew of the transaction. Chiffinch, the valet and back-stairs man, received the monies from the French minister, and Charles signed the receipts.†

A. D. 1677.—On the 5th of February parliament met in the midst of great popular excitement—for men had begun to believe that the king had made up his mind to do without parliaments. In the Lords, as well as in the Commons, the opposition began the session by questioning the legality of the long prorogation. The Duke of Buckingham maintained that, by the very length of the prorogation, this parliament had ceased to exist, and Shaftesbury and Wharton supported him. But Danby was too strong for them, and not only were they out-voted, but they were in an arbitrary manner committed to the Tower. In the House of Commons there were too many members that gained by keeping their seats, and too much French money had just been shared among them,* to allow that House to pronounce its own dissolution; and the country party were left in a minority of 142 to 193. The Lords now brought in a bill for the security of the church in case of the succession of a Catholic prince—for Charles, though well provided with illegitimate sons and daughters, had no children by the queen, and his brother James, the declared papist, remained heir to the crown. By this bill an immense power was to be given to the bishops.† The Commons, however, were indignant at its encroachments; they asserted, with some reason, that it would vest the sovereign power in the Bench; and after two readings they allowed the bill to sleep. The Lords originated a bill for the more effectual conviction and prosecution of popish recusants, but doing away with the awful punishment of death. The Commons threw this out in a rage, and drew up and passed a merciless bill of their own to prevent the growth of popery, and keep up hanging. The Lords refused to give it a single reading. Both Houses, however, agreed in the abolition of the detestable writ *de hæretico comburendo.*

Still alarmed at the growing navy of the French, the Commons voted 600,000*l.* for building new ships; but they took care to provide securities for the proper employment of this money. Fresh successes and conquests on the part of Louis created fresh alarms; they saw that the French were securing themselves in the Spanish Netherlands; that the Prince of Orange was being again driven behind his dikes; and by means of some who are said to have "touched *the monies of Spain,*" the Commons voted an address, praying the king to take such steps as might be necessary to check the rapacity of the French monarch, and preserve the Netherlands.‡ If Charles could have gained by it, he would have broken his secret bargain with Louis; but the Commons had bound him more and more to the French interests, by tying up the 600,000*l.*, and betraying, on other occa-

* Sketch of the History and State of Europe, in "Letters on the Study and Use of History." Bolingbroke adds, in explanation of some of the difficulties and peculiarities of the Prince of Orange's case:—"He had difficulties in his own commonwealth; the governors of the Spanish Low Countries crossed his measures sometimes, the German allies disappointed and broke them often; and it is not improbable that he was frequently betrayed. He was so perhaps even by Souches, the imperial general; a Frenchman, according to Bayle, and a pensioner of Louvois, according to common report and very strong appearances. He had not yet credit and authority sufficient to make him a centre of union to a whole confederacy, the soul that animated and directed so great a body. He came to be such afterwards; but at the time spoken of he could not take so great a part upon him. No other prince or general was equal to it; and the consequences of this defect appeared almost in every operation."

† Dalrymple.—Mazure.

* Dalrymple.

† The Lords' bill, which Danby is said to have concerted with the bishops themselves, provided among other things, that on the demise of the king the bishops should tender a declaration against transubstantiation to the successor, and certify into Chancery whether he had subscribed the declaration or not. If he had not subscribed, then they were empowered to appoint to all bishoprics and to present to all benefices in the gift of the crown, and they were to take charge of the education of the children of the king.

‡ Dalrymple shows that Spanish money, Dutch money, and even German money as well as French money, was distributed in this pensioned parliament.

sions, a great shyness of trusting him with money. After some parliamentary manœuvres, when the whole nation began to cry for war with France, the Commons pledged themselves to supply the necessary funds. Thereupon the king demanded an immediate grant of 600,000*l.* at the least. To forward this grant the emperor's ambassador and the ambassador of the king of Spain distributed 22,000*l.* among the *patriots* in the House of Commons, while, to prevent it, the envoy of the king of France spent probably a larger sum in the same manner. In the end, the Commons refused the 600,000*l.*; upon which Charles refused to declare war without it, adjourned parliament from the 28th of May to the 16th of July, and applied to the king of France for an increase of his pension. Louis offered two millions of livres, making about 150,000*l.*; Charles demanded 200,000*l.*; and, after a good deal of chaffering, obtained the latter sum: in return for which, he kept off the meeting of parliament for nearly a whole year. This was done, not by prorogation, but by adjournment, in order to keep the four lords in the Tower. Ill brooking so long a confinement, the Duke of Buckingham, Salisbury, and Wharton, made their humble submission, and were released. But Shaftesbury would not submit: he appealed to the law, and was heard in the King's Bench; but the judges refused to admit him to bail, and then, having made a noise by his long holding out, Shaftesbury submitted, and was liberated some six or seven months after Buckingham and the rest.*

During the long recess Charles not only permitted his nephew, the Prince of Orange, to come over to England, but hastily made up a marriage between the prince and his niece, Mary, the elder daughter of the Duke of York by Anne Hyde.† James submitted reluctantly to this sudden union; and when Barillon, the French envoy, remonstrated, Charles told him that the measure was forced upon him by the jealous fears of the nation, particularly since the Duke of York had declared himself a Roman Catholic.‡ James afterwards made a merit to himself of this Protestant marriage, and expressed his hopes that now none would suspect him of any intolerance or of any design to change the religion of the country. So essential was the neutrality of England to Louis, that he was obliged to conceal his resentment, lest his unsteady pensioner should go further; and he condescended to listen patiently to terms of peace, which Charles proposed in the interest of his nephew. But at the same time Louis poured fresh troops into Flanders and invested Guislain. The excitement produced in England seemed dangerous, and Charles and his brother, who seldom agreed except in leaning to the French king, now went together into a treaty with the Prince of Orange and the States-General; and the English troops under the command of young Monmouth were recalled from the service of France. Then Louis stopped Charles's pension, and employed his money in bribing the leaders of the opposition in the House of Commons, who undertook so to limit the grants of public money as to make a war impracticable or little dangerous to the French king. These intrigues, however, would have failed, or could never have existed, but for the instinctive hatred of the English people to a standing army; and the suspicions spread far and wide, that Charles and his brother intended to employ any army that might be raised, not in curbing the ambition of the French, but in destroying the liberties of the English people, and altering their religion by force.

A.D. 1678.—The English parliament met sooner than had been appointed, and the king, announcing a treaty offensive and defensive with Holland, spoke roundly of a war with France, and of the necessity of putting ninety sail of ships in commission, and raising an army of 40,000 men. The opposition, who were afraid to make a too open resistance to a grant of money for this ostensibly Protestant war, attempted to embarrass the court with conditions and restrictions; but these manœuvres failed, and a supply was voted in general terms for the maintenance of a fleet of ninety sail and an army of 30,000 men. The victorious career of the French, who had now taken Ghent, Ypres, and other places, and had opened a road into the heart of Holland, set home jealousies to sleep for a time; regiments were raised with alacrity, and, to prove the sincerity of the court's intentions, two or three of them were sent instantly to protect Ostend against Louis. But still Charles refused to declare war; and *a few* must have known that he continued a secret correspondence with Louis all the while.* The Prince of Orange had no confidence in his uncle the king, or in his uncle and father-in-law the duke; and the States-General, tired of their costly alliance with Spain and the emperor, were disposed to make a separate treaty without any very scrupulous regard for either of their allies. Still, however, Charles and his brother urged on the levies; and still the jealousies of the uses for which this army was really intended increased, and very naturally. Lord Russell, the purest of the patriots, though his patriotism was perhaps dimmed by religious intolerance, inveighed in the House of Commons against the dangers of Popery and of a standing army; Sir Gilbert Gerard said pretty plainly that this army would never be employed in any other work than in putting down the liberties of the country; and an address was voted calling upon the king to declare himself. The French agents, who had paid money to some of the men who drove on these measures in the House, were astonished and irritated; but they were given to understand by the *patriots*, that if Charles could render them (the opposition) unpopular, as averse to the pretended Protestant war, he would be enabled to crush them, and command, by the help

* Parl. Hist.—Dalrymple.—Burnet.—Andrew Marvel.—Temple.

† This marriage had been proposed some time before, when the Prince of Orange was rather averse to it than otherwise.

‡ Dalrymple.

* Dalrymple.—Ralph.

of his army, a slavish parliament to do whatever he chose; and though Ruvigni and Barillon knew that their master, Louis, hated parliaments in the abstract, they were perfectly well aware that he relied very little upon Charles. They, therefore, pretended to be satisfied, and continued their intrigues both with the king and the patriots. The Lords rejected the address of the Commons which was carried up to them by Lord Russell, maintaining that, as the intentions of Spain, the empire, and Holland were not really known, it would be folly for the king of England to commit himself by a declaration of war. The Lords were right; but those who carried the House with them, and who knew that the allies were in reality ready to conclude a peace, ought also to have known that the king could have no *foreign* use for the army he was raising. The French ministers, at the congress of Nimeguen, had already offered a peace upon condition of being allowed to retain two of the five towns they had taken in Flanders,—Tournay and Valenciennes; and now the Emperor, the Court of Spain, and the Prince of Orange intimated to the King of England that they were ready to treat upon that condition. Charles made haste to communicate secretly with Louis, and to ask a pension of six millions of livres for the three following years, as the price of his guaranteeing the acceptance of the treaty by the allies.* But Louis, flushed with his recent successes in the field, told Montague that he must have Ypres and Condé as well as Tournay and Valenciennes, and that he would satisfy his English majesty through orders he would send to Barillon; and, in effect, Barillon fully satisfied Charles with a new money bargain; and another infamous treaty was concluded, wherein the King of England agreed, for six millions of livres, to break with the States-General if they did not accept the terms offered by France,—to recall his troops from Flanders,—to observe a strict neutrality,—to disband his army,—and to prorogue, and then dissolve, the present parliament. In the mean time the Commons had required that Charles should either pay off the troops that had been raised, or join the allies and declare war against France. On the 4th of June they voted the sum of 200,000*l.* upon condition that the troops should be paid off with it immediately. They also granted 200,000*l.* for the navy; but they voted that no question of further supplies should be entertained that session. Charles summoned them before him in the House of Lords, and endeavoured to cajole them out of 300,000*l.* per annum as an addition to his fixed revenue; but the Commons were firm, and all that could be obtained from them was a new bill consolidating the grants they had made in a general supply. Then, on the 15th of July, he prorogued the parliament.

The diplomatists at Nimeguen had settled a peace upon the conditions offered by Louis, and an armistice for six weeks was proclaimed to allow the reluctant government of Spain time to make up its mind. But, on a sudden, the French commissioners declared that, their master being bound to see an entire restitution made by the Emperor to his ally the King of Sweden of all he had lost in the war, he could not restore the towns in Flanders to the Spaniards till his ally the Swede was satisfied. The States-General, who had driven for a separate peace, sorely against the will of the Prince of Orange, were confounded by this pretension of making their frontier answerable for places which had been taken from the Swede by the Emperor, the King of Denmark, and the Elector of Brandenburg; and, not knowing to whom else they might address themselves, they applied to the King of England. Charles chuckled over the deepening game, fancying that he must get more money out of its difficulties. It was natural for one that associated so much with players to acquire some skill in acting. He put on a virtuous indignation at the bad faith and rapaciousness of his brother of France; while the Duke of York declared that Louis was seeking the dominion of all Europe, and that England alone could check him. More English troops were shipped for Flanders, and Sir William Temple was sent to the Hague, where, within a week, he concluded with the States a treaty binding England to enter upon the war instantly, if Louis did not give up his pretension of keeping the towns in Flanders as security for Sweden. But, while this was a-doing, Charles, in the apartments of his French mistress, the Duchess of Portsmouth, was laughing, with his brother James and Barillon, at the credulity of those who believed that he was in earnest,* and was telling Barillon to write for more French money; and shortly after he dispatched the Earl of Sunderland to negotiate with Louis for the dissolution of the alliance just made by Temple, and for satisfaction to Sweden, *moyennant* subsidies to himself. But Louis, who was at least his match in cunning and duplicity, secretly revealed these proposals to the States-General, to show them what reliance they could place on such an ally as his English majesty; and then, impelled by the commercial impatience of Amsterdam and the other great cities, which were, moreover, jealous of the growing power of the Prince of Orange, which they fancied might subvert their liberties, the States hurried to sign a separate treaty with Louis, that completely broke the coalition. By this treaty the Spanish Netherlands—the rampart by land of Holland—were left at the mercy of the French; but the Prince of Orange boldly resolved to do something with his sword in spite of the pen of Beverning and his colleagues

* In all these transactions there was complicated trickery. Secretary Coventry was instructed to write a dispatch directing Montague, the ambassador at Paris, to sound the French court, and to do nothing more. This dispatch was probably submitted to the whole of the council. But, in addition to the dispatch, there was a secret money-letter to which Charles put a postscript in his own hand-writing to assure the French king that the letter was written by his own order. Danby was the penman, and the letter was not forgotten in his impeachment.—*Dalrymple.*

* Sir John Reresby, Memoirs.—Dalrymple.

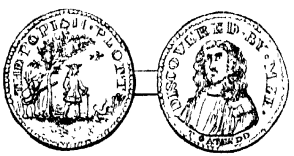
at Nimeguen. The treaty between the States and France was concluded on the 10th of August; and as it was known in London, it must have been known in the neighbourhood of Brussels, where the prince then lay with his army. Yet, on that day, the not over-scrupulous William fell upon the French, and gave them such a beating as they had not suffered for several years. The Duke of Luxembourg was besieging Mons, a most important frontier town of Flanders, and he had not, it appears, suspended his operations very strictly during the armistice. It was of the utmost importance to preserve the place; and the Prince of Orange, collecting the Spanish confederates under the Duke of Villahermosa, and some of the English auxiliaries commanded by the gallant Lord Ossory, and all very ready to fight the French, took Luxembourg by surprise, and forced him into a battle under the walls of Mons, and in the midst of his own beleaguer. After a dreadful conflict, in which five thousand brave men, of all sides, bit the dust, night separated the combatants. It was generally believed that if the Prince of Orange had been at liberty the next day to pursue his advantages, he might not only have relieved Mons, but have made a long-desired incursion into France. But on the morrow, Luxembourg, at a conference, announced the conclusion of peace between France and Holland; and William, "bound by a limited authority," was obliged to retire towards Nivelles. Charles now endeavoured to make the States-General break the treaty, and he invited his nephew to join him in a *bonâ fide* war. "Was ever anything so hot and so cold as this court of yours?" said the Prince of Orange: "Will the king never learn a word that I shall never forget since my last passage to England, when, in a great storm, the captain was all night crying out to the man at the helm,—Steady! steady! steady? If this dispatch had come twenty days ago, it had changed the face of affairs in Christendom, and the war might have been carried on till France had yielded to the treaty of the Pyrenees, and left the world in quiet for the rest of our lives: as it comes now, it will have no effect at all."* Charles then turned to Louis, who, for the present, suspended the wages of his infamy. The States-General stepped into his post of mediator, and, under their management, both Spain and the empire were included in the treaty, and peace was restored to the continent in the month of October. By the peace of Nimeguen Holland recovered all she had lost, and made very advantageous commercial arrangements with Louis. Spain ceded to France the province of Franche-Comté, which naturally belonged to her, and twelve fortresses in Flanders; the Empire gave to Louis Fribourg instead of Philipsbourg; the King of Denmark and the Elector of Brandenburg restored their conquests to Sweden; and Louis XIV. became the arbiter of Europe.†

* Temple's Works.

† Temple.—Bolingbroke.—Dalrymple.—Ralph.

Before this temporary settlement of the affairs of the continent, England became involved in fresh disgrace—in a plot which has not a parallel in the annals of civilized mankind. Many adroit politicians had long been convinced that the only lever by which to raise up a stern, popular opposition to the encroachments and schemes of the court, was the old and sturdy hatred of Popery,—that there would be no chance of keeping the people free, unless they could convince them that there was a design on foot to make them Catholics at all hazards, and at any cost of blood and crime. There had been one or two little preludes; but on the 12th of August, 1678, while the king was walking in St. James's Park, he was accosted by one Kirby, who told him that his enemies had a design upon his life, and that he might be shot in that very walk. Charles stepped aside, and appointed Kirby to meet him at the house of Chiffinch, where his majesty was accustomed to meet a very different kind of company—his panders and his women. There Kirby informed him that two persons named Grove and Pickering had engaged to shoot him, and that Sir George Wakeman, the queen's physician, had undertaken to poison him. All this intelligence Kirby said he had received from his friend Dr. Tonge, a divine of the church of England, who was well known to several persons about the court. Charles agreed to see the doctor, and Tonge presented him with an immense roll of papers which contained the full particulars of the plot drawn out under forty-three heads. This was too much for the patience of the king, who referred the parson with his papers to Danby, the treasurer and prime minister. Danby asked Tonge who had written the papers? The doctor answered that they had been secretly thrust under his door, and that, though he guessed, he did not exactly know by whom. After a few days, however, Tonge told the treasurer that he had ascertained his suspicions as to the author to be well founded; that he had met the individual in the streets, who had given him further particulars of the horrible conspiracy, desiring that his name might be concealed, lest the Papists should murder him. Danby went to the king, and proposed the instant arrest of the alleged assassins; but Charles, who is said to have believed from the beginning that the whole thing was a gross imposture, declined taking this step, and requested that the matter should be kept secret even from the Duke of York; saying that it would only create alarm, and might perhaps put the notion of murdering him into some head that otherwise would never have thought of it. But Tonge, the chief performer in this ante-piece, soon waited upon Danby with information that there was a terrible packet going through the post-office to Bedingfield, the Duke of York's confessor, then at Windsor. The lord-treasurer posted down to Windsor to intercept this packet; but he found that the letters were already in the hands of the king. Bedingfield had shown them to his penitent, who had delivered them to his brother; and the

king, the duke, and the Jesuit had examined them together, and his majesty had been convinced that they were forgeries sent on design to be intercepted, to give credit to the revelations of Kirby and Tonge: but the duke's enemies, on the other hand, gave out that he had got some hints of the discovery of the real plot, and brought those badly forged letters as a blind to impose on the king, while the real Jesuit letters were destroyed as soon as received by his confessor and himself. Charles would still have treated the whole story as the awkward plot or intrigue of an ill constructed comedy; but James, seeing that the Jesuits, and even his own confessor, were accused, insisted upon a searching inquiry. It is not clear, however, that "the drivers" of the plot would have let the matter drop if the duke had been ever so still. Kirby, who had first warned the king in the Park, appeared repeatedly at court; and, failing to attract attention there, the mysterious friend of Dr. Tonge, who had written the forty-three articles, presented himself to Sir Edmondbury Godfrey, a magistrate of Westminster, and not only made his affidavit to those charges, but also to thirty-eight more articles which had been added to the original list. The magistrate perceiving that Coleman, an agent and factotum of the duke's, and a personal friend of his own, was set down as a chief conspirator, immediately warned his friend, and Coleman communicated with his master, the Duke of York. It was now impossible to keep the business a secret; and Dr. Tonge, being summoned before the council, was commanded to produce his informant. Thereupon, on the 28th of September, Titus Oates appeared before that board in a new suit



Medal Struck to Commemorate the Popish Plot.
From the Original in the Brit Mus

of clothes and a clerical gown. With the most marvellous self-possession and fluency he commenced and continued his incredible story. He stated—1. That the pope claimed possession of these kingdoms on account of the heresy of the people, and had delegated his supreme authority to the society of Jesuits. 2. That the Jesuits had undertaken to expel this heresy, and re-establish the Catholic faith. 3. That, in furtherance of this plan, some of the society were employed in Ireland, some in Scotland (under the disguise of *Covenanters*), some in Holland, and some in England, where they were not only plotting the murder of the king but of the duke also, if his highness should oppose their attempt or refuse his concurrence. 4. That these Jesuits had 100,000*l.*; that they were in the receipt of 60,000*l.* a-year in rents; and had obtained 10,000*l.* from the confessor to the French king, and the promise of equal sum from the provincial of New Castile. 5. That a man named Honest William, and Pickering, a lay-brother of the order, had been repeatedly commissioned to shoot the king, and had been punished for their neglect. 6. That, in the preceding month of April, a grand consult of Jesuits from all parts had been held at the White Horse Tavern in the Strand, and had there provided three sets of pistol-assassins; and had, besides, offered 10,000*l.* to Sir George Wakeman, the queen's physician, if he would do the thing quietly by poison: Oates pretended not to know how Wakeman behaved, but swore that he had often seen him with the Jesuits since that meeting at the White Horse. 7. That he had been himself urged to shoot the king. 8. That a wager was laid that the king should eat no more Christmas pies; and that, if he would not become R. C. (Rex Catholicus), he should no longer be C. R. 9. That the Jesuits had been the authors of the great fire of London, and were now concerting a plan for the burning of Westminster, Wapping, and all the shipping in the river; and that he (Oates) had a post assigned him among the incendiaries. 10. That the pope had already, by a secret bull, filled up all the bishoprics and dignities in the church, and had appointed Lord Arundel to be his chancellor, Lord Powis treasurer, Sir William Godolphin privy seal, Coleman secretary of state, Langhorne attorney-general, Lord Bellasis general of the Papal army, Lord Petre lieutenant-general, Lord Stafford paymaster; and that other well-known Catholics, of less rank, had received inferior commissions from the provincial of the Jesuits.

To account for the means by which he was let into all these dangerous secrets, Oates affirmed that, as a convert to the Catholic religion, he had been admitted into the Jesuits' houses abroad; and this part of the story was true. His real and infamous history appears to have been simply this:—Titus Oates was the son of an Anabaptist preacher; his father had been chaplain to that Colonel Pride who purged the House of Commons; but Titus, when he saw how the restored government was purging the church and persecuting and impoverishing non-conformists, conformed forthwith, and got himself ordained a minister of the establishment. This was a time of sudden conversions: the timid and the unscrupulous took refuge from the tyranny of intolerance in cunning, lying, and perjury. The son was sent to Cambridge, and took orders in the established church. Being obscure and friendless, he could obtain no living; and he pined on the scanty pay of a country curate. While in this condition he was twice convicted of perjury. He was afterwards a chaplain on board a man-of-war; and from that situation he was dismissed with an increase of infamy. According to his own account, in the year 1676, he was admitted into the service of the catholic Duke of Norfolk,

and there became acquainted with one Byng, "that was a priest in the house," and with Kemish and Singleton, who told him "that the Protestant religion was upon its last legs," and that it behoved him and all men of his coat to hasten betimes home to the Church of Rome; and thereupon, he, having had strong suspicions of the great and apparent growth of popery, to satisfy his curiosity pretended some doubts in his mind. But, upon conversation with these men, he found they were not men for his turn. Afterwards he met with one Hutchinson, a saint-like man, or one that was religious for religion's sake; and him he found not for his turn either, "for his design was to deal with their casuists, that is, those of the Society." But after Hutchinson had introduced him to a Jesuit, he found "*they* were the men for his turn, because they were the cunning, politic men, and the men that could satisfy him." He pretended to be convinced by the Jesuit's arguments, and he was reconciled to the Church of Rome on Ash Wednesday, 1677. But Oates laid his hand upon his breast, and said God and his holy angels knew that he had never changed his religion, but that he had gone among them on purpose to betray them. After his reconciliation with the Church of Rome, he was sent, as catechumen, over to the continent, and was admitted into the Jesuits' College at Valladolid in Spain. There Oates stayed about five months, when he was disgracefully expelled. He recrossed the Pyrenees, and appeared as a mendicant at the gate of the Jesuits' College at St. Omer, and was not only received but entertained there for some time, during which he lived among the students and novices. But he was again expelled with shame, and then he came home without coat or cassock, and either made or renewed an acquaintance with Dr. Tonge, rector of St. Michael's, in Wood Street, a great Protestant alarmist. This Tonge and Kirby clothed and fed him while he was writing out his plot; and they bought him the clerical gown and new suit in which he appeared before the council.

The members of that board heard his revelations with silent astonishment; but the Duke of York pronounced them a most impudent imposture. There were, however, several members of the council, moved by different motives and feelings, that were resolved to proceed with the inquiry. They asked Oates for documents,—for letters or papers of some kind. He, who pretended to have been the bearer of Jesuit dispatches and letters innumerable, had not a scrap to produce; but he engaged to find abundance of documentary evidence if they would assist him with warrants and proper officers. And the council agreed to let him have both. On the morrow Oates was again brought before the council, and this time the king was there. Charles, who did not believe one word of the whole story, was afraid of opposing his ministers in such a matter as this; but, on one or two occasions, he could not wholly conceal his feelings. He desired that Oates might be made to describe the person of Don Juan, to whom, as he said, he had been introduced during his travels. The informer said that Don Juan was tall, thin, and swarthy. Here Charles turned to his brother, the duke, and smiled; for their old acquaintance, the Spanish bastard, showed the Austrian breed more than the Spanish, being short, fat, and fair. Charles also asked where Oates had seen the king of France's confessor pay down the 10,000*l*. The informer replied,—In the Jesuits' house, just by the king's house. Here Charles, who knew Paris rather better than Oates, exclaimed,—"Man, the Jesuits have no house within a mile of the Louvre." But notwithstanding all this, Charles posted off to Newmarket races, leaving the council to make what it would of the plot, and Oates to be lodged at Whitehall under his royal protection.

It is maintained by most writers, upon a variety of contemporary authorities, that Danby, the prime minister, if he did not help to originate it, was anxious to encourage the ferment, which might absorb men's minds and prevent or delay the impeachment with which he was threatened in the next session of parliament. In ordering the arrest of the denounced Coleman, the agent of the Duke of York, the minister gave instructions that his papers should be seized; and this measure, with a variety of additional circumstances which came out one upon the other, contributed to make up a strange body of presumptive evidence, and to convert what at first seemed a wild vision into something like a reality. Indeed the framers of the popish plot (supposing it to have been all an invention) must have felt, in the end, something like the conjuror who, while attempting to delude some old women by raising a sham devil, suddenly saw the real fiend grinning at his elbow. Coleman, who had absconded after the warning given to him by his friend Sir Edmondbury Godfrey, had destroyed or removed some of his papers, but enough were left and secured to prove that both he and his master the duke had been engaged in a dangerous correspondence with the French king, with that king's confessor, Father la Chaise, and with the pope's nuncio, at Brussels, and that they had solicited money from La Chaise at Paris, and from the pope at Rome, for the purpose of changing religion in England. A few days after this discovery the popular ferment was increased tenfold by the disappearance of Sir Edmondbury Godfrey, who had taken the deposition of Oates, and who was supposed to have received confidential communications from Coleman. This magistrate left his house at Westminster on the morning of the 12th of October, and never returned more. He had been for some time greatly depressed in spirits, and had entertained apprehensions that he would be the first martyr in this plot. As soon as he was missed, the people unanimously hurried to the conclusion that he had

been trepanned and murdered by the papists; and the papists, in self-defence, perhaps, but certainly to the injury of their own cause, gave out that he had run away for debt,—that he had withdrawn to contract an indecorous marriage,—that he had run away with a harlot,—and, at last, that he had killed himself in an excitement, working upon an hereditary disposition to insanity. His brothers, who lived in the city, and his numerous friends, made search in all directions, but no traces of him could be found until the evening of the sixth day, when his body was discovered in a ditch by Primrose Hill, not far from Old St. Pancras Church: it was pierced through and through with his own sword, which came some inches out at the back, behind the heart. There was no blood on his cloths, or about him; his shoes were clean as if he had not walked to that country spot; his money was in his pocket and his rings were on his fingers; but there was nothing about his neck, and a mark was all round it an inch broad, which showed he was strangled: his breast, also, was marked all over with bruises, and his neck was broken. "All this," says Burnet, "I saw, for Dr. Lloyd and I went to view his body; and there were many drops of white wax on his breeches, which he never used himself; and since only persons of quality or priests use these lights, this made all people believe in whose hands he must have been; and it was visible he was first strangled and then carried to that place, where his sword was run through his dead body. . . Dr. Lloyd went and told the king what he had seen. The body lay two days exposed, many going to see it, who went away much moved with the sight; and, indeed, men's spirits were so sharpened upon it that we all looked on it as a very great happiness that the people did not vent their fury upon the papists about the town." According to one account, when the sword was drawn, there followed a copious discharge of blood, which could not have been the case if the weapon had been thrust into a dead body; but two surgeons, who had examined the body, afterwards deposed that there was no evacuation of blood,—that the breast was beaten as if with some obtuse weapon,—and that the neck was broken. It has been said that these two surgeons betrayed profound ignorance of the phenomena attending sudden and violent death; but surely it required no great learning or science to speak to outward and visible circumstances like these: the most ignorant barber-surgeon of that day—the veriest clown among the host of spectators—was competent to tell whether the neck were broken, and whether the breast were bruised and beaten, or not. The coroner sat for two whole days on the body, and the finding of the inquest was, that Sir Edmondbury Godfrey had been barbarously murdered by some person or persons unknown. To those who reflected coolly upon all the circumstances of the case, Godfrey's murder

Medals Struck to Commemorate the Murder of Sir E. Godfrey.

From the Originals in the Brit. Mus.

must have appeared then, as it has ever since remained, a perplexing mystery; but, in that universal excitement, few or none were cool, while there were many who, for selfish or political ends, were resolved to fasten the murder upon the Catholics, and to make it a means of revolutionizing court and government. The ghastly body was carried from Primrose Hill to the habitation of the deceased, and there exhibited to many thousands, who shuddered and wept over the Protestant martyr. The funeral was attended by an immense procession, having at their head seventy-two Protestant divines in full canonicals. Dr. Lloyd, the friend of the deceased, preached the funeral sermon, having "two other thumping divines standing upright in the pulpit, one on each side of him, to guard him from being killed, while he was preaching, by the papists."* And at this time so widely and wildly had the panic spread, that all Protestants, clergy or laity, conformists or non-conformists, royalists or republicans, of the court party or of the country party, considered their lives in danger, and, in many instances, adopted the most ridiculous precautions against an unseen enemy.

It was in this state of the public mind, when "reason could no more be heard than a whisper in the midst of the most violent hurricane,"† that (on the 21st of October) the parliament re-assembled. After explaining to the House why he had not yet disbanded the army, and why he was so much in debt as to require immediately fresh grants, Charles adverted to the popish plot, stating that it was his intention to leave it to be investigated by the ordinary courts of law. Both Houses and some of his own ministers were dissatisfied with this light mention of the plot, and they soon made up for the king's coolness by their own scorching heat. They called before them Titus Oates, who never appeared without making copious additions to his original disclosures: they committed the Catholic Lords Stafford, Powis, Petre, Arundel, and Bellasis to the Tower; they crammed the commoner prisons with papists; they declared "that there hath been, and still is, a damnable and hellish plot, contrived and carried on by the popish recusants, for assassinating the king, for subverting the government, and for rooting out and destroying the Protestant religion:" they proclaimed the great Titus the Saver of the Nation, and got him a pension of 1200*l.* a-year. In these and other proceedings of the kind, Shaftesbury was indefatigable, and his masterly hand was visible in what followed. Yielding to the storm, and never struggling with it to the risk of his personal convenience and pleasure, Charles commanded his brother to retire from the council, and assured the Commons that he would pass any bills they might present for present security against popery, or for future security in the reign of his successor, provided only they did not impeach the regular right of succession. But this was not enough; and a bill, passed in the Commons, to disable papists from sitting in either House, reached a third reading in the House of Lords. The Duke of York, who felt that the main object of this bill was to disqualify him, as a preliminary to his exclusion from the throne on account of his religion, made an earnest appeal to their lordships, shedding tears as he spoke. He said he now cast himself upon their favour in the greatest concern he could have in this world; he spoke much of his duty to the king, and his zeal for the good of the nation; and he solemnly protested that, whatever his religion might be, it should only be a private thing between God and his own soul, and that no effect of it should ever appear in the government. To save him, a proviso was introduced that the bill should not extend, in its operation, to his royal highness;* but, in the House of Commons, this saving proviso was carried by a majority of only *two;* and thus, after many attempts, the Catholic peers were excluded from their seats, which their successors did not regain till the year 1829. The doors of the Commons were already closed by the act passed in the preceding session, imposing upon members the oath of supremacy and the declaration against transubstantiation;† and thus it became the practice, as it had long been the principle, of the constitution that those who professed the ancient religion should have no voice in the state.

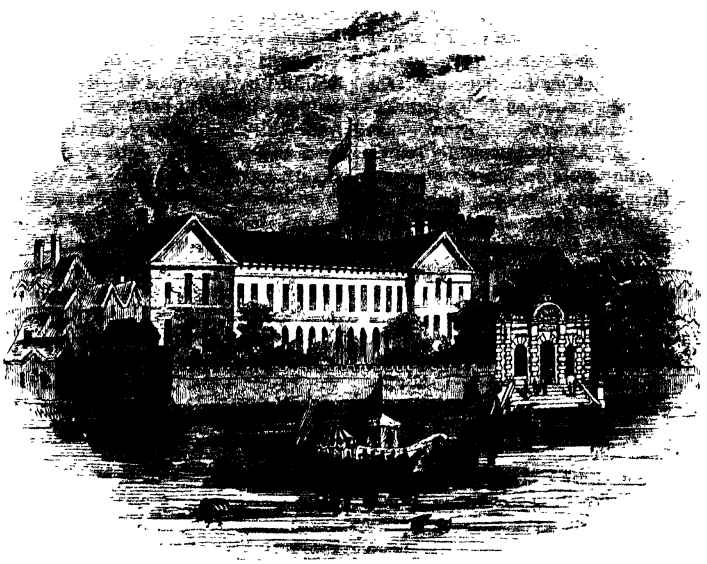
The trade of a Protestant witness had proved so profitable to Oates, that it was not likely he should be left in the monopoly of it. His first rival, who almost immediately became a partner with him in the business, was William Bedloe, a worse-conditioned scoundrel than the great Titus himself,—a regular gaol-bird, a swindler, and a convicted thief. In his origin he was a stable-boy, but he had risen to be a gentleman's courier; and, still aspiring to higher things, he had put captain before his name, and travelled on the continent, making "a shift to live, or rather to exist, by his cheats." He had been recently liberated from Newgate when the reward of 500*l.* was offered for the discovery of the Primrose Hill murder. On his first appearance before the council Bedloe pretended to no acquaintance with Oates, and to no knowledge of the main plot: all that he came to speak to was the murder; and he affirmed that he had seen the dead body of Godfrey at Somerset House, where the queen resided; that Le Fevre, a Jesuit, had told him that he and Walsh, another Jesuit, with the assistance of my

* Roger North, Examen. † Hume.

* During the furious discussions the papist waiting-women of the queen and Duchess of York were not forgotten. A noble peer, supposed to be Lord Lucas, exclaimed,—"I would not have so much as a popish man or a popish woman to remain here; not so much as a popish dog or a popish bitch; not so much as a popish cat to pur or mew about the king." Burnet says that the queen proposed that all her ladies should cast lots to see which should be included in a small number that she was to be allowed to retain; "only she named (*her husband's mistress*) the Duchess of Portsmouth as one whom she would not expose to the uncertainty of a lot, which was not thought very decent in her, though her circumstances at that time required an extraordinary submission in everything."

† 30 Car. ii. st. 2, c. 1.

Lord Bellasis's gentleman and of a waiter in the Queen's Chapel, had smothered the magistrate between two pillows; and that, several nights after the horrible deed, three of the queen's retainers had removed the body from Somerset House. But as Oates, in defiance of common sense and common decency, had been allowed a regular crescendo, Bedloe proceeded to revel in the same indulgence: and on the very next morning, when introduced to the House of Lords, he recollected that the Jesuits Lefevre and Walsh had spoken of commissions given to the lords Powis, Bellasis, and Arundel. The king exclaimed, "Surely the man has received a new lesson during the last twenty-four hours." Bedloe again denied all acquaintance with Oates. Presently after he changed the two pillows, with which he said Godfrey had been stifled, into a linen cravat, as strangling answered better with the appearances about the neck exhibited by the dead body. In this fashion he altered, as well as added, with the least possible regard to verisimilitude. His crowning revelation, delivered on the 12th of November, seemed to be this:—overlooking the material circumstances of his having denied all knowledge of the main plot, he said that, during his travels abroad, he had associated with English monks, jesuits, nuns, &c., from whom he had learned that the king was to be murdered,—that ten thousand men were to be embarked from Flanders, and landed on the coast of Yorkshire,—that twenty or thirty thousand religious men and pilgrims were to sail from St. Jago, in Spain, and to land at Milford Haven,—that the dukes of Monmouth, Ormond, and Buckingham, the lords Shaftesbury and Ossory, were to be murdered as well as the king,—that the present army, the citizens of London, and all obstinate Protestants, were to be "utterly extinguished,"—and that all the considerable Catholics in England not only knew of this plot, but had been sworn upon the Sacrament to assist in its accomplishment. Perhaps Titus Oates was afraid of being left behind—perhaps the conjecture is well founded that, on the failure to exclude the Duke of York from the House of Peers, "the drivers" considered it expedient to prompt the witnesses to lay their accusations higher than they had hitherto done, in order that the king, freed from his present unfruitful marriage, might have a chance of legitimate children (with his illegitimates the court was stocked) by another wife. Whatever were the motives, Oates proceeded to accuse the neglected scion of the House of Braganza: he swore that he had seen a letter wherein Wakeman stated that the queen had given her assent to the murder of her husband; and that he himself had heard her exclaim, "I will no longer suffer such indignities to my bed: I am content to join in procuring his death and the propagation of the Catholic faith." When the witness told this new tale to the king he certainly knew that a project of dissolving the royal marriage had been entertained before by several of the king's ministers, and he imagined that the king would eagerly grasp at this fine opportunity: but Charles had still some



Buckingham Palace, from the Thames, with the celebrated Water Gate, by Inigo Jones.
From an Old Print.

remnant of conscience, or some lingering respect for the opinion of the world: he heard Oates with indignation; and he told Burnet that, considering his faultiness towards the queen in other things, he thought it would be a horrid thing to abandon her now. Oates, however, swore to the new story before the council, and then Bedloe came in to corroborate it. The Duke of Buckingham had once proposed to the king something very like the murder of his wife,—that is, a plan for carrying off the queen to some plantation in the West Indies; and Charles suspected that, in this particular matter, in accusing her majesty, the duke had been more busy than any one. He had not courage to declare his conviction, and to proclaim Oates an impostor and the mouthpiece of a foul cabal; but he ordered that his papers should be seized, and that no person should be admitted to communicate with him in private. But Charles could not prevent his appearing at the bar of the Commons, where, on the 28th of November, he raised his voice as became the solemnity of the matter, and said, "I, Titus Oates, accuse Catherine, Queen of England, of high treason." The Lords, however, would not join the Commons in an address for the removal of the queen, and the accusation was allowed to drop. At the same time the Upper House, so far from expressing any doubt as to the main plot, voted an address for the apprehension of all Papists, and received impeachments of high treason against Stafford and the other four lords in the Tower. The king, wherever he durst venture, continued to declare that he did not believe a single word that Oates and Bedloe had advanced. One of his profligate courtiers,* who at times spoke unpalatable truths, said that his majesty knew a good deal more about the Popish plot than the witnesses or than any one else; and Charles could scarcely have forgotten how far he had gone in plotting with the French king for the subversion of the religion and the constitution of his country. But neither these recollections and convictions, nor any others, could impel that thoroughly selfish man to make any effort to stop the shedding of blood, and cool the popular frenzy and that bloodthirstiness which happily never lasted long with the English people. The first victim was Stayley, the Catholic banker, who had not been mentioned by Oates and Bedloe, but who was denounced by a *new* witness—a destitute Scotchman—as being guilty of telling a Frenchman, in a public tavern or eating-house in Covent Garden, that the king was the greatest rogue in the world, and that he would kill him with his own hand. Burnet, who knew Carstairs, this witness from Scotland, informed the lord chancellor and the attorney-general what a profligate wretch he was; but Jones, the attorney-general, took this in ill part, and called it disparaging the king's evidence;† and the unfortunate banker was condemned, and executed as a traitor at Tyburn. The case of Coleman was far more important, and admitted of better proof; and whether his offences amounted to treason or not, and whether they were or were not connected with such an extreme and horrible plot, they were misdemeanors of a deep and traitorous die. Part of his papers he had destroyed, but enough remained to prove that he and his master (the duke) were undeserving of the name and rights of Englishmen.

It appeared from these letters that, in the years 1675 and 1676, Coleman had been in close correspondence with Father La Chaise, and had asked him repeatedly for money to forward a project in England, which "would give the greatest blow to the Protestant religion it ever had received." "We are," said Coleman, in another of his letters to the French confessor, "about a great work—no less than the conversion of three kingdoms, and the total and utter subversion and subduing of that pestilent heresy which has domineered over great part of this northern world a long time; there never was such hopes of success since the death of Queen Mary as now in our days. God has given us a prince who is become (I may say by miracle) zealous of being the author and instrument of so glorious a work; but the opposition we are sure to meet with is also like to be great; so that it imports us to get all the aid and assistance we can." In a letter addressed to the pope's nuncio, Coleman said that they had great designs in agitation—designs worthy of being supported by the nuncio and his friends with all their power. "We have no doubt," added Coleman, "but to succeed; and it may be to the utter ruin of the Protestant party, if you join with us in good earnest, and cordially second our interest." It was fully proved *then* by his own letters, and admitted by his own confessions, that he had received money from France; and it is known *now*,* from others of his letters, that he had asked money from the pope. He said on his trial, that the French money was to bribe members of parliament to do the will of Louis, or to reward himself for sending secret information of what was passing in England. But what was the pope's money to have been for? He maintained that the great project for which he had solicited foreign money and co-operation was nothing more than to restore the Duke of York to his post of high admiral, and to procure a toleration for the Catholics; but he failed to convince the jury; and we confess that, without sharing in their heat and prejudices, we share in their incredulity; feeling perfectly con-

* Tom Killigrew.

† "The thing," adds Burnet, "grew public, and raised great clamour against me. ..... I had likewise observed, to several persons of weight, how many incredible things there were in the evidence that was given; *I wished they would make use of the heat the nation was in to secure us effectually from Popery; we saw certain evidence to carry us so far as to graft that upon it; but I wished they would not run too hastily to the taking of men's lives away upon such testimonies.* Lord Hollis had more temper than I expected from a man of his heat; Lord Halifax was of the same mind; *but the Earl of Shaftesbury could not bear the discourse: he said we must support the evidence, and that all those who undermined the credit of the witnesses were to be looked on as public enemies.*"

* See letter from the pope's nuncio, dated Rome, January 12, 1675, as decyphered by Dr. Letherland, and Coleman's reply, in Harris's Life of Charles II

vinced that Coleman could not have been working for less than the king, who had bargained with Louis for the forcible imposition of popery upon an enslaved nation. The attempt to connect Coleman with the alleged design of murdering the king appears in the cool eye of reason to have been an absolute failure; and here, as in all the other cases, Oates and Bedloe were guilty of blundering perjury. Scroggs, the chief justice, and a scoundrel, was as violent and partial as possible; but his summing up, in reference to the famous passage in the letters, was acute and convincing; it not only convicted Coleman, but raised a general conviction of the truth of a plot—and a plot there was, though not Oates's*—a plot where the king would have been the proper witness, and where the evidence would have fallen on his own head. Coleman had always passed for a busy, intriguing, vain, frivolous man; but he died like a brave man, resisting all temptations to save his life by accusing his master and his friends. Father Ireland, who was said to have signed, with fifty other Jesuits, the great resolution of killing the king, was then tried, together with Grove and Pickering, who were said to have undertaken to carry the resolution into effect. The jury, upon the perjured and contradictory evidence of Oates and Bedloe, returned a verdict of guilty against all three. "Gentlemen," said the brutal Scroggs, "you have done like very good subjects, and very good Christians, that is to say, like very good Protestants; and now much good may their thirty thousand masses do them." The victims died professing their innocence; but the received opinion about Jesuitism prevented alike any belief and any pity. Bedloe had played second to Oates; but Oates could not or would not support Bedloe in his original part, and therefore a second witness was wanted to prove the murder of Sir Edmondbury Godfrey. There was one Prance, a Catholic and a silversmith, who frequently worked for the Queen's Chapel, and who had absented himself from his house for two or three days, about the time when the murder was committed—at least so deposed a lodger in his house. Upon this information Prance was seized and carried to Westminster. Bedloe swore that he was one of those whom he had seen about Godfrey's body in Somerset House. Prance denied all knowledge of the murder, and it was proved that he had left his house, not at the time, but a week before. This, however, served him nothing; he was thrown into a dungeon and loaded with irons—some say he was tortured. In a few days he confessed he was concerned in the murder, and charged Hill, Green, and Berry, three obscure men, who were employed about Somerset House and the Queen's Chapel there. Prance said that they had had several meetings in a certain ale-house, where the priests persuaded them it would be a meritorious action to dispatch Godfrey, who had been a busy man in taking depositions against them; and that the taking him off would terrify others. The people of the ale-house confirmed the fact of their meetings, but nothing more. Prance further stated that, the morning before they killed Godfrey, Hill went to his house to see when he was going out, and spoke there to his maid. This maid, upon being examined apart, stated that, on the morning in question, a person had really called, and, upon being conducted to Newgate, she pointed out Hill, who was mixed in a crowd of prisoners, as the person that had asked for her master the morning before he was lost. Prance gave a minute account of the manner the murder was committed, and the body afterwards conveyed to the spot where it was found.* Some days after this, he desired to be carried to the king. Charles would not see him alone, but assembled the council, before whom Prance denied all that he had formerly sworn, and said his whole story was a fiction. Yet, as soon as he was carried back to prison, he sent the keeper of Newgate to the king, to assure him that all he had sworn was true. But again he retracted and denied everything. Then Dr. Lloyd, who had preached the funeral sermon of the deceased magistrate, was sent to talk with him. At first Prance denied everything to the divine. "But," adds Burnet, "Dr. Lloyd said to me that he was almost dead through the disorder of his mind, and with cold in his body; but, after that Dr. Lloyd had made a fire, and caused him to be put in a bed, and began to discourse the matter with him, he returned to his confession; which he did in such a manner, that Lloyd said to me it was not possible for him to doubt of his sincerity in it." Upon their trial, Green, Hill, and Berry brought witnesses to prove that they were at home by an early hour on the nights when the murder and the removal of the body were alleged to have taken place; that no dead body could have been concealed in the house mentioned by Prance; and that no sedan-chair had come out of Somerset House. There was also in favour of the

* Hallam.

* This is the substance of Prance's deposition:—"1. The Papists, because Sir Edmundbury seemed an enemy to the queen's servants, and would not consent to discharge one Girald from parish duties (as another justice did), resolved and contrived to take away his life. —2. Pursuant to which design they hired (for what reward the deponent doth not know) Hill, Green, Kelly, the deponent, Girald, and Berry, to do the fact.—3. Accordingly, the above-named persons trepanned Sir Edmundbury into Somerset House, about eight or nine o'clock at night; but the deponent doth not well remember the day. —4. This trepan was effected thus: Green gave the deponent notice that he and Girald had set Sir Edmundbury in St. Clement's; and Hill decoyed him down to the Water-gate under pretence of parting a fray between two fellows quarrelling in the yard.—5. When they had him near the rails by the queen's stables, Green strangled him with a twisted handkerchief; then, finding him still alive, wrung his neck quite round, and punched him with his knee in the open yard; which done, they dragged him into Dr. Godwin's lodgings.—6. On the Monday following, precisely between nine and ten o'clock at night, the body was shown to the deponent by Hill, Green, and Girald, in a room in the back square court below stairs, next the garden: there it was (by the help of a dark lanthorn) that he, deponent, saw the body in the company of the said Hill, Green, and Girald, who were only present.—7. On the next Wednesday after, about twelve o'clock at night, the dead body was put into a sedan, and carried out by the deponent and Girald into Covent Garden, where Green and Kelly took him up, and carried him to Long Acre. There the deponent and Girald resumed their burden, and carried him to the Soho; from thence he was conveyed astride on horseback, before Hill, into the fields, where they thrust his sword through his body, and cast him into a ditch." Ralph gives in a parallel column the deposition of Bedloe. It seems to us that no inequality of memory, no fear, nor any other circumstance or accident whatsoever, can be possibly made to reconcile or explain the discrepancies between the two papers.

prisoners a wide difference between the depositions of Prance and those of Bedloe; and Hill did not neglect to lay hold of the equivocation and wavering of the former witness. He pleaded that Prance had retracted his first story, and, being thereby perjured, was an incompetent witness; but this was explained away by Chief Justice Scroggs, who said Prance had accused the prisoners upon oath, but had not retracted that accusation upon oath; and, therefore, could not be called perjured. Mrs. Hill, who was in court, where she distinguished herself by her spirited and sensible efforts to save her husband, asked Prance why he had denied all this? Prance replied that it was because of his trade; and for fear of losing his employment as silversmith to the queen and the Catholics, and because he had not received a pardon. "Were you not tortured?" asked Mrs. Hill. Prance answered in the negative. "It was reported about the town," said Mrs. Hill, "that he was tortured. There are several about the court that heard him cry out." She exclaimed, with good reason, "My witnesses are not rightfully examined; they are modest, and the court laughs at them." The three prisoners received sentence of death; and they all three died at Tyburn with solemn asseverations of their innocence. As Berry was a Protestant, the arguments against the Catholics, grounded on their alleged habits of equivocation, and the power of absolution held to belong to their priests, as well as on the spirit of partisanship which might lead them to deny the truth in this case, did not bear upon him; and it was well known that he was respited a week, and might have had his life if he would have confessed. But these circumstances appear to have had no effect upon the madness of the time. As is observed by one of the best narrator of these events—an historian no less industrious than acute—"a strong faith in the plot was the test of all political merit; not to believe, was to be a political reprobate; and according to the zeal was the cruelty of the times. The terror excited by the plot had caused such a thirst of revenge that nothing but blood could satiate; every supposed criminal was pre-condemned; and, no sooner did the victim appear, but the people called out for the sacrifice: pity was looked upon as not only impertinent, but almost criminal; and even the great prerogative of mercy lodged in the crown was of no use."* The Protestant pulpit gave forth no note of peace and mercy; on the contrary, the preachers opened the graves of the Catholic dead, and put them to a second death, expounding to ignorant hearers how the casuistry of the Jesuits justified the most atrocious means by the end, and insisting that the dying words of a Catholic, where his church was concerned, merited no credence or attention whatsoever.

While these events were in progress, a variety of intrigues hastened the dissolution of this *longest* parliament. Shaftesbury had resolved to ruin Danby; and Danby had quarrelled with Montague, the ambassador at Paris, who knew all the secret treaties with Louis, having been an active agent himself in these nefarious transactions. Accident made this Montague figure as a patriot, but he was more the slave of the court, and more meanly corrupt, than the minister he attacked; and if he had not offended the king as well as Danby, we should have heard nothing of his patriotism at this time. The Duchess of Cleveland, though now a cast-off mistress, still claimed and obtained a great share in the royal regard. She had removed her person and her vices to the congenial atmosphere of Paris, where she intrigued with various Frenchmen, amorously as well as politically, being protected by Louis, who thought to make her useful by means of her connexions in the English court. Montague, after making love to herself, made love to her daughter,* and then replied to her furious reproaches by threatening to disclose her intrigues to his master. Thereupon the duchess denounced the ambassador, trusting to have the first word and the best argument with her old lover. Her letter to Charles was a compound of debauchery, intrigue, and superstition; and as Charles had a superstitious belief in astrology, all these ingredients had their effect. She told the king how Montague had behaved as a lover; that Montague hated him and despised both him and his brother; that he had said he wished the parliament would send them both to travel again, for that the king was a dull governable fool, and the duke a wilful fool; that the king always chose a greater beast than himself to govern him; that he would do anything for money and pleasure; that so long as he was furnished with money for his pocket and his wenches he might be led by the nose; that he (Montague) had plotted against Danby and the Duchess of Portsmouth, now *maitresse en chef*, against whom she (the cast-off mistress) had no malice whatever; that he had bribed a conjurer, or fortune-teller, in whom the king "had great faith; for that he had at several times foretold things to him that were of consequence," in order to make the man, who was poor, shape his predictions according to his (Montague's) desires and schemes, &c. &c.† Of a sudden his excellency the ambassador, in spite of the express orders of his court, came over to England, placed himself in the most intimate relations with Barillon, the intriguing French ambassador, with

* Ralph, Hist. of England during the Reigns of King William, Queen Anne, and King George I., with an Introductory Review of the Reigns of the Royal Brothers, Charles and James.

* Anne Palmer, Lady Sussex, one of her children by, or assumed to be by, the king.

† Harris, Life of Charles II., Appendix.—Burnet, who knew nothing of this letter, says,—"Montague, who was a man of pleasure, was in an intrigue with the Duchess of Cleveland, who was quite cast off by the king, and was then at Paris. The king had ordered him to find out an astrologer, of whom it was no wonder he had a good opinion, for he had, long before his restoration, foretold he should enter London on the 29th of May, 1660. He was yet alive, and Montague found him, and saw he was capable of being corrupted; so he resolved to prompt him to send the king such hints as should serve his own ends. And he was so bewitched with the Duchess of Cleveland that he trusted her with this secret: but she growing jealous of a new amour," &c. &c.

Shaftesbury and his party, and got himself returned to parliament for the borough of Northampton. The prime minister thought it better to commence the attack than to wait for it; and on the 19th of December his chancellor of the exchequer signified that he was commanded by his majesty to inform the House of Commons that his majesty had received information, that his late ambassador in France, Mr. Montague, a member of their House, had held several private conferences with the pope's nuncio there, without any direction or instruction from his majesty, and that his majesty, in order to know the truth of that matter, had given order for seizing Mr. Montague's papers. The House attempted to screen Montague with the privileges of parliament, but it was too late; the king had got the papers, and treated their remonstrances with contempt. Montague, however, soon told the House the whole affair was a mere artifice contrived by the treasurer Danby to save himself; but that his lordship had deceived himself; for, though most of his papers had been seized, he had by good luck saved some very important letters which might tend to the security of the king and kingdom. Hereupon the Commons sent some of their members to bring the said papers before them. A small dispatch-box was brought, and from it Montague produced two letters written to him by Danby, soliciting money from Louis in the name of the king. The second of these letters was that infamous one already mentioned, with the postscript in Charles's own hand: "This is writ by my order." The Speaker read both letters to the House, which "served as a lighted match to the train which had been long laid to blow up the treasurer." In the midst of the most violent excitement, the House voted, by a majority of sixty-three, that these letters contained sufficient matter for an impeachment; and they immediately appointed a committee, of which Montague was one, to draw up the articles. These articles, which as usual contained several absurdities and falsehoods, were carried up to the Lords, and the Earl of Danby was impeached in the usual forms. A motion was made that his lordship should withdraw from his seat, but this was overruled by a majority of twenty; and Danby rose in his place to rebut the charges. He pleaded the duty of obedience to the king, who had dictated the letter; that he had never been either a papist or a friend to the French; though he had reason to believe that the principal informer of the House of Commons had been assisted by French advice in getting up this accusation. He well knew, however, that, besides the correspondence with the French king, he had been guilty of several serious unconstitutional offences, and he took shelter under an admission of such misdemeanors to avoid the capital charge of treason. The question whether he should be committed to the Tower as a traitor was, however, fiercely debated in the Lords; and the motion of his committal was rejected only by a very narrow majority. Besides this troublesome impeachment, Charles had many other reasons for dissolving this parliament, which he could no longer manage. He therefore prorogued it on the 30th of December, and dissolved it by proclamation on the 24th of January. This pension parliament had sat more than seventeen years. Shaftesbury had called it the king's wife, and the dissolution was called a divorce. In the royal proclamation the cause assigned was, "the many inconveniences arising from the over long continuance of one and the same parliament." Ralph says, with some quaintness and considerable spirit, "His majesty, in the course of many years' experience, had, without doubt, found equal cause to like and loathe it. While the first flame of their mutual affection lasted he was all grace and goodness, and they all submission and compliance: they were prodigal of their favours; he was as lavish of his thanks: he declared their approbation should be the standard of his government; they avowed an unalterable attachment to the prerogative: the full power of the sceptre and sword they restored to him, and only reserved that of the purse, by way of security for their own privileges. But even in the midst of all those professions and acknowledgments on both sides, it appeared that each had a rival: his majesty cast an amorous eye towards popery; his parliament made an open tender of their affections to the church of England: jealousies and heart-burnings ensued. the king found it his interest to give way; the people paid for his concessions; and the church had the benefit. And now, his majesty having felt the curb, grew out of humour with the bridle, and called upon France to set him free. France promised fair: the king believed, and threw off all restraint, in the presumption that he was now the master: but necessity opened his eyes, and compelled him once more to court the assistance of those he had disobliged; who, having now got the better of their fondness, took advantage of that necessity, and now resolved to make a sale of their favours. Henceforward their intercourse was mutually mercenary; the king chaffered for supply, and the party-leaders set their prices: but, though willing to be bought, they were afraid to trust him with the purchase-money. Hence the very means of corruption failed; and they began to dread the power they had bestowed. Hence all their subsequent endeavours were to undo their own work, and reduce their monarch once more to the servant of the commonwealth; not, however, from honest motives, or by honest means, but by any means indiscriminately, and as our *own barbarians* on the sea-coasts hang out lights in tempestuous times, to mislead the mariner, that they may prey on the wreck. Good often rises out of evil: had not the king slighted this parliament, and had not they shown a proper resentment, the constitution had been long ago at an end: though their opposition was in many instances extravagant, and always partook of the leaven of faction, it served to awe the throne and keep the flame of liberty alive

among the people."* But many things have since been brought to light which this writer knew not, or saw only, as through a glass, darkly. Not satisfied with adopting the spirit and using all the resources of faction at home, the patriots maintained a clandestine intercourse with the French ambassador, in order to detach Louis from Charles, to crush the Duke of York and the popish faction, and to procure the dismissal of Danby and the disbanding of the standing army, the existence of which was at times agreeable to the French monarch, whilst at others it was odious and alarming to him. The king of England began these un-English practices with the old enemy of the country's religion, liberty, and honour, in order to establish a despotism—the opposition in parliament entered upon them to preserve freedom; and as their manœuvres with the French court seem actually to have compelled the reduction of the army—though at the price of some national honour abroad, and a sacrifice of European policy, as, by the reduction, a check upon the dangerous ambition of Louis XIV. was removed—their error or their crime in engaging in this perilous intercourse and unnatural alliance has been palliated by some and even faintly and timidly justified by others. But there is worse remains behind—some of the leaders of these patriots soiled their hands and their souls with French gold! And for this charge we can admit of no possible palliation, unless we take refuge in a bold denial of the authority and evidence (generally admitted as valid ever since Dalrymple discovered them) upon which the whole charge rests. "When," says the discoverer, "I found in the French dispatches LORD RUSSELL intriguing with the court of Versailles, and ALGERNON SIDNEY taking money from it, I felt very nearly the same shock as if I had seen a son turn his back in the day of battle."† For the baseness of Montague we are prepared. It appears he was promised 100,000 crowns for ruining Lord Danby; but, as far as Dalrymple could discover from the papers at Versailles, he did not actually receive more than 50,000 crowns. But Montague's sister, Lady Hervey, and several of his friends, received gratuities from time to time. The Duke of Buckingham asked for money much more frequently than he got it, though it should seem he obtained various payments. Lord Hollis (the presbyterian Denzil Hollis of former times) refused a diamond snuff-box of the value of 1500*l.*, though he was willing to take it with the privity of his master, Charles, as a present (not unusually made in such cases) at the termination of his embassy to the French court; and he died before he could be tempted with a second offer. The diamond snuff-box was afterwards given to Lord St. Albans, who had expressed his expectation of receiving a present for the services he had done King Louis. Charles's French mistress was frequently coupled with his minister, the Earl of Sunderland, as an impatient claimant for similar rewards. In the following year we find Barillon proposing that Louis should give both the Duchess of Portsmouth and the Lord Sunderland regular pensions.* Sir Thomas Littleton, Hampden, Foley, and others of these patriot members of the House of Commons were men of very large property; so that an hypothesis has been resorted to to explain their meanness—"that they agreed among themselves not to run the chance of offending Louis, or exciting his distrust, by a refusal of his money."† This seems to us rather ingenious than convincing. Another hypothesis started by the same eminent writer is, that Barillon, who was notoriously a man of expensive habits, applied to his own uses many of the sums which he charged his master with as secret outlays among the English patriots, &c. And we have heard in recent times of an eminent foreign diplomatist who annually charged his court with considerable sums for diamond snuff-boxes that were never received, or even seen, by those to whom they were assigned in the peculating ambassador's dispatches. In Barillon's practice there is another loop-hole; but it does not admit the man of the best reputation—Sidney. There were two classes of those who were alleged to have received the money: one consisting of persons that were in actual communication with himself, like Algernon Sidney; the other consisting of men that Sir John Baber, a secret agent, dealt with for Barillon, who knew them not, or who never pretended to any direct personal dealings with them. In this second class were Littleton, Hampden, Sacheverel, and others; and the proof of their corruption rests on the assertion of a professional intriguer like Baber, who was "well known for a busy-body in tricking affairs."‡ The

* Hist. Eng., Review of the reigns of King Charles II. and King James II.

† According to Barillon, his disbursements in 1678-9 were as follow:—

To the Duke of Buckingham		1000 guineas.
Algernon Sidney		500
Bulstrode, ambassador at Brussels		400
Sir John Baber		500
Sir Thomas Littleton	Members of the House of Commons.	500
Mr. Powle		500
Mr. Harbord		500

is subsequent payments, as stated by himself to his master, Louis, were:—

To Harbord	500 guineas.
Hampden (the grandson of the great patriot)	500
Colonel Titus	500
Sir Thomas Armstrong	500
Bennet	300
Hotham	300
Hedal	300
Garroway	300
Frankland	300
Compton	300
Harley	300
Sacheverel	300
Foley	300
Bide	300
Algernon Sidney	500
Herbert	500
Sir John Baber	500
Hill	500
Boscawen	500

The names of almost all these persons are to be found in the Journals of the House of Commons, as active members. Algernon Sidney, however, was not in parliament.

* Dalrymple, Appendix. † Hallam, Constitutional Hist.

‡ Roger North, Examen.—This high Tory's account of Baber is bitter, and yet true, in the main, as appears by a variety of contemporary authorities. Roger says that he was "*a man of finesse*, and in possession of the protectorship at court of the dissenting

falsehood either of Baber to Barillon, or of Barillon to the French court, would acquit these considerable men. In secret transactions like these, which can only be conducted by knaves, we are justified in suspecting all kinds of knavery and mutual deception. Coleman, the Duke of York's creature, when on his trial for the popish plot, deposed that he had received 2500*l.* from Barillon to be distributed among members of parliament, but had converted the money to his own use; and though Coleman had, seemingly, a motive to tell a lie, he yet may possibly have spoken the truth in that matter.* These and other suggestions merit a deep consideration; but, after all, the decided bias of the generous mind which proposed the hypothesis was, that Barillon's accounts were true accounts,—that the money was really paid and received! Louis XIV. had an obvious motive for these intrigues: their clandestine dealings made him, in a manner, master of both parties in England; and he might either embarrass the king through parliament, if Charles should pretend to an independent course of policy, or cast off and betray parliament when Charles should return to his base subservience.†

A. D. 1679.—The elections for the new parliament were conducted with unusual heat and animosity. The court and the court party neglected no possible bribery, no exertion; but the country party were equally active, and, by making an extravagant use of the popish plot, they had the advantage over their opponents. To avert the storm Charles induced his unpopular popish brother to retire to Brussels; but before James went to the Continent he exacted from the king a formal declaration of the illegitimacy of the young Duke of Monmouth, of whose popularity he was already excessively jealous. The new parliament met on the 6th of March. The first thing the Commons did was to quarrel with the king about the election of their Speaker; the next, to renew the attack upon Danby. The Lords resolved the curious constitutional question—and their resolution has in modern times been adopted as a principle—that the proceedings on impeachments begun in one parliament are not affected by a dissolution, but may be taken up and continued in the succeeding parliament, as if no such interruption had taken place. Charles summoned the Commons to Whitehall, where he told them that the two letters taken out of the box were really written by his orders; that he had, therefore, given a full pardon to Danby, but, at the same time, for certain other reasons, he had dismissed him from his service. Although there was no want of precedents in former reigns, the Commons voted an address to the king against the validity of a pardon before trial, and they sent up a message to the Lords demanding justice. The Lords, who were devising how to throw aside the capital charge of treason, had issued a warrant for taking him into custody; but Danby had absconded. The Commons forthwith passed a bill of attainder, to take effect on the 15th of April, if the fallen minister did not previously appear to stand his trial; and the Lords, after some hesitation, adopted the bill. But on the 10th of April Danby surrendered himself, kneeling at the bar of the Lords, who sent him to the Tower. The popular Lord Essex was put at the head of the Treasury, but the chief management of affairs was left to the Earl of Sunderland, now secretary of state, who kept himself in favour by condescensions and connivances with the Duke of Monmouth and the Duchess of Portsmouth. But, by the advice of Sir William Temple, Charles constituted a new council of thirty persons, into which were admitted the most daring and the most popular leaders of the opposition, with the versatile Shaftesbury for their president.* Notwithstanding this calculated kindness, Shaftesbury urged on the Commons to vote the exclusion of the Duke of York from the throne. The accidental burning of a printing-house in Fetter-lane, and the report that the banished James was about returning with a French fleet and army, hastened the blow. And out of doors the great mass of the nation echoed from their hearts the position which Shaftesbury had delivered in parliament a few weeks before:—"Popery and slavery, like two sisters, go hand-in-hand; and sometimes one goes first, and sometimes the other; but wheresoever the one enters, the other is always following close behind." The Commons, without losing much time, resolved, *nemine contradicente*, "That the Duke of York being a papist, and the hopes of his coming such to the crown, had given the greatest countenance to the present conspiracies and designs against the king and Protestant religion." They also voted addresses requesting his majesty to banish all papists twenty miles from London, and to put all sea-ports, fortresses, and ships into trusty hands; and, in conclusion of this day's work, they ordered that their *Secret Committee* should prepare to bring before them all such letters and papers as they had in their custody relating to the Duke of York. Lord Russell, though one of the new council of thirty, was selected to desire the concurrence of the Lords. The latter took time for consideration. Sir William Temple lays these exclusion proceedings to the charge of the aspiring Duke of Monmouth (who had been for some time plotting to prove a lawful marriage

preachers;" that the king, finding the dissenters ever active against him and his interests, "thought it the cheapest way to take off (as they called it) those bull-wethers the teachers," and employed Sir John Baber to bribe these leaders "with good annual pensions," &c.

* Burnet says,—"Whatsoever Coleman did in the main business, *he took good care of himself.* All his letters were full of their being able to do nothing for want of money; and he made the French ambassador believe he could do his master great service, if he was well supplied: he got 2500 guineas from him, to gain his master some friends; and he applied it all to furnish out his own expense."—*Own Time.*

† Hallam.—Lairymple.

* One of the great recommendations of this new council was, that, collectively, the members of it were worth a very large sum of money—"so that they might out of their own stock, upon a pinch, furnish the king, so far as, to relieve some great necessity of the crown." This was specially pointed out by Temple, the author of the scheme. —*Sir W. Temple's Works.*

between his mother, Lucy Walters, and the king) and the Earl of Shaftesbury, between whom there existed a perfect union, and a supposed compact, that if Monmouth should become king by right of birth and religion, Shaftesbury should drive the chariot of government by right of these dangerous services. Charles, in spite of his affection for his natural son, was, for many reasons very distinct from any generous fraternal affection, not disposed to sacrifice his brother; and all the new council, except two,* went with him into a scheme for quieting the religious fears of the nation, without proceeding to the extreme measure of an alteration in the order of succession. On the day when the Commons were to resume that question, and the Lords were to consider whether they should concur, the king, in a speech to both Houses, recommended the prosecution of the popish plot, *the disbanding the standing army*, and the providing a fleet for the national security; and then he told them that the lord chancellor had communications to make to them which would prove how his thoughts had been employed for the preservation of *their* religion, &c. The chancellor then propounded the medium scheme, which was—that provision should be made by parliament to distinguish a papist from a Protestant successor; that the authority of a popish prince should be limited and circumscribed so as to disable him from doing harm; that, under him, the whole patronage and management of the established church should be vested in Protestant trustees, and no ministers admitted to livings except the most pious and learned Protestants; that the judges, justices of the peace, lords-lieutenants, privy counsellors, and officers of the navy should neither be appointed nor removed but by consent of parliament! Such provisions as these would scarcely have left the shadow of the royal prerogative, and would, most assuredly, never have been observed by James. The Commons rejected the scheme altogether, and proceeded with their famous bill of exclusion, by which the crown was to pass to the next *Protestant* heir, as if the Duke of York were dead. At the second reading of this bill (on the 21st of May) 207 voted for, and 121 against it.†

These proceedings, together with an attack upon the obnoxious Duke of Lauderdale, the perseverance in the principle that the king could not pardon Danby before trial, and a searching inquiry about pensions and secret-service money made the king hasten to a prorogation. This sudden measure took the exclusionists completely by surprise; and Shaftesbury was so transported with rage, that he exclaimed in the House of Lords that he would have the heads of those who had been the king's advisers upon this occasion. Charles, however, had not courage to act upon his pardon and release Danby, who remained a prisoner in the Tower for five years.* It was in this stormy session, when some of the worst of passions made the tempest, that one of the greatest blessings we enjoy was secured to the nation. This was the *habeas corpus* bill, which, after being agitated and frustrated for nearly five years, was carried through the influence of Shaftesbury. The key to the perplexing character and actions of that extraordinary man appears to be simply this:—in spite of his blind, headlong ambition and profound selfishness, he had a real anxiety for the good of his country and a regard for liberty; but these noble feelings were made secondary to his passion for aggrandizement and control: he would have had England the greatest country in the world, but then he must be the greatest man in it; and, upon any decline from power and trust, his very country dwindled in his eyes, and he cared not if he ruined her in his attempts to re-establish himself.

While in England papists had been sacrificed to the popish plot, in Scotland a protestant archbishop had been sent to a bloody grave. Sharp, after six years, had caught Mitchel, who had fired the pistol into his carriage, and that enthusiast had been put to death, with some revolting circumstances: but the persecutions carried on against the conventiclers called up other assassins. In fact, the archbishop and the Duke of Lauderdale had carried tyranny to its utmost stretch. An army of wild Highlanders was let loose in the west country, to live upon free quarter, and, being very unruly, the men robbed and stole everywhere. The gentlemen were required to deliver up their arms upon oath, and to keep no horse that was worth more than four pounds. The country gentlemen hesitated, which put Lauderdale in such a frenzy, that, sitting at the council-table, he made bare his arm above the elbow, and swore by Jehovah he would make them enter into those bonds. Dragoons were employed to dissipate the field-meetings, and many a moor and hill-side was made wet with the blood of the covenanters. These religious enthusiasts, for self-defence, began to carry broadswords as well as bibles to their meetings, and at times the praying and preaching ended in a regular combat. In these circumstances, whenever the king's troops were victorious, they were merciless. It was said that they killed in cold blood, at one field-conventicle, upwards of a hundred men. In Fife, where the archbishop of St. Andrew's chiefly resided, the persecution was as keen as in the west country, and it produced one more terrible effect. A small band of men, united by a common enthusiasm and suffering, resolved, after fasting and prayer, to take the life of one William

* The two were Shaftesbury and Temple.

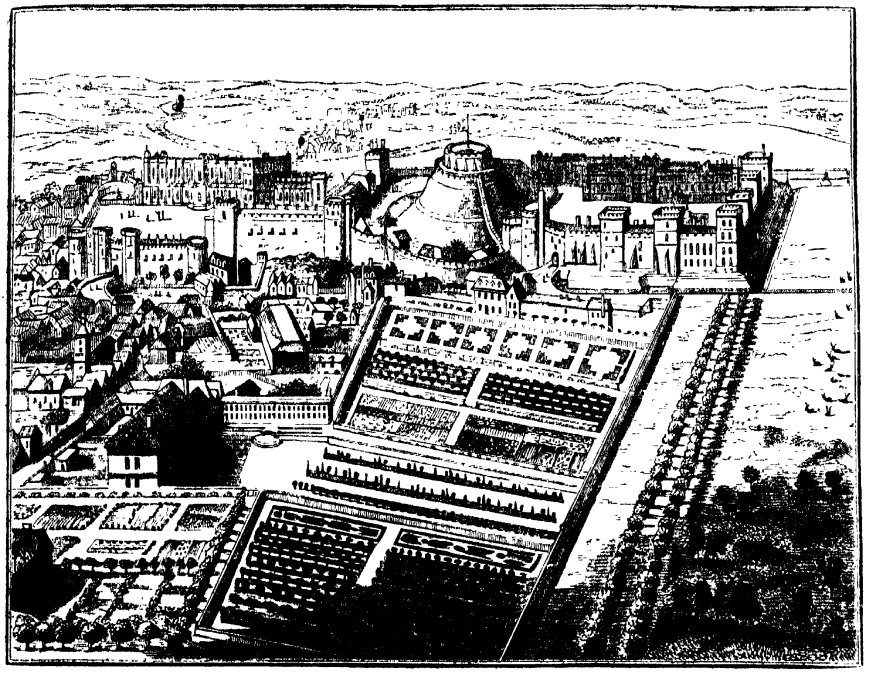
† It was also resolved, *nemine contradicente*, "That, in defence of the king's person, and the Protestant religion, they would stand by his majesty with their lives and fortunes; and that if his majesty should come by any violent death, they would revenge it to the utmost on the papists."—*Parl. Hist.*

* According to Algernon Sydney, Danby, in taking office, had engaged to make the parliament submissive, to pay off the king's debts, increase his revenue, and render him considerable among the neighbouring princes:—"Which are verified," says he, "in his leaving twenty-two shillings and tenpence in the exchequer, two and-forty hundred thousand pounds of passive debts, the revenue anticipated for almost a year and a half, and the account his lordship was pleased to give, in his speech to the peers, of the esteem the king of *France* had for his (majesty's) person and government."—*Sydney's Letters.*

Carmichael, "a cruel, bloody man," said to have been once a baillie of Edinburgh, where he had carried on business as a merchant and become bankrupt, but who had now, through the patronage of Sharp, obtained a commission from the council to seek out and apprehend all nonconformists and intercommuned persons in the shire of Fife. Headed by Hackston of Rathillet, these men, on Saturday, the 3rd of May, this year, attempted to surprise Carmichael while he was hunting on the moors; but they missed him. In the midst of their fury at this disappointment, a little boy cried out, "There goes the bishop!" They looked as the boy pointed, and saw at a little distance a coach drawn by six horses. "Truly," exclaimed the fanatics, "this is of God: the Lord has delivered the wretch into our hands." Rathillet would not be the leader in the attack, because he had some personal enmity, and might be accused of seeking revenge; but John Balfour, of Kinloch, put himself in the van, and the nine horsemen pushed across Magus-Muir, about four miles west from St. Andrew's, in pursuit of Sharp. As soon as the archbishop saw them he felt that his hour was come; and, turning to his daughter, Isabel, who was with him, he said, "The Lord have mercy on me, my dear child, for I am gone!" The coachman urged his horses to the top of their speed; but it was in vain: the murderers' light nags were soon up with him, the postilion was wounded, the traces were cut, and James Russell, an inhabitant of Kettle, standing by the coach-door, roared "Judas, come forth!" The old man, who had never shown mercy to them or their brethren, implored mercy from them, and offered money and a full pardon. His daughter knelt on the ground with him, wept, and prayed, and tried to shield him with her own person; but the hearts of these men were rendered obdurate by fanaticism; they pulled her away, and Balfour, with one stroke, laid the archbishop at his feet. But life was not extinct. Russell finished the horrible work by hacking the skull to pieces, and then ordering the servants to take away their priest. The band withdrew no farther than to a cottage on the other side of the muir, where they spent the remainder of the day in prayer and thanksgiving, blessing their God for the accomplishment of this glorious work. A few days after the assassins were in the west country, where the effect of their presence was soon manifested. At Glasgow they met Cargill and Spreul, two preachers as fanatic as themselves, and Hamilton, a young man of good family, who had often urged his oppressed brethren to redress their grievances and put down idolatry with the sword. On the 29th of May, the anniversary of the Restoration, about sixty armed men rode into the little burgh of Rutherglen, near Glasgow, put out the bonfires, heard a sermon preached, burnt the acts of parliament hostile to the kirk, and fixed a declaration upon the market-cross. On the Sunday following they held a field-conventicle; and they were so well prepared, that they beat off with loss three troops of horse that were led against them by the celebrated Graham, of Claverhouse. By the advice of Lauderdale, the army in Scotland was concentrated near Edinburgh; and the king sent down the Duke of Monmouth, who had lately married the great Scottish heiress of Buccleugh. The covenanters had taken Glasgow, had made proclamation that they fought against supremacy, popery, and prelacy, and had issued their commands to the magistrates, to turn out all archbishops, bishops, curates, "and their bairns;" and, on the 22d of June, when Monmouth came in sight with 5000 regular troops, they had posted themselves, not unskilfully, behind the river Clyde. But they took to praying and preaching when they ought to have stood to their arms, and Monmouth forced the passage of Bothwell-bridge and brought his artillery to play upon them. When some fifteen of their men had fallen they retreated to Hamilton Heath, an eminence at a quarter of a mile's distance. There they repulsed one or two charges, and broke a body of Highlanders; but, their ammunition beginning to fail them, and the duke's artillery to ply them afresh, they quitted their position in disorder, and could not be brought to rally again. What followed was flight and slaughter; four or five hundred were killed, and about twelve hundred were taken prisoners. Under Lauderdale and Sharp the gibbet would have finished what the sword had spared; but the Duke of Monmouth, not less through policy than temper, was disposed to mercy, and the prisoners were treated with comparative humanity. It is maintained by many writers that Shaftesbury and his party encouraged this insurrection, in the hope of seeing the Scots repeat what they had done against Charles I.

It might have been expected that the popish plot in England would now fall to the ground; but the king, through personal fears and a selfish policy, permitted it still to take its sanguinary course. On the evidence of Oates, Bedloe, Prance, and one Dugdale, who had taken up the profitable trade of a witness, five jesuits, Whitbread, Fenwick, Harcourt, Gavan, and Turner, with Langhorne, a famous Catholic lawyer, were condemned by the brutal Jeffreys, now recorder of London, and a protestant jury, amidst the shouts of a protestant audience, and they were all executed. Sir George Wakeman, the queen's physician, and three benedictine friars, were, however, acquitted by the jury, after a trial in which Oates was convicted of barefaced perjury. Yet, a few weeks after this acquittal, eight priests and monks were executed in the provinces for merely exercising their functions.

In the month of August Charles fell sick of a fever at Windsor; and the Duke of York, travelling in disguise, came over to look to his interests. The duke found that the king had recovered, and that his son Monmouth was intrusted with the command of the army, was more than ever popular, and was backed by a powerful and intriguing



PALACE OF WINDSOR

From a Print of the period in Kip's Delices de la Grande Bretagne.

party. A violent quarrel between the two dukes was the consequence; and Charles, to preserve his own tranquillity, sent his son to Holland and his brother to Scotland. Monmouth submitted with great reluctance; but his ally, Shaftesbury, consoled him with the assurance that his temporary exile would give him the merits of a martyr in the eyes of the people, and that parliament would insist on his recall. Charles, in dissolving one parliament and proroguing another, had counted upon a pension of 1,000,000 livres from the French king;* but Louis, who had no present occasion for his services, and who feared not his enmity, but knew his weakness, appended some unpalatable conditions to this new money-treaty, which caused it to drop. The Duke of York advised him to make up for the loss of the French livres by a strict economy of his English guineas, so as to be still in a state to do without parliament; and, in the month of October,* when parliament was to meet, he prorogued it again, and announced to his council that he would have no session for a year to come. About the same time Shaftesbury was deprived of the presidency of the council; Lord Halifax, Lord Russell, and Sir William Temple retired, and Lord Essex threw up the Treasury in disgust. Essex was succeeded by Hyde, one of the sons of Clarendon, and brother to the Duke of York's first wife; and Hyde, with Sunderland and Godolphin, managed a weak and distracted government. Having lost the king, Louis and Barillon renewed their connexion with the patriots, fancying that matters in England would inevitably end in a civil war. We must pass lightly over the disgraceful plots and intrigues which followed. Mrs. Celher, a Catholic midwife, who was employed by ladies of quality in various capacities, and among others in distributing alms among the distressed prisoners for conscience sake, found among the inmates of Newgate a very handsome young man named Dangerfield. She discharged the debts for which he was in durance, and introduced him to Lady Powis. Dangerfield, who had led a most profligate life, and had been branded, whipped, and pilloried as a felon, was not very

* Charles had told Barillon, the French ambassador and money agent, that this would be the sure way, "de mettre pour toute sa vie l'Angleterre dans sa dependance."—*Dalrymple*.....This precious business was carried on by the king, the Duke of York, the French Duchess of Portsmouth, Sunderland, and Churchill (afterwards the great Duke of Marlborough), who was sent to Paris by his master, James, to drive on the bargain. Barillon repeatedly hints to his master that the Duchess of Portsmouth and Lord Sunderland expected gratifications for themselves,—that Sunderland could not be secured without *a great deal of money*; and, subsequently, Louis ordered the payment of 10,000 pistoles to his lordship, and 5000 to the Duchess of Portsmouth, with a promise of a renewal of these presents if they would keep Charles in the interests of France.—*Dalrymple, Appendix.*

* At this moment, when Charles was so bold, he did not foresee the failure of his treaty with Louis,—he was still counting on the livres.

nice as to the means by which he testified his gratitude or procured a livelihood. He turned Catholic, and pretended that, by visiting the coffee-houses in the city, he had discovered a dangerous conspiracy of the presbyterians against the king's life and government. Lady Powis and the active midwife introduced him to Lord Peterborough; and his lordship conducted him to the Duke of York, who had lately returned from Scotland. The duke, who had suffered so much from popish plots, turned a ready ear to this Protestant plot, which might bring ruin on his bitterest enemies, the puritans. He gave Dangerfield twenty guineas, and sent him to the king, who gave him forty. Being thus regularly installed in his new trade, Dangerfield, a few days after, gave information that papers and documents of the most convincing kind would be found in the possession of Colonel Mansel, who was to be quarter-master of the presbyterian army. Mansel's lodgings were searched, and a bundle of papers was found behind his bed. But the forgery was clumsy; Mansel proved that the informer had put the papers in his room, and Dangerfield was sent back to Newgate. But the times were favourable for men of his genius; and, shifting his ground with alacrity, he declared that he had been induced by the midwife and Lady Powis to fabricate a plot for the purpose of covering a real one, conducted, not by the presbyterians, but by the catholics; that notes and the documents on which the sham plot was founded were concealed in a meal-tub in Mrs. Cellier's house. And, upon search there, the meal-tub was found and the papers in them. The tables being thus turned, the midwife was sent to Newgate and Lady Powis to the Tower. But the grand-jury ignored the bill against the lady, and the midwife was acquitted upon trial at the Old Bailey.

Alarmed at the long recess, people from all parts of the country began to petition the king for the speedy meeting of parliament; and seventeen peers of the realm joined in this prayer. The court issued a proclamation against improper petitions, and canvassed for counter-petitions with very considerable success.

A.D. 1680.—Encouraged by the passionate expressions of loyalty and attachment to regular succession set forth in these counter-petitions, Charles ventured to recall his brother from Scotland, and to declare, upon oath before the privy council, that Monmouth was illegitimate. To drive that prince away, Shaftesbury presented the Duke of York to the grand jury of Middlesex as a popish recusant; but the judges balked him by instantly discharging the jury. The Duke of Monmouth, by Shaftesbury's desire, had returned suddenly and secretly to London, some time before the Duke of York. It was midnight when he reached the city; but as soon as his name was heard he was enthusiastically welcomed by the people, who regarded him as their best shield. Charles ordered him to quit the kingdom, but Shaftesbury kept him where he was; and, as the king could no longer help meeting parliament, the Duke of York was sent back to Edinburgh. James departed full of rage and resentment, and with the conviction that his brother would give him up to ruin to preserve himself. The session was opened on the 21st of October. The Commons instantly began to wreak their vengeance on the counter-petitioners, to fondle the old popish plot, and to patronise Dangerfield and the meal-tub plot. Thus encouraged, the felon accused the Duke of York of having instigated him not only to frame his first story against the presbyterians, but also to murder the king. On the 26th of October Lord Russell carried a motion that the House should take into consideration how to suppress popery and prevent a popish successor; on the 2nd of November the exclusion bill against the Duke of York was introduced, and it was reported on the 8th. The king, who, however, would have sold his brother for 600,000*l.*, tried to divert the storm, but the bill passed the Commons on the 11th of November, and on the 15th, Lord Russell, escorted by the exclusionists, carried it to the Upper House. The king was present at the debate, and personally solicited the peers, who threw out the bill by a majority of 63 to 30. The Commons then turned back to the popish plot, to keep the rancour of the people alive; and Lord Stafford, one of the five lords in the Tower, was brought to trial before his peers, who in such a case were quite ready to concur with the Commons. The witnesses against him were Oates, Dugdale, and Tuberville—a new witness, as deeply sunk in villany and infamy as either of the old practitioners. After Oates and Dugdale had sworn to consultations and commissions from the pope, this Tuberville swore that, five years before, Stafford, being at Paris, had engaged him to assassinate the king. The old earl—he was in his seventieth year—made an excellent defence, and, by himself and witnesses, proved discrepancies, flat contradictions, and perjury in the evidence of his accusers; yet the Lords found him guilty by a majority of 55 — 31.* Charles, who had been present at the tr m Westminster Hall, and who was convinced that Stafford was innocent of the imputed treason, yet signed the death-warrant with no other mitigation than that he should be simply beheaded. The sheriffs of London (Bethell and Cornish) questioned whether the king had the power to alter the sentence of the Lords, which included or implied all the horrid formalities of hanging, bowelling, &c., and they applied to the two Houses; but Charles was firm; the Lords told the sheriffs that their scruples were unnecessary, and that the

* In the rage of her disappointment because the exclusionists had not succeeded, the Duchess of Portsmouth attended Stafford's trial, "dealing sweetmeats and smiles among his prosecutors." This French mistress had been flattered by the hope—if not by a positive promise—that, if the Duke of York should be set aside, her own children, after some unexplained process of legitimation, should succeed to the throne. Shaftesbury, Halifax, and Sunderland deluded her, by turns, in this strange way; and it appears certain that, under her influence, the king several times was more than half disposed to go along with the exclusionists, even without their money.

king's warrant ought to be obeyed. And, accordingly, on the 29th of December, the old nobleman was *decapitated* upon Tower Hill. All this time Charles "seemed quite free from care and trouble, though one would have thought he should have been overwhelmed therewith; for everybody now imagined he must either dismiss the parliament in a few days, or deliver himself up to their pressing desires; but the straits he was in seemed no ways to embarrass him."*

A. D. 1681.—The House of Commons withheld the supplies, and assailed the embarrassed and beggared court with various bills, for banishing "the most considerable papists;" for getting up a Protestant association against popery and a popish successor; for making the raising of money without consent of parliament high treason; for securing the regular meeting of parliament; and for dismissing corrupt judges. These bills were followed up by a remonstrance, in which the Commons required his majesty's assent to the exclusion of his brother. On the 7th of January Charles, by message, told the Commons that he could never consent to the bill of exclusion which had been thrown out by the Lords; that in other precautionary measures for the security of their religion he was ready to go along with them, and that immediate supplies were indispensable. This message threw the House into a fury. Lord Russell, his relative Lord Cavendish, Montague, the ex-ambassador, Sir Henry Capel, Mr. Hampden, Colonel Titus, and others, moved and carried in a series of votes that no supply should be granted without the bill for excluding the Duke of York;† that the Earl of Halifax and other ministers were promoters of popery, &c.; and that whosoever should lend the king money on security of the revenues of the state, or accept or buy any tally in anticipation, should be held guilty of hindering the sitting of parliament, and be made responsible for the same in parliament. That night Charles made up his mind to dissolve this parliament; and, to take the Commons by surprise, he stole into the House of Lords at an early hour on the following morning. But the Commons got notice, and in one short quarter of an hour they tumultuously voted that those who attempted to defeat the exclusion bill were traitors sold to France; that the papists were the authors of the great fire of London; that the Duke of Monmouth had been deprived of his offices through the Duke of York, and ought to be restored to them; that the city of London had merited the thanks of the House; that the infliction of the penal laws upon Protestant dissenters was giving encouragement to popery. Here the usher of the black rod knocked at the door, and summoned them to attend his majesty in the other House. Charles then prorogued the parliament to the 30th of the month, and a few days after dissolved it by proclamation, appointing the new parliament to meet on the 21st of March—not at Westminster, but at Oxford, a place considered as conspicuous for its loyalty as the capital was for its opposition to royal power.*

In the short interval Charles made some changes in his cabinet, and opened another negotiation with the French king for more money. In the preceding year, in his irritation at Louis's parsimony, he had concluded a treaty with the Spanish court for the maintenance of the peace of Nimeguen; but now, in consideration of two millions of livres for the present year, and a million and a half for the three following years, he engaged to abandon Spain and do the will of France.†

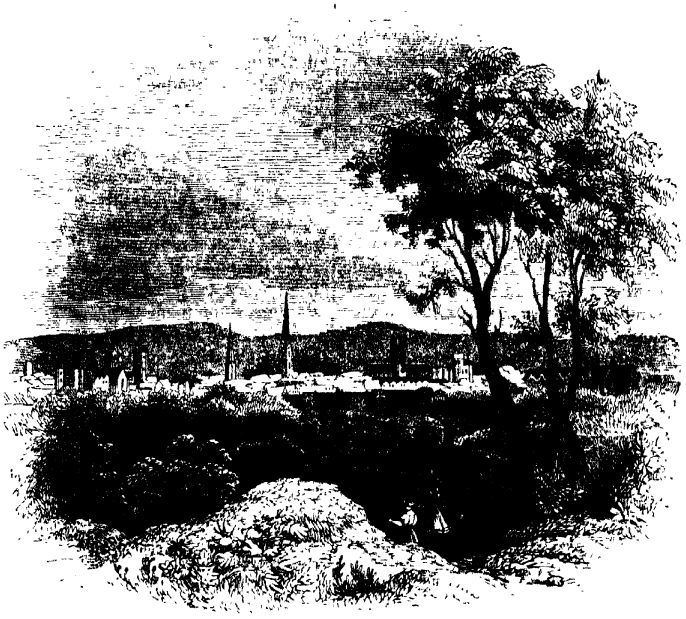
Sixteen peers petitioned the king against holding the parliament at Oxford, a place where the two Houses might be deprived of freedom of debate, and exposed to the swords of the papists, who had crept into the ranks of the royal guards. It appears, indeed, that the popular party feared the king and his troops, and that the king feared them and the people: both went to Oxford as if they were going to a battle,—the king surrounded by his guards of horse and foot, and the exclusionists by hosts of servants, friends, and armed bravoes. Shaftesbury alone—who was supposed to have raised or increased the prevailing alarm—went to Oxford in a borrowed coach, with two footmen belonging to another gentleman mounted behind it. The retainers wore ribbons round their hats with inscriptions of "No popery!" "No slavery!" The king opened the session in a confident tone; but it was soon found that, in the fierce struggle at the elections, the whigs had had the better of the tories (these terms were now becoming the common designations of the two great parties), and that the present parliament was as resolute as the last to exclude the Duke of York. The king proposed that, upon his decease, the powers of the Crown should be vested in the duke's daughter, the Princess of Orange, during the life of her father: but this proposition was made in bad faith; nor was the Prince of Orange willing to enter into any such arrangement, and nothing would satisfy the Commons save an absolute exclusion. On the morning of the 28th of March, when the parliament was a week old, the king put the crown and the robes of state into a sedan-chair, got into it himself, hastened privately to the place where the Lords met, and dissolved this his fifth and last parliament. And after this step both the sove-

* Letters of Algernon Sidney.—In the course of this year (1680) Barillon informed his court that Charles was entertaining a project of making a Protestant league with the Dutch and Swiss against France; and that Mr. Herbert, whose wife was cousin german to Lady Sunderland, was to go ambassador to Switzerland to conduct it: *but that Herbert had offered, for 5000l, to serve the interests of France in his embassy.* Well might Dalrymple exclaim that "this profligacy was extending itself!"

† "I hope," said Colonel Titus, "we shall not be wise as the frogs, to whom Jupiter gave a stork for their king. To trust expedients with such a king on the throne would be just as wise as if there were a lion in the lobby, and we should vote to let him in, and chain him, instead of fastening the door to keep him out." Before this the anxious eyes of many politicians had been turned towards Holland. In the course of the debate Sir Robert Markham proposed that, upon the death of the present king, the Prince of Orange should rule conjointly with James, his father-in-law.

* Parl. Hist.—A. Sidney's Letters.—Reresby's Journal.

† Dalrymple, Memoirs and Appendix.—Mazure, Histoire de la Revolution de 1688 en Angleterre.



Oxford. From a Drawing by Hollar.

reign and the representatives of the people scampered away from the learned city of Oxford as if they were retreating from some furious enemy. The whigs put forth "A Modest Defence of the late Parliament," and proclaimed everywhere that its dissolution was intended as a prelude to the entire subversion of the constitution. The tories, on the other side, showered congratulatory addresses upon the sovereign; and the clergy and the two Universities descanted on the divine right, and declared that it belonged not to subjects either to create or censure, but to honour and obey their king, whose fundamental right of succession no religion, no law, no fault, no forfeiture, could alter or diminish.* Shaftesbury was committed to the Tower upon a charge of instigating insurrection; and two Londoners, who had great influence among the poorer classes of citizens,—Stephen College, a joiner, commonly called, from his zeal against popery, "the Protestant joiner," and John Rouse, described as a Wapping follower of my Lord Shaftesbury,—were made fast. The court expected to get evidence from these poor men against the "great driver;" but they were disappointed. Among the witnesses against them were Dugdale and others, who had been believed when they swore away the lives of papists, but who now found no credit. The grand jury threw out the bills of indictment. Rouse escaped; but, as College was charged with treasons committed in Oxfordshire as well as in Middlesex, he was sent down to trial at the assizes in Oxford, "*because the inhabitants of that city were more in the interests of the Court.*" And there, upon evidence which the grand jury at London had rejected, the poor "Protestant joiner" was condemned and executed as a traitor, for having accused the king of tyranny and popery, and conspired to seize his person during the sitting of the late parliament at Oxford. The gowned men there had scarcely done shouting for this sentence and execution when the Londoners raised their shouts of joy for the acquittal of the Earl of Shaftesbury. The court had scrupled at no measure that might tend to insure his conviction: all the arts which Shaftesbury had employed, or was believed to have employed, in getting up and supporting the evidence in the popish plot, were now turned against him. In the heat of that combustion it was wondered how the papists, who were said to have been so enterprising and active in England, where their number was so small, should have been so inactive in Ireland, where their number was so great. But a few months before Shaftesbury's committal to the Tower, "some lewd Irish priests, and others of that nation, hearing that England was at that time disposed to hearken to good swearers, thought themselves well qualified for the employment: so they came over to swear that there was a great plot in Ireland to

* Address from Cambridge.

bring over a French army and to massacre all the English. The witnesses were brutal and profligate men; yet the Earl of Shaftesbury cherished them much: they were examined by the parliament at Westminster, and what they said was believed. Upon that encouragement it was reckoned that we should have witnesses come over in whole companies."* Upon the evidence of these scoundrels Oliver Plunket, titular Romish Archbishop of Armagh, an amiable old man, was condemned as a traitor for having collected money and troops, and invited the French into Ireland in order to extirpate the Protestants; and Charles, in order to carry off the affectation of his belief of the popish plot, had, even after the dissolution of the Oxford parliament, permitted his execution to take place. And now he employed those same brutal and profligate men to swear against Shaftesbury. But in spite of those Irish witnesses, and all the other resources of the court, the grand jury ignored the bill. From this moment Charles entertained the most violent animosity against popular sheriffs, who could return popular juries, and began to entertain the project of depriving the city of its charter.† At this critical season, William, Prince of Orange, proposed to pay a visit to England. Both Charles and his brother the duke believed that he intended to take a near view of the strength of the whig party, and to see whether he could turn it to his own advantage. The duke advised his brother to decline the visit altogether, for James already trembled at the thought of his son-in-law; but the king, though he gave him little encouragement, allowed the prince to come over. William had several motives and aims, some secret, some apparent. He wished to bring England into a league against France, and to induce his uncle Charles to summon a parliament, without which he knew that his power as an ally would be null. With or without his uncle's consent he made some attempts to mediate between the king and the popular party, and he frequently visited Lord Russell, the Duke of Monmouth, and others. The effect on the mind of Charles was inevitable. "I wonder," said he, "why the Prince of Orange and the Duke of Monmouth are so fond of each other, when they both aim at the same mistress." In the course of conversation William observed that the whig party was the most numerous. The significant reply of Charles was,—"That is because you speak with none else." The prince accepted an invitation to dine in the city, which was sent to him by the sheriffs, who were so odious at court. His uncle hastened to call him to Windsor, and in a very few days they parted, Charles promising to have once more recourse to a parliament if Louis XIV. should attack the Low Countries, and William, being convinced that some mighty convulsion was approaching in England. As soon as William's back was turned, Charles apologised to the French ambassador for seeing his nephew, and accepted a bribe of a million of livres from France, for allowing Louis to attack Luxemburg, one of the keys of the Low Countries.*

In all this Charles was counselled by his brother, who, soon after the departure of the Prince of Orange, was recalled to court. James had not been idle in Scotland, where, in spite of his religion, which by law excluded him even from being a common justice of the peace, he had been allowed to exercise the high functions of a viceroy, under the title of King's Commissioner. After their defeat at Bothwell-bridge, a band of the most enthusiastic of the covenanters rallied round Cameron, a preacher, from whom they afterwards derived the name of Cameronians. They wandered from place to place, or lay hid in the wilds, till the imposition upon the country of the idolatrous duke seemed to offer a favourable opportunity of raising the whole of the indignant people. Then Cameron came forth, with his followers, and affixed to the market-cross of Sanquhar "A Declaration and Testimony of the true Presbyterian, Anti-prelatic, Anti-erastian, and persecuted Party in Scotland." In this document they renounced and disowned Charles Stuart, and under the banner of the Lord Jesus Christ declared war against him as a tyrant and usurper; and they also disowned and resented the reception of the Duke of York, a professed papist, in Scotland, as being repugnant to their principles and vows to the Most High God. Then, with a mere handful of men, Cameron took the field. He was surprised by three troops of dragoons, and died fighting, with his brother and ten of his followers. A few were made prisoners; the rest escaped with Donald Cargill, another preacher, as enthusiastic as Cameron, who soon re-appeared at Torwood, in Stirlingshire, and there, as a minister of Jesus Christ and the true Church, pronounced excommunication against Charles II., King of Scotland, for his mocking of God, his perjury, adultery, incest, drunkenness, and dissembling with God and man; against James, Duke of York, for his idolatry; against James, Duke of Monmouth, for his invasion of the Lord's people at Bothwell-bridge; against John, Duke of Lauderdale, for blasphemy, apostasy, and adultery; and against the Duke of Rothes, and other ministers of the crown, for various heinous offences. Upon this affront the government began to execute the prisoners they had taken in the affair with Cameron, and to seize more victims. These enthusiasts, whether men or women, suffered imprisonment and torture without flinching, and went to the gallows in an ecstasy. To some the Duke of York sent offers of pardon if they would only cry out "God save the King;" but with the rope about their necks they all refused, and died for their "good old cause," rejoicing that they would sup that night in Paradise. Donald Cargill was taken; and he and four of his disciples, on the 26th of July (1681), were condemned for rebellion and disowning the king, and hanged the next day. A considerable number of the west country fanatics

* Burnet. † Burnet.—Roger North.—Ralph.

* Dalrymple.—Mazure.

were, by orders of the duke, drafted into a Scottish regiment serving abroad under the Popish banner of the King of Spain. As king's commissioner, James opened a Scottish parliament in the month of July, 1681, having previously obtained some credit by checking the corruptions of Lauderdale, and displacing many of his hungry satellites. The papist promised to maintain episcopacy and put down conventicles, against which there was now a renewed persecution in England as well as in Scotland. The parliament, in reply, coupled the dangers of popery with those of Cameronianism. He brought in the scheme of an oath or test to be taken by all in public stations, who were to swear to maintain the supremacy of the king, and the doctrine of passive obedience. The celebrated Fletcher, of Saltoun, after opposing the bill with great spirit and eloquence, moved, that the defence of the Protestant religion should be made a part of the test. The court party, slavish as it was, could not in decency oppose this; and the drawing up of the clause was committed to Lord Stair, who had had the boldness to warn the duke publicly on his arrival in Scotland to beware of attempting to weaken the Protestant faith. Lord Stair so worded the new clause as to make the Protestant religion to be that which was contained in the first Scottish confession of faith made in the year 1560, and which, although it did not directly meddle with the question of church government and the royal supremacy, was certainly in spirit Calvinistic, and at least opposed to the exclusive claims of prelacy as well as to the divine right of kings. The clause was allowed to pass in parliament. To save the Duke of York from that part of the test which provided for the Protestant religion, it was proposed, while the bill was under debate, that the princes of the blood should not be obliged to take the test at all. Lord Belhaven stood up and said, that the chief use of the test was to bind a popish successor. His lordship was instantly sent prisoner to the castle by the parliament; and the lord-advocate announced that he would impeach him. Notwithstanding these high courses, the Earl of Argyle, son to him who suffered at the beginning of the reign, and formerly known as Lord Lorn, avowed the same sentiments as Belhaven; and his speech was believed to have sunk the deeper into the mind of the duke, because he was silent about it. Soon after the duke removed Lord Stair from his high office of president of the court of session, and instituted prosecutions against him and Fletcher of Saltoun, which induced them both to fly their country, where neither the lords nor the parliament would have afforded them any protection. To hit Argyle, James called upon him at the council-table to take the test. Argyle took it, but added to his oath this limitation, "That he took the test, so far as it was consistent with itself; and that he meant not to preclude himself, in a lawful way, from endeavouring to make alterations in church and state, so far as they were consistent with his religion and loyalty." James permitted this explanation to pass without remark, with a smiling countenance invited Argyle to sit beside him at the council-board, and, in the course of the day's business, frequently whispered in his ear as if in friendly confidence. Two days after, nevertheless, he was committed to the castle of Edinburgh, and charged with treason for making and uttering the limitation. The captive earl wrote to the duke, hoping that he had not deserved his highness's displeasure, expressing his loyalty and obedience to his majesty and his royal highness, and begging to know what satisfaction was expected from him, and where and how he might live with his highness's favour. James left the letter unanswered, but some of the court cabal sent to inform Argyle, secretly, that no more was designed than to humble him, decrease his feudal power in the western highlands, and deprive him of his heritable and other offices; and James himself, when some at court spoke as if it was intended to threaten life and fortune, exclaimed "Life and fortune? God forbid." Nevertheless, on the 12th of December, Argyle was brought before the slavish and venal lords of justiciary, who, by a majority of three to two, found that the offences charged against him did really amount to treason and lesing-making; and, with indecent haste, sent the case to the assize or jury. Good and wise men had been suggesting for years measures to abate these hereditary hates and feuds, which were one of the greatest curses of Scotland; yet, by the special selection of the court, the Marquess of Montrose, the grandson of him who had been hanged by Argyle and the covenanters, the hereditary and implacable enemy of all that bore the name of Campbell, sat there as chancellor, or foreman of the jury, and delivered the hurried sentence of guilty. And, on that very day, that no time might be lost, "the dark cabal" dispatched a letter to the king, which, without giving any particular account of the proceedings, represented that, after a full debate and clear probation, Argyle had been found guilty of treason, and urged "that it was usual, and most fit for his majesty's service and the advantage of the crown, that a sentence be pronounced upon the verdict of the assize, without which the process would be still imperfect; after which, his majesty might order all further execution to be sisted (suspended) during pleasure." "This letter," says Ralph, "was signed by the whole council, not at discretion, after the usual form, but by special command laid on every member, the clerk going about with the letter from man to man, and extorting every subscription by pleading that command, and making complaint to the duke if any scrupled to yield obedience. Hence, some bishops thought themselves obliged to forget their function, and soil their hands in this cause of blood; and even some of the earl's own friends and relations had not the firmness to decline what they blushed to perform."* Previously to his mock trial, the earl had been warned that close conference had been held among

* Hist.

the duke's "familiars," who recalled how the earl had been pardoned by his majesty in 1663, after he had been found guilty by the Earl of Middleton and the parliament; and how it was then esteemed a capital error in Middleton, that he had not proceeded at once to execution in spite of his majesty's order to the contrary—for though this might have cost Middleton a frown, it would have cost him no more. And it was reasoned among the familiars, that if a proceeding of that nature would have been so lightly resented then, it would be altogether overlooked now, when the Duke of York was, as it were, on the throne of Scotland. And they further concluded, that to postpone the death of the earl would look like diffidence; whereas his instant execution would have a very salutary effect. At the same time that these secret particulars were poured into the ear of the prisoner, he was told that nothing but fair weather would appear towards him till his doom was sealed; and, after his trial, he was warned of the letter of the council to the king signed by special command. Argyle became convinced that nothing short of his life would satisfy the rage of his enemies; and that he had no way to escape their cruelty except by flight.* Yet, the day after his conviction, and the dispatch of the letter to the king, he applied to the Duke of York for a short audience. The duke replied, "That it was not usual to speak to criminals, except with rogues concerned in a plot, when discoveries might be expected; but that he would consider of it." On the morrow he refused to grant the audience. Argyle applied again, and James again refused. A day or two after, some troops of horse and a regiment of foot were marched into Edinburgh, and the earl was informed that he was to be brought down from the castle to the Tolbooth, whence criminals were usually carried to the scaffold. Argyle then begged to see his daughter-in-law, Lady Sophia Lindsay, disguised himself as that lady's page, and succeeded in following her out of the castle. He fled to London, where he lay concealed for some time, and then crossed over to Holland, where he found many friends and countrymen, fugitives like himself, enjoying the protection of the Prince of Orange. Immediately after his evasion, the lords of justiciary decreed and adjudged that, as a traitor convict, he was liable to all the penalties of treason; that he should be put to death when apprehended, at what time and in what place and manner his majesty should think fit to ordain; that his name, memory, and honours should be extinct; that his posterity should be incapable of honour, place, or office; and that his estates, goods, and chattels should be forfeit. The apology made for the irregularity and severity of these proceedings, which astonished and terrified all Scotland, and deeply affected every man in the three kingdoms who was not an idolater of the prerogative, and ambitious of being a slave, was simply this—that they were only intended to force the Earl of Argyle to surrender some hereditary jurisdictions which were incompatible with those of the crown, and with the regular administration of justice by the national courts. The king having made large deductions for the satisfaction, as it was said, of the earl's creditors, and for the support of the younger branches of the family, afterwards restored the forfeited estates to Lord Lorn, the earl's eldest son: but he retained all the hereditary jurisdictions as rights of the crown; and these, with others which were wrenched from their possessors, or resigned in fear, were shared among the creatures of James's court, to be holden during the royal pleasure. But the Duke of York procured from the terrified parliament an act far more important to himself: for it was declared to be high treason to maintain the lawfulness of excluding him from the succession, either upon account of his religion, or upon any other ground whatsoever. This act he obtained, to show the exclusionists in England that a civil war must be entailed upon the two kingdoms if they persisted in their scheme, or succeeded in barring him from the English throne. James then gave loose to his natural temper, which, from his youth upwards, had been severe and unforgiving; and so thoroughly had the cruelties of Lauderdale and Sharp, and the religious animosities, brutalized the people, and set them like wild beasts against one another, that it seemed impossible to govern them either by mercy or severity; and hence James had in the Tories eager instruments to cut deeper than he might order, and a standing excuse for all the cruelties that might be committed.*

The permission to return to England after the departure of the Prince of Orange had not been obtained by James without the disgraceful intrigue in which his brother's French mistress and the perfidious Earl of Sunderland had been principally engaged. Sunderland, then Secretary of State, had, by the king's express commands, voted for the bill of exclusion in the House of Lords; but, for his present successful intrigue, he was restored to the favour of the duke and to his former office. Charles, however, betrayed more uneasiness of mind than fraternal affection when his brother waited upon him at Newmarket.† James, to re-

* Argyle had been guilty of several offences which, in the eyes of the Duke of York, were unpardonable. He was the only man of quality in Scotland who, after the discovery of the popish plot, took out a commission to disarm the papists (whether out of public zeal or private animosity, is hard to decide); and, under the same authority, having summoned the chief of the Macdonalds to surrender his arms, it drew upon him a little war: Macdonald thereupon entering Argyleshire with an armed force, and committing hostilities on all sides on the earl's lands and tenants; and when a herald was sent to him from the privy council, requiring him to disband his force, instead of obeying, he tore the coat from off the herald's back, and sent him back to Edinburgh. And, as if in this whole proceeding he had acted by authority, not in defiance of it, he was never called in question either for his insolence or his treason. This, however, happened before the duke's arrival in Scotland.

* Burnet.—Wodrow.—Ralph.

† While James was at Newmarket he was waited upon by the vice chancellor of the neighbouring university, who, in the name of that learned body, congratulated him on his return, and bepraised his royal highness's good government of Scotland both in church and state. The papist prince replied "That he would ever stand by the church of England as now established, and countenance the members of it; as having seen, by experience, that they were the best supporters of the crown." Immediately after this interview and speech, the king signified his will and pleasure that the university should choose another chancellor in the room of his natural son,

move his anxiety, told him that he had no ambition to meddle again in the affairs of England, but that he wished to be intrusted with those of Scotland. And Charles received this declaration with thanks, having in vain endeavoured to make James conform outwardly to the Established Church. With full liberty to dispose of all power and places in Scotland as he pleased, the duke, after about two months' stay in England, took leave of the king, in order to return to Scotland, to settle the government there, and then bring up his family to court. On his voyage a disastrous accident had well nigh relieved both nations from all the fears they entertained on his account. The Gloucester frigate, which carried him and his retinue, struck upon a sand-bank called the Lemon and Ore, about twelve leagues from Yarmouth. It was night; the duke was in bed; and there was nine feet water in the hold, and the sea fast coming in at the gun-ports before he threw on his clothes and got upon deck. The seamen and passengers were in no command, running hither and thither, and every man studying how to save his own life. "This forced the duke to go out at the large window of the cabin, where his little boat was ordered quietly to attend him, lest the passengers and seamen should have thronged so in upon him as to overset his boat. This was accordingly so conducted as that none but Earl Winton and the President of the Session, with two of the bedchamber men, went with him. They were forced to draw their swords and to hold people off." Other boats were put out and crammed, people leaping *pêle-mêle* from the shrouds, the yards, and the deck of the frigate, which was sliding off the sand-bank, and going down in deep water. One boat was upset by being overloaded; the persons in the other boats saved themselves by beating off the desperate swimmers that would cling to their sides. The royal yachts in attendance on the frigate came up in an opportune moment, and took the duke and the rest of the survivors on board. Lord O'Brien, the Earl of Roxburg, Sir Joseph Douglas, one of the Hydes, who was lieutenant of the Gloucester, Sir John Berry, the captain, and above one hundred and thirty more persons perished. Among the survivors, who amounted to about a hundred persons, was *Captain Churchill*, for whose preservation James is said to have taken great care.* His Royal Highness went on to Edinburgh, called the council, and declared, as the king's will, that the administration of affairs should be in the hands of his three creatures, the Earls of Perth, Queensberry, and Aberdeen, who adopted the most arbitrary system, not only punishing the Covenanters and Cameronians, but all who were suspected of keeping company with them, or of giving them any merciful assistance in their hour of need. Courts of judicature, which had their boots and their other tortures, and which differed very little from the Inquisition, were erected in the southern and western countries. Above two thousand individuals were outlawed, and the soldiers were authorised to shoot any delinquents that would not renounce Cameron's and Cargill's declarations against the king, and pray God to save him. Thousands of Presbyterians, who had taken no part with those desperate enthusiasts, began to think of emigration to America.

In the mean while the Duke of York had returned with his wife and family to England, and had been reappointed lord high admiral, and lodged at St. James's. As soon as all this was known to the Duke of Monmouth, who had gone abroad upon the king's promise that James should be kept at a distance in Scotland, that over-confident person came again hastily over, in defiance of Charles's command. He was received in the city of London with an enthusiastic welcome. As in the year 1679-80, Monmouth set out with a train and equipage little less than royal, to make a progress through the kingdom. He was followed by a retinue of a hundred or more persons, all armed and magnificently accoutred. In Lancashire, Staffordshire, Worcestershire, and Cheshire he was treated like a king or heir-apparent. The Lords Macclesfield, Brandon, Rivers, Colchester, Delamere, Russell, and Grey, Sir Gilbert Gerard, and many others of the high gentry of the Whig party, met him at the head of their tenants in different places. And, as the ancient manners of England were not at that time laid aside, most of those who came to meet him were armed. When he approached a town, he quitted his coach, and rode into it on horseback: the nobility and gentry went foremost in a band; at a distance and single rode the duke; and, at a distance behind him, the servants and tenants. When he entered the towns, those who received him formed themselves into three ranks; the nobility, gentry, and burghers being placed in the first, the tenants in the next, and the servants in the last. He gave orders for two hundred covers to be prepared wherever he dined. At dinner, two doors were thrown open, that the populace might enter at the one, walk round the table to see their favourite, and give place to those who followed them by going out at the other: at other times he dined in an open tent in the field, that he might the better see and be seen. At Liverpool he even ventured to touch for the king's evil. He entered into all country diversions; and, as he was of wonderful agility, even ran races himself on foot; and, when he had outstripped the swiftest of the racers, he ran again in his boots, and beat them, though running in their shoes. The prizes which he gained during the day he gave away at christenings in the evening. The bells were rung, bonfires made, and vollies of fire-arms discharged

whose election he had formerly urged. At this moment the Duke of Monmouth had been deprived of all his honours except the peerage, the Order of the Garter, and this chancellorship. The gowned men could hardly elect the Duke of York (the Duke of Albemarle, the stupid son of Monk, was chosen); but, to show their reverence for his highness, they took down Monmouth's portrait, which had been hung up with great ceremony not long before in their schools, and publicly burned it with many insults.

* Letter of the Lord Provost of Edinburgh, Sir James Dick, who was on board the Duke of York's ship, as printed by Dalrymple Appendix), and by Sir Henry Ellis.—Letter of Lord Dartmouth.

wherever he came: the populace, waving their hats in the air, shouted after him, "A Monmouth! A Monmouth!"

All these proceedings, together with some of a more private nature, were watched by a well-organized body of spies, who had been collected and drilled through a series of years by Mr. Chiffinch, and who now sent hourly reports to court. The king and his brother were the more alarmed, because they knew that in the time of the Commonwealth the plotting royalists had held their meetings and consultations at horse-races, cock-matches, and similar sports, which, upon that account chiefly, had been prohibited and put down by Cromwell. The notorious Jeffreys was at this time, "with his interest on the side of the Duke of York," Chief Justice of Chester, having caused the removal of Sir Job Charleton, who is described by a Tory friend as "an old cavalier, loyal, learned, grave, and wise." Taking advantage of some disturbances which happened at Chester, Jeffreys got from court a commission of oyer and terminer, and began to make use of it against the admirers and friends of the Protestant duke.† Monmouth himself was arrested at Strafford, where he had accepted an invitation to dine in the public streets with all the inhabitants *en masse*. A single messenger from London entered the town, and showed the warrant for his apprehension, on the charge of "passing through the kingdom with multitudes of riotous people, to the disturbance of the peace and the terror of the king's subjects." He submitted at once, in the midst of his friends, relying upon his tutor Shaftesbury's salutary provision of *habeas corpus*; and in London he was immediately admitted to bail.‡ The king and the court party had long complained that they could have no chance at law against their opponents so long as the city was allowed to appoint Whig sheriffs.§ Emboldened by the passive-obedience addresses, which still continued to arrive in shoals, and by the evident consternation and despondency of the Whigs, and encouraged by the supple character of Sir John Moore, the then lord mayor, they resolved to get these important appointments, with the selection of juries, into their own hands. In the olden times, as a compliment to the first magistrate of the city, it had been usual for the lord mayor, at the Bridge House feast, to drink to a citizen, who, on Midsummer-day, was approved as one of the new sheriffs, as a matter of course, by the livery, who then elected the other sheriff by themselves. Ever since the commencement of the struggle of the parliament with Charles I, the nomination by drinking had been put down, and both sheriffs had always been elected by the common hall. But now the court lawyers represented that obsolete custom as a right in the lord mayor; and Sir John Moore, at the request of the king, drank to Dudley North, a brother of Francis North, the chief justice, whose Tory principles were generally known, and whose abilities and decision of character were reasonably feared. The Whigs insisted that the nomination of Dudley North was illegal, and, a poll having been demanded, Papillon and Dubois were returned by an immense majority. But the lord mayor complained of irregularity and riot; the Chief Justice North and the council backed him; and Dudley North and Rich, a man almost equally devoted to the prerogative, were illegally thrust into the offices of sheriffs of London and Middlesex. It is indisputable that the Whig sheriffs—more particularly in the business of the popish plot—had acted and induced juries to act with extreme partiality: but it was not the intention of government to secure impartiality; it was their wish, as it was afterwards their boast, that Tory sheriffs and Tory juries should retaliate in kind, or passively give whatever verdicts the king might require against the popular party.* The court and the Duke of York lost no time in availing themselves of these advantages, and pursuing the war of factions by means of the courts of justice. The duke brought an action under the statute *de scandalis magnatum* against Pilkington, one of the late Whig sheriffs, who had named the juries which had ignored the bills against Shaftesbury and the Protestant joiner, and who had refused to join a city deputation to congratulate his highness on his happy return from Scotland. The words specially charged were, that Pilkington madly said "The Duke of York fired the city at the time of the great fire, and he is now coming with his papists to cut our throats." The damages were laid at the enormous amount of 100,000*l*. Two brother aldermen, Hooker and Tulse, had the honour of being witnesses against him, and swearing to the scandalous words. For this they received the smiles of the

* Dalrymple, Memoirs.

† Mr. Booth, afterwards Earl of Warrington, has left a striking portrait of Jeffreys, as he appeared at this time as chief justice of Chester:—"His name is Sir G. Jeffreys, who, I must say, behaved himself more like a jack-pudding, than with that gravity that beseems a judge. He was mighty witty upon the prisoners at the bar. He was very full of his jokes upon people that came to give evidence, not suffering them to declare what they had to say in their own way and method, but would interrupt them, because they behaved with more gravity than he. But I do not insist upon this, nor upon the late hours he kept in our city. It is said he was every night drinking till two o'clock, or beyond that time, and that he went to his chamber drunk; but this I have only by common fame, for I was not in his company—I bless God I am not a man of his principles or behaviour—but in the mornings he appeared with the symptoms of a man that over-night had taken a large cup."

‡ His bail were Lords Russell, Grey, &c.

§ Shaftesbury, after his release, had brought actions for defamation and conspiracy against one Cradock, who had called him a traitor, and against Grahame, the solicitor of the Treasury, who had been employed in suborning, or at least collecting, witnesses against him. Cradock, by the advice of the crown lawyers, moved that the writ of summons for a jury should be transferred from London to some other county, that the return might be fair and impartial, and the court insisted "that it was not likely to be an indifferent trial in the city." Shaftesbury, on the other side, declared "That he could expect no justice elsewhere; that, so many counties having reflected upon him in their addresses, he could not expect any justice from them; and, therefore, he should withdraw his action." The chief justice, Francis North, retorted that his lordship's resolution did greatly confirm the opinion of the court that it ought not to be tried in London, seeing his lordship would not trust any other jury in England with his cause. Thus each party criminated the other, and both were so far in the right.

* The court operators gave, of course, a better colour to the matter. "It was," says Roger North, "of the last consequence to the crown at that time, for the question was, whether treason and sedition, in London and Middlesex, were criminal or not. And this in a time when it was believed, though not so soon *evidentually* discovered, that a rebellion was ready to break out."—*Life of the Lord Keeper.*

court; but a third witness, Sir Patience Ward, who did not swear as was wished, but, on the contrary, attempted to palliate the evidence, and save Pilkington, was afterwards prosecuted with peculiar malevolence, was found guilty of perjury, and sentenced to the pillory. In the main case, so forward were the juries now chosen in finding verdicts as the court wished, Pilkington was sentenced to pay the 100,000*l.* damages. This showed that his utter ruin was aimed at; and, to prevent it, he was forced to surrender himself a prisoner in execution, in discharge of his bail, without a prospect or hope of release. In all these proceedings, and in others of a similar character, Sir George Jeffreys, who was now Recorder of London and high in the Duke of York's favour, bore a very conspicuous part. Before the system of Tory sheriffs and packed Tory juries was organised, it had been determined to strike a death-blow at all the corporations of the kingdom by means of *quo warrantos;* but, having secured one grand means of attack and defence, the court took time to mature the latter scheme, to prepare men's minds for the important change, and to procure, from the slavish, the timid, and the time-serving, voluntary offers to surrender the charters of boroughs, the municipal liberties of the nation, which were the foundation and the bulwark of all other liberties. When the trimming minister Lord Halifax saw how affairs went in the city of London, he said that there would be hanging; and his uncle and opponent Shaftesbury felt that his own neck was in danger, and that nothing less was intended than the entire destruction of the leaders of the Whig party, and the establishment of a fierce and bloody despotism. In this state of mind he withdrew to his House in Aldersgate-street, and called around him all the disaffected and desperate people in the city, still hoping to accomplish his former boast—"That he would walk the king leisurely out of his dominions, and make the Duke of York a vagabond upon the earth like Cain;"—or, failing in this, at least to manage matters in such a way that he and his party should not perish without a blow, or be led like sheep to the slaughter—which, in the end, they were. Not knowing that his Absalom, the Duke of Monmouth, who was alike contemptible for intellect and for heart, had already more than half betrayed him and the secrets of his party to the king, he clung to that paltry reed. At the same time Shaftesbury concerted his measures with Lord Russell, Lord Essex, Mr. Hampden, and Algernon Sidney. These men were hearty in the cause, thoroughly determined to risk life and fortune in a struggle against the bold-faced and advancing tyranny; but they neither agreed as to their ultimate end, nor as to the means by which the end was to be brought about. The extremes were represented by Lord Russell and Algernon Sidney: Russell was for gentle remedies, for a correction of the constitutional monarchy by law established, for the utter extirpation of popery, and for the establishment of one national church, which, if not presbyterian, would have been very like it: Sidney was undisguisedly for the entire destruction of royalty, for the re-establishment of his darling Commonwealth, and for the widest and most perfect toleration, to include the Catholics and all sects and denominations of men, without any state-church or privileged clergy whatever. Honesty of purpose and a mediocrity of talent were common to the two; but it is difficult to conceive a more infamous scoundrel than Russell's kinsman, Lord Howard, or than Ford, Lord Grey, who were both admitted into the confederacy. Nor can much be said in favour of other members of the secret conclave in Aldersgate-street. Sir Thomas Armstrong had been a favourite of the king and the companion of his worst debauches; Wildman was one that merited the name, for he had constantly lived, for thirty years and upwards, in plots and agitations that had never come to good; and Trenchard was "a battered parliament-man," high in talk, but low in courage. Shaftesbury was no fighting man; and yet it appears that he had more boldness and decision than any of them, or than all of them put together. He recommended the immediate taking up of arms, and spoke confidently of his ten thousand brisk boys in the city that were ready to rise at the moving of his finger; but Monmouth pretended to despise the citizens as compared with regular troops, and proposed that the insurrection should be begun, not in town, but in the country; "because, if the king's troops, which were only about five thousand men, and at that time all quartered in London, should march out to quell the insurrection, the capital would be left unguarded; or, if they continued in town to overawe it, the insurgents would increase in numbers and courage in the country." So contradictory is the evidence, and so evident the falsehood of most of the witnesses, that there is scarcely a part of the story free from doubt. According, however, to the most generally received account, it was agreed that the rising should take place or be attempted simultaneously in town and country; and it appears that Shaftesbury undertook to raise the city; that Monmouth engaged to prevail upon Lord Macclesfield, Lord Brandon, Lord Delamere, and others to rise in Cheshire and Lancashire; that Lord Russell corresponded with Sir Francis Drake and other disaffected gentlemen in the west of England; that Trenchard engaged to have all the inhabitants of his town of Taunton up in arms at a minute's notice; and, lastly, that Shaftesbury, disappointed in his expectations of the ten thousand brisk boys, despairing at the returning want of concert and spirit among his friends, and dreading to be betrayed either purposely or by imbecility into the hands of his enemies, threw up the game as lost, and secured his neck by flight. Shaftesbury certainly retired to Holland on, or a day or two before, the 19th of November (1682), and died at Amsterdam, with rage and fear in his heart and gout in his stomach, about six weeks

after his flight. His old adversary, the Duke of Ormond, said of his death, "that those of his own party extenuated the loss of him by saying he did them more hurt than good; and that the court would not acknowledge it to be any advantage to them, as being of opinion he did them more good than hurt: so that his departure was neither lamented by his friends nor rejoiced at by his enemies." But Shaftesbury, with all his vices and errors, deserved in some things a different kind of epitaph; and, though there is truth, there is more point than truth, in Ormond's smart saying; for the flight and death of the veteran plotter struck a damp to the heart of his party, and raised the confidence of their opponents. Many resigned themselves to what seemed a destiny, forsaking altogether the projects and bye-paths he had chalked out as leading to civil and religious liberty; while some few, *perhaps*, rushed into mad and sanguinary schemes of their own devising.*

A. D. 1683. — On the 12th of June, about six months after Shaftesbury's evasion, Josiah Keyling, a salter, formerly a flaming Whig, and who had been so daring as to lay hands upon the loyal lord mayor for his conduct in the business of the sheriffs (for which he now feared the visitations of a Tory jury), waited upon the Duke of York's favourite, Lord Dartmouth, and informed his lordship that there was a terrible plot a-foot in the city against the king's life. Dartmouth carried the informer to Sir Leoline Jenkins, a secretary of state, "who had laboured in the great work of new-modelling the city, the sheriffs, and the court of aldermen."† Jenkins suggested that a second witness would be necessary, and Keyling went away and got his brother to overhear a terrible conversation between himself and one Goodenough, late under-sheriff, a busy man in the city, and described as being formerly a satellite of my Lord Shaftesbury. Having done this, he led his brother, who, it is said, went very unwillingly, to the secretary at Whitehall. In the mean time some of Keyling's associates chanced to see him lurking about the palace, and charged him with a design to betray them. One of them, said to have been Rumbald, whom he afterwards charged so capitally, proposed that they should instantly make sure work by seizing and dispatching him; but his tears, protestations, and oaths of fidelity prevailed upon the rest, and they let him go. And thereupon he went straight to the secretary's office, and there made still more ample disclosures. Keyling's narrative at this stage was, in substance, as follows:— About a fortnight or three weeks before the king went last to Newmarket, which was in the month of March, Goodenough, after some introductory discourse on what would be the sad, slavish condition of the citizens of London, in case they should lose their charter, asked him how many men he could procure to take away the lives of the king and the Duke of York; and while his majesty was actually at the Newmarket meeting, Goodenough repeated the same question, and this time succeeded in inducing him to join the plot. Keyling was then introduced by Goodenough to several of the conspirators, and engaged others himself, as Burton, a cheesemonger; Thompson, a carver; and one Barber, an instrument-maker, all of Wapping. At a meeting, by appointment, with Rumbald, the maltster, at the Mitre tavern without Aldgate, it was agreed that the party should go down to a place called the Rye, near Hoddesden, in Hertfordshire, where Rumbald had a house, and there cut off his majesty and his brother on their return from Newmarket. The manner of doing it was proposed to be thus:—Rumbald's house being by the highway-side, the undertakers were to hide themselves under a wall or pale; and when his majesty's coach came opposite to them, three or four were to shoot with blunderbusses at the postilion and horses; and, if the latter did not drop, two more of the party, dressed like labourers, were to rush out of a lane near the place with an empty cart, which they were to draw athwart the way, in order to stop the horses, while several others of the gang fired on the king and his guards. At a subsequent meeting at the Dolphin, behind the Exchange, they spoke with uncertainty of the time when the king might choose to come up from Newmarket. Rumbald had heard that he would return that very night; but Hone, the joiner, and West thought he could not come for several days; and West, a lawyer, said, "If he do not, how many swan-quills, how many goose-quills, and how many pair of crow-quills (meaning, in their plot jargon, blunderbusses, muskets, and cases of pistols,) must you have?" Rumbald said, that they should require six swan-quills, twenty goose-quills, and twenty or thirty pair of crow-quills, with ink and sand (powder and bullets) proportionable. The maltster, however, went down to his house at Rye,* without any of his associates, without arms, or any actual preparation; and while he was there the king and duke passed close by his house on their way to London with only five of the Life Guards. Rumbald afterwards told Keyling that if he had had but five men with him he could have done their business. The conspirators, however, remained inactive, making no preparations, and only indulging in talk. But about a fortnight before Keyling made the discovery to government he had received a paper from Goodenough, containing the names of certain streets and alleys in the city, wherein he was invited to make, with the assistance of nine or ten others, an inquiry as to what number of housekeepers, journeymen, and apprentices might be raised upon occasion, either to justify the assassination, in case it should take place, or to co-operate in an insurrection, *in case it should not take place, or be given up.* Goodenough had divided the city and suburbs into

* Burnet.—Ralph.—Dalrymple. † Roger North.

* The Rye House is situated on one of the pleasantest parts of the pleasant river Lea (so dear to Isaac Walton and London anglers), a little above Broxbourn Bridge and Hoddesdon, and is now an inn and fishing-house.

Rye House. From an Old Print.

twenty parts or districts; but, according to Keyling, he himself refused to meddle, and so did Rumbald's brother, and one Helby, a carver. Afterwards Keyling met Goodenough, Wade, Nelthrop, West, Walcot, and one they called *the Colonel*, at the Salutation tavern in Lombard-street, where, having asked Goodenough and West what care was taken for arms, he was told that a good provision was already made; and that he must above all things be secret and cautious, for if the present design miscarried they never should be able to retrieve themselves. Rumbald declared that to take off the king and duke would be a keeping, not a breaking, of one of the ten commandments; since it would prevent a civil war, in which abundance of blood must have been shed. West, after the king's safe return from Newmarket, proposed that the thing should be done of a sudden, between Windsor and Hampton Court, a road which the royal brothers often travelled. Such was the informer Josiah Keyling's *first* disclosure; but, following the example of those great professors of the art, Oates and Bedloe, he subsequently went into a regular *crescendo* movement, adding new circumstances, and giving more weight and circumstantiality to the old ones. After producing his brother John as a witness to the conversation into which he had beguiled Goodenough at the tavern behind the Exchange, he made it appear (and his brother swore with him) that Goodenough had succeeded in organizing the twenty districts in the city; that 20,000*l.* were promised, and would be issued on demand, to the twenty persons who undertook for those districts; that the Duke of Monmouth and all his friends were concerned in raising this money; that the Duke of Monmouth was, moreover, to be at the head of the insurrection; that the person called the Colonel would advance 1000*l.* towards paying for arms; that Wade of Bristol kept 200*l.* or 300*l.* in town, and that he himself (Goodenough) had about 60*l.* in plate and about as much more of his own in gold for the same service; that a hundred horse were ready and men to mount them; that nothing was wanting but *arms and ammunition*, and if there was faith in man there would be no want of money to procure both; that that very evening there was to be a meeting of the persons principally concerned; but that now the thing was no longer to be done between Windsor and Hampton Court, but at the next bull-feast in Red Lion Fields. Two days after this significant addition, the two Keylings deposed that they had had another meeting with Goodenough at another tavern behind the Exchange; that they there had asked him what persons of quality would be concerned; and that he

had answered, that *William Lord Russell would be concerned to his utmost, and use all his interest to accomplish the design of killing the king and the Duke of York.** This was precisely what the Duke of York and most at court (out of old hatred to Russell) most wanted; and a few days after, a proclamation was issued for apprehending Goodenough, Rumbald, Colonel Rumsey, Walcot, Wade, Nelthrop, Thompson, Burton, and Hone, for high treason. According to Lord Keeper North, or rather his brother, Roger North, "John Keyling had most perfidiously, and to the intent that his discovery might be public, gone to divers of the party, and told them what he had done. So that it began to be discoursed in town that there was a discovery of a plot against the king's life; whereby the principal conspirators came to be assured of it, and none could be apprehended but one Barber, a poor instrument-maker at Wapping. This poor fellow discovered the whole material part of the discovery with very little difficulty; whereby it was plainly understood that there was a reality in the design, and Keyling an honest man."† Burnet also says that John Keyling, who had been drawn into the snare by his brother, "sent advertisements to Goodenough and all the other persons whom he had named, to go out of the way." This Barber, the poor instrument-maker at Wapping, was not in the proclamation; nor had his name been mentioned by Keyling, otherwise than as that of a person to whom he had himself spoken about the plot; and though he was brought by warrant before the council, it was rather to make use of him as a witness than to proceed against him as a criminal. On the very day that the proclamation was issued this man gave in his evidence, which differed in many respects from that of Josiah Keyling. "I never heard," said Barber, "that this was intended against the king, for he never was mentioned in any respect, that I did understand; but I did verily believe that it was meant by his royal highness." According to Mr. Secretary Jenkins, the discovery was still imperfect, and more evidence was wanting. He had no sooner made the remark, than one of the lords of the council declared that a friend of his had received overtures from West, one of the conspirators, who offered to surrender himself if he might have hopes of pardon; and as soon as Barber was sent out, this new witness was brought in. West, who it is said had previously consulted and arranged his story with Josiah King, deposed that there had been for many months a plot; that Ferguson, a Scottish minister and bosom friend of Shaftesbury and Argyle, was deep in it; that after Ferguson's return from Holland there had been many discourses about destroying the king as well as the duke; that Ferguson, Goodenough, Rumbald, Rumsey, and Walcot, sometimes met at his (West's) chambers, he being a lawyer; that Rumbald was the most active for the murder; but the reason why the thing had not been done on the king's return from Newmarket was, that, on account of a fire which broke out in his lodgings, his majesty had returned to Whitehall several days before the assassins were ready at the Rye House. "This," says Burnet, "seemed to be so eminent a providence, that the whole nation was struck with it, and both preachers and poets had a noble subject to enlarge on, and to show how much the king and the duke were under the watchful care of Providence."* West further deposed that, after the king's return from Newmarket, Ferguson, Rumbald, and Goodenough charged him with the office of providing arms, and that he had accordingly bespoke thirty cases of pistols, thirty carbines, and ten blunderbusses, of one Daft, a gunsmith, in Shire Lane; that at a tavern, about three weeks or a month before Keyling discovered the plot, he (Keyling) had been very earnest, and had said that, for all their jesting, he and some few more might yet save the city charter and the whole nation. West afterwards delivered in no fewer than thirteen other informations, at so many several times, each deposition going farther than the preceding ones, and filling up gaps in them, after the fashion of the popish plot witnesses. North, who has no mercy on Oates and Bedloe, finds this conduct justifiable and perfectly natural in West and the other witnesses for the court against the patriots; and he says, very coolly, that West, not being quite sure of his pardon, put his memory to the rack to deserve it.† It would be tedious to give even the substance of these thirteen successive depositions: the principal points, as brought out from time to time by the racked invention rather than memory of West and his advisers, were, that he had received money from Ferguson on account of the arms he had bespoke, and was assured that there would be no want of men of quality to join the insurrection; that Wildman had money to buy

* At this stage of the plot-discovery Josiah Keyling averred that Goodenough and Rumbald had told him "there was a remonstrance or declaration ready drawn up, which would be printed against the day that their designed commotion was to be, wherein they would ease the people of chimney-money, which seemed to be most grievous, especially to the common people; and that they would lay the king's death upon the papists as a continuation of the former plot."

† Examen.—There are other observations about the Keylings in Roger North's Lives of the Three Norths.

* Bishop Spratt's eloquence may serve as a specimen: "But whilst they were thus wholly intent on this barbarous work, and proceeded securely in its contrivance, without any the least doubt of a prosperous success, behold! on a sudden *God* miraculously disappointed all their hopes and designs, by the terrible conflagration unexpectedly breaking out at Newmarket: in which extraordinary event there was one most remarkable passage, that is not so generally taken notice of as, for the glory of *God* and the confusion of his majesty's enemies, it ought to be: for after that the approaching fury of the flames had driven the king out of his own palace, his majesty at first removed into another quarter of the town, remote from the fire, and as yet free from any annoyance of smoke and ashes. There his majesty, finding he might be tolerably well accommodated, had resolved to stay, and continue his recreations as before, till the day first named for his journey back to London. But his majesty had no sooner made that resolution, when [than] the wind, as conducted by an invisible power from above, presently changed about, and blew the smoke and cinders directly on his new lodgings, making them in a moment as untenable as the other. Upon this, his majesty being put to a new shift, and not finding the like conveniency elsewhere, immediately declared he would speedily return to Whitehall; as he did: which happening to be several days before the assassins expected him, or their preparations for the Rye were in readiness, it may justly give occasion to all the world to acknowledge what one of the conspirators could not but do, *that it was a providential fire*."—*True Account, &c.*

† Examen.

arms; that Lord Howard of Escrick had communicated to him a project for making an insurrection; that in their jargon the conspirators called the assassination "the lopping point," and the insurrection "the general point," &c.; that they had consulted on a model of government to be adopted after the king's death, and that the fundamentals of this new constitution were presented to Lord Russell; that Algernon Sidney and Wildman held a close correspondence with the traitors in Scotland; that there had been meetings of the conspirators at the Devil Tavern, and projects to shoot the king and duke on their return from the play-house in the narrow part of the streets; that Ferguson had mentioned something, but not assassination, to the Duke of Monmouth, who had answered him sternly, "You must look upon me in the capacity of a son;" that this answer damped their design; but at last it was resolved, that if Monmouth should become troublesome, he too should be killed; that Ferguson, the preacher, did all he could to keep the conspirators to the "lopping point," and often complained of their want of spirit, saying, "These are weak, silly men, and not fit for these things, who cannot distinguish between destroying a prince merely for his opinion in religion, and destroying tyrants who design to overthrow the laws, the Protestant religion, and all civil rights;" that (the crescendo did not reach this pitch of bold absurdity till the tenth and eleventh depositions) the conspirators had made up their minds to kill the loyal lord mayor, and Dudley North and Rich, the two intrusive sheriffs, and to hang up the skin of North, stuffed, in Guildhall; that most of the judges were to be killed, and their skins stuffed and hung up in Westminster Hall; that some of the principal reputed pensioners' skins were to be stuffed and hung up in the Parliament House, &c. &c.; that Mr. Carleton Whitelock and Mr. Edmund Waller (the son of the poet) knew of the plot, and that Colonel Rumsey had assured the deponent that the Duke of Monmouth was inclinable to answer the people's expectations, and submit, if placed upon the throne, to be little more than a Duke of Venice, though Rumsey said that Sir Thomas Armstrong and the great lords about Monmouth, designing great offices to themselves, would not hear of these restrictions upon the prerogative royal, and were for leaving everything to the decision of a parliament; but Rumsey added that the people were not worth venturing for; that the "lopping" would bring a great distress to the Protestant cause all the world over, and agreed with West, that, but for the shame of the thing, it would be well to turn informer. Thus introduced, Rumsey, an old soldier of fortune, who had greatly distinguished himself at the beginning of the reign in Portugal, surrendered himself, and desired that he might first be permitted to speak privately with the king and the Duke of York. One of his objects in this was (at least according to North) to ascertain whether the king was willing the Duke of Monmouth should be accused, that he might shape his evidence accordingly.* Rumsey named the late Lord Shaftesbury, Lord Russell, Mr. Trenchard, Roe, the sword-bearer of Bristol, and most of the other persons already named by Keyling and West; he asserted that nothing less was intended than the killing the king and his brother, and changing the whole government; that he himself had been appointed to make an offer of the command to the Duke of Monmouth, as soon as the levies should be completed; but, as the said levies never were completed, he had said nothing at all to his grace. But Colonel Rumsey, as well as West and Keyling, had his recollections and amplifications to get up at leisure. According to his "further information," about the beginning of November last he went from the Earl of Shaftesbury to the house of Mr. Shepherd, a wine merchant, near Lombard-street, where he met the Duke of Monmouth, Lord Russell, Lord Grey, Sir Thomas Armstrong, and Ferguson, whom he told, in Lord Shaftesbury's name, that it was high time to come to some resolution about the rising. They answered, by Mr. Ferguson and Lord Grey, that Mr. Trenchard, who had promised a thousand foot and two or three hundred horse, had written from Taunton to require more time; and that so they could not stir for the present. "I returned," continued Rumsey, "with this message to my Lord Shaftesbury, and upon it my lord resolved to leave England." In this third information Rumsey said, moreover, that Ferguson had promised the assistance of three hundred Scots, who were in London, and who would be ready at a day's warning; stating, at the same time, that there were in all England twelve hundred Scots who had all been out at Bothwell Bridge, and who could be depended upon; some of these being gentlemen's sons, though now transformed into pedlars for disguise and subsistence. He added that he had been told by Roe, the Bristol sword-bearer, that Gibbons, the Duke of Monmouth's footman, had said that nothing but taking off the two brothers would do the business; and that the best place to effect it would be from a mount in the Earl of Bedford's garden, looking into Covent Garden; and that he had heard other things which convinced him that Sir Thomas Armstrong and the Duke of Monmouth were deep in the worst parts of the plot. Here Rumsey prevaricated most pitifully; but Shepherd, the wine-merchant, was now brought in to support his crazy evidence, and to swear expressly "*against the grandees of the party.*" Shepherd, giving a different account of the meeting from what Rumsey had done, deposed that, some time before Shaftesbury fled to Holland, the Duke of Monmouth, Lord Grey, Lord Russell, Sir Thomas Armstrong, Colonel Rumsey, and Ferguson, met at his house in the city, where they discoursed about the means of securing his majesty's guards; and that, in order thereto, *as he was informed* at their next

* Examen.

meeting, Monmouth, Grey, and Armstrong walked about the court end of the town by night, and found the guards very remiss, so that the securing of them would be feasible enough, provided they could only have a certain force: but, Shepherd added, that finding such a force was not to be had, the project of securing the guards was *wholly laid aside*, as far as he knew. The merit of his evidence consisted in his so expressly charging the grandees; and though Shepherd swore Rumsey was present at this conference about seizing the guards, which Rumsey himself had as yet made no mention of, and though Rumsey had sworn that his business there was to deliver a message from Lord Shaftesbury, which Shepherd had made no mention of, the disagreement was overlooked; and on the 26th of June, the day after Shepherd's first appearance as a witness, a proclamation was issued for the apprehension of Monmouth, Grey, Russell, Armstrong, Walcot, and others. Monmouth immediately absconded, showing in this, as in all other crises, a delicate regard for his own personal safety, and an ungenerous disregard for the safety of his friends. Doubts have been started as to Monmouth's real father, but the paternity of Charles seems strongly marked in the disposition, habits, and manners of the selfish young man.* Lord Russell was the first of the grandees that was secured. He was taken into custody in his own house by a messenger, who had walked for some time before his door, either, it is supposed, from the man's own desire to warn him of his danger, or from the wish of the court to frighten him away, in order to interpret his flight into a confession of guilt. Russell was found neither preparing for flight nor hiding himself, but sitting tranquilly in his study; and when the single messenger—for only one was employed—showed him his warrant, he made no effort of any kind to escape, but obeyed as if it had been backed by an army. As soon as he was in custody he gave up all hopes of life, knowing how obnoxious he was to the Duke of York; and only studied to die with decency and dignity. According to the Tories, his behaviour before the king and council was weak and undignified, and he appeared in very great confusion.† According to the Whigs, it was not very firm, but still generous and high-minded with relation to his friends; and there is good evidence to show that he refused to answer anything that might affect others. According to Burnet, the king told him that nobody suspected him of any design against his person, but that he had good evidence of his being engaged in designs against his government. Every question put to Russell was a snare, and his greatest folly was his answering at all. When asked whether he had ever been at Shepherd's, and when last, he replied that he had been there frequently to taste and buy wines, &c., but he could not say when he was there last. He acknowledged that he had gone thither with the Duke of Monmouth; but as to the rest of the persons then present, he conceived he ought not to answer, as dangerous constructions had been put upon their meeting. In reply to other questions, he denied that there was ever any discourse about a rising in the West, or about surprising the king's guards, or about Taunton or Mr. John Trenchard, or about any design for a rising in Scotland; only he had heard "general discourses of many distressed people, ministers and others, of the Scottish nation, and that it would be a great charity to relieve them."* After this examination he was committed to the Tower. Upon entering the dismal gate, he said that "he was sworn against, and they would have his life." His faithful servant hoped that matters were not so desperate; but his lordship rejoined, "Yes! the devil is loose."† Lord Grey next appeared before the council, where, according to Roger North, "he did not at all decline answering, but, with the greatest clearness in the world, made professions of loyalty, and denied all practice against the king: but, when Rumsey was produced face to face, he was dashed; but, presently recollecting his spirits, said he knew well enough he must be committed, as the testimony against him was upon oath, though never so false; and desired he might be permitted to live in his own lodgings instead of being sent to prison so late: and though this was refused, he was so far gratified as to be permitted to lie in the serjeant's house." "This liberty," continues North, "he made use of so that he conferred with his friends, and, it is likely, provided for his escape; for the serjeant was made drunk, or pretended to be so; and, just as he should have entered into the Tower, he left the serjeant asleep, and walked away, took boat and crossed the Thames, and from thence escaped to his own house at Hastings, and afterwards found a vessel that carried him into Holland; and the serjeant was committed to the Tower in his stead."‡ The king, it is said, wondered that Lord Howard was not in the plot; but admitted that he was so great a rogue that the party might well have been afraid of trusting him. "Lord Howard," says Burnet, "was still going about, and protesting to every person he saw that there was no plot, and that he knew of none; yet he seemed to be under a consternation all the while. Lord Russell told me he was with him when the news was brought that West had delivered himself, upon which he saw him change colour, and he asked him if he apprehended anything from him? He confessed he had been as free with him as with any man. Hampden saw him afterwards under great fears; and, upon that, he wished him to go out of the way if he thought there was

* It was notorious that Lucy Walters, who was left to end her days in France in great poverty and wretchedness, had many paramours besides Charles. From some likeness between the two, Monmouth was said, by some of the courtiers, to be really the son of one of Algernon Sidney's brothers.

† Roger North.

* Sprat, Appendix.—Roger North, Examen.—Ralph.

† Manuscript at Woburn Abbey, quoted by Lord John Russell in his Life of his ancestor.

‡ Examen.

matter against him, and if he had not strength of mind to suffer anything that might happen to him." Though Howard was his relative, Russell had always regarded him with distrust and aversion; but the scoundrel had captivated Algernon Sidney with enthusiastic professions of republicanism; Sidney had introduced him to Lord Essex; and, between them, Russell's objections were removed. At first, West, of whom Howard was so much afraid, did not bring any serious charge against him; but after being laid in irons, and threatened with the gallows, West "told all he knew, and, perhaps, *more than he knew*." In his new story he said that Lord Howard had proposed, as the best way of killing the king and the duke, that Monmouth should fall into Newmarket with a body of three or four hundred horse, and so take them all in their sleep.* Howard had now for some time been on the alert, and it is said, and almost positively proved, that he had made secret offers to the court to sacrifice Russell as the price of his own life. At last, four days before Russell's trial, and the day after Walcot† had been examined, the serjeant-at-arms, attended by a squadron of horse, was sent to his house at Knightsbridge to apprehend him; and apprehended he was accordingly, though not till after a long and curious search; for he had hid himself in a chimney which was concealed by a tall cupboard which stood before it; and probably he had not been taken if the warmth of his bed and the sight of his clothes scattered about the room had not made it evident that he was not far off.‡ He was taken in his shirt. Few chimney-sweeps would have behaved so basely: he trembled, sobbed, and wept. When carried before the council, he offered to confess in private to the king and the Duke of York. The secret audience was granted to the kneeling, puling caitiff, and immediately after it the Earl of Essex, Algernon Sidney, and Hampden were clapped up in the Tower. Essex was brought up from his house at Cassiobury by a party of horse, and seemed so little apprehensive of danger that even his wife did not imagine he had any trouble on his mind. Others, who knew more of his doings, or of the intentions of the court, offered to secure his escape; but, out of tenderness for his friend Russell, he would not stir, lest his flight might incline the jury unfavourably. He was firm before the council, but this was followed by a confusion of manner; and in the Tower he fell under great depression of spirits. He was constitutionally a melancholy man; and the closeness of his prison, the memories about it,§ the critical situation of himself and his best friends were sufficient to convert even a gay and sanguine man into a sad and hopeless one. He wrote to his wife to express his sorrow at having ruined her and her children; but the high-minded lady begged that he would not think of her or the children, but only study how to support his own spirits and keep his secret. Algernon Sidney preserved a sort of Roman fortitude and self-collectedness both in the Council Chamber and in the Tower: he told Charles and his ministers that he would not answer their ensnaring questions; that they must seek evidence against him from some other man. Hampden also refused to answer interrogatories; and Armstrong and many others, Scots as well as English, that were seized, behaved with great constancy, and were true to the edge of the axe to their friends and party. When Baillie of Jerviswood was offered his life if he would turn evidence, the proud Scot smiled, and said, "They who can make such a proposal know neither me nor my country."

Meanwhile petitions were presented from the City of London, which had been gagged and terrified into loyalty, and from the magistrates of Middlesex, praying for the suppression of dissenting conventicles; for justice upon "atheistical persons, rebellious spirits, infamous miscreants, monsters," &c.; and for the condign punishment of those "execrable villains and traitors" convicted of a design against his majesty's precious life.* Walcot, who had played away his life through a returning love of honour and fair fame, —Rouse, who had only been saved by the Whig sheriffs and a London jury from being hanged like his friend College,—and Hone, a joiner, were brought to trial; and upon the elaborated, yet still contradictory evidence of Rumsey, Keyling, and West, they were condemned and executed as traitors. Walcot and Rouse died protesting their innocence of any design of murdering either the king or the duke; but Hone, the joiner, who had pleaded guilty to part of the indictment, confessed that he had spoken with Goodenough about killing the blackbird and goldfinch (the king and his brother), though no arms had ever been provided or any preparation made.† After their trial‡ it was resolved to proceed with that of Lord Russell; and a Tory jury was selected by the Tory sheriffs, and sworn, notwithstanding strong legal objections. According to Burnet, "they were picked out with great care, being men of fair reputation in other respects, but so engaged in the party for the court that they were easy to believe anything on that side." No time was lost; and Russell was brought to trial, at the Old Bailey, on the 13th of July, for conspiring the death of the king, and consulting

* Burnet.

† Captain Walcot at first thought of saving his life by accusing his friends, but his nobler feelings triumphed, and he was true to the death.

‡ Roger North, Examen.

§ Essex was confined in the same chamber or cell in the Tower from which his father, the loyal Lord Capel, had been led to execution in 1649 by the Commonwealth-men (See ante, p. 400); and in which his wife's grandfather, the Earl of Northumberland, had either committed suicide or been murdered in the days of Elizabeth. (See vol. ii. p. 654.)

* The Middlesex justices calculated that his majesty's life was worth just *a hundred million of theirs*. London and Middlesex had the honour of taking the lead, but almost every corporation in the kingdom took their turn to manifest the extravagance of their loyalty and to heap reproaches on all the enemies of the court.

† State Trials.

‡ They were not executed until the day before Lord Russell's execution. Evelyn calls them "several of the conspirators of the *lower form*."

how to levy war against him. He desired the postponement of his trial until the afternoon, or the next day, because some of his witnesses had not had time to arrive in town, and because some mistake had been committed in furnishing the list of the jury-men. "You," cried the attorney-general, Sir Robert Sawyer, "would not have given the king an hour's notice for saving his life; —the trial must proceed." Russell asked for the use of pen, ink, and paper, and for permission to use such papers as he had with him; and these requests being granted, he, wishing to have notes of the evidence taken, asked whether he might have somebody to write for him to help his memory. The attorney-general replied—"Yes, a servant;" and the chief justice, Pemberton, added, "Any of your servants shall assist you in writing anything you please for you." "My Lord," said Russell, "my wife is here to do it."* And when the spectators turned their eyes, and beheld the devoted lady, the daughter of the virtuous Earl of Southampton, rising up to assist her lord in this his uttermost distress, a thrill of anguish ran through the assembly.† The first witness produced was Rumsey, who swore that Russell had been present at Shepherd's when the grandees were proposing to surprise the king's guards, &c. The next witness was Shepherd himself, who confirmed Rumsey, though not without wavering and trepidation, and an avowal that his memory was very defective. The third and fatal witness was the infamous Howard, "who, in all but the nobility of his birth, was the reverse of the prisoner at the bar,—a man of outside only, who made the best pretences subservient to the worst purposes; who was distinguished by high rank, quick parts, and happy address, only to be the more emphatically despised; and whose whole life was so thoroughly profligate, that his turning evidence against his best friends has been represented by some as the least exceptionable part of it."‡ This noble Howard began to improve upon the deposition he had made before the king and council, adding fresh circumstances or speaking confidently of what he had before expressed doubtingly; but he had not proceeded far when his voice faltered so much that the jury said they could not hear his words. Then Howard, probably with sincere emotion, announced a horrible fact. "There is," said he, "an unhappy accident which hath sunk my voice: I was but just now acquainted with the fate of my Lord Essex." Instantly a murmur ran through the court that the noble Essex had committed suicide. At an early hour on that same morning the king and the Duke of York took a fancy to visit the Tower, where, it was said, they had not been for several years before. It is represented by some narrators of these events that they were led thither by an unmanly desire of seeing Lord Russell pass; but, whatever was their motive, thither they went; and, as they were leaving the Tower to go back to their barge, a cry followed them that my Lord Essex had killed himself.* According to the Tories, the news of the dismal event came into court as the air at the doors, and neither direct nor indirect use was made of it to affect the prisoner at the bar: but the Whigs maintained that the news was studiously brought in at a fixed moment; and there is unquestionable evidence to prove that the lawyers made all the use they could of the incident to the prejudice of the prisoner. "My Lord Russell," said the attorney-general, "was one of the council for carrying on the plot with the Earl of Essex, who has this morning prevented the hand of justice upon himself:" and Sir George Jeffreys, who was acting as counsel for the crown, brutally said, "Who should think that the Earl of Essex, who had been advanced so much in his estate and honour, should be guilty of such desperate things; which had he not been conscious of, he would scarce have brought himself to this untimely end to avoid the methods of public justice?"† This was infamous enough, and *certain;* but the Whigs made a bold plunge into the depths of uncertainty or untruth, and at once whispered that the Earl of Essex had been murdered by the procurement of the king and the Duke of York; and, in defiance of the evidence on the other side, this belief gained ground among the people.

But, to return to Lord Russell. Howard swore, among other things, that he heard from Monmouth, Walcot, and others, that Lord Russell had been frequently with Lord Shaftesbury; and that he had seen him himself at two conferences held in the house of Mr. Hampden, where insurrections had been spoken of, and a treasonable correspondence arranged with the fugitive Earl of Argyle and the disaffected in Scotland. The latter affair, he said, they had agreed to leave to Colonel Algernon Sidney, who had afterwards told him that he had sent one Aaron Smith into Scotland, and had

* State Trials. † Dalrymple. ‡ Ralph.

* "The astonishing news was brought to us of the Earl of Essex having cut his throat, having been but three days a prisoner in the Tower, and this happening on the very day and instant that Lord Russell was on his trial, and had sentence of death. This accident exceedingly amazed me, my Lord Essex being so well known by me to be a person of such sober and religious deportment, so well at his ease, and so much obliged to the king. It is certain the king and duke were at the Tower, and passed by his window about the same time this morning, when my lord, asking for a razor, shut himself into a closet, and perpetrated the horrid act. Yet it was wondered by some how it was possible he should do it in the manner he was found, for the wound was so deep and wide, that, being cut through the gullet, windpipe, and both the jugulars, it reached to the very vertebræ of the neck, so that the head held to it by a very little skin, as it were; the gaping, too, of the razor, and cutting his own fingers, was a little strange; but, more,—that, having passed the jugulars, he should have strength to proceed so far, that an executioner could hardly have done more with an axe. There were odd reflections on it. This fatal news, coming to Hicks's Hall upon the article of my Lord Russell's trial, was said to have had no little influence on the jury, and all the bench, to his prejudice. Others said that he had himself, on some occasions, hinted that, in case he should be in danger of having his life taken from him by any public misfortune, those who thirsted for his estate should miss of their aim; and that he should speak favourably of that Earl of Northumberland and some others who made away with themselves; but these are discourses so unlike his sober and prudent conversation, that I have no inclination to credit them. What might instigate him to this devilish fact I am unable to conjecture. My Lord Clarendon, his brother-in-law, who was with him but the day before, assured me he was then very cheerful, and declared it to be the effect of his innocence and loyalty; and must people believe that *his majesty* had no severe intentions against him, *though he was altogether inexorable as to Lord Russell and some of the rest.*"—*Evelyn, Diary.*

† State Trials.

given him sixty guineas for his journey. He did not attempt to allege, even on hear-say, that Russell had ever taken part in any consultations about assassination; and it almost appears that none, even of the second class of conspirators, ever spoke of murdering either king or duke, except Rumsey, Keyling, West, and the others who had turned evidence for the crown. It is said that Howard was not desirous of revealing all he knew; that he merely disclosed what he considered to be enough as a price for his own recreant life; but there are no circumstances to warrant a belief that he knew more than that there had been for several months in agitation a scheme for stopping tyranny by insurrection, from which scheme Russell had certainly receded upon weighing the chances of civil war, and reflecting upon the desperate counsels of Shaftesbury. No pains, however, were spared by the crown lawyers to lead Howard into wider admissions. He was asked, in a series of leading questions, whether, at the meetings held at Shaftesbury's, at Shepherd's, at Hampden's, my Lord Russell sat like a cipher?—whether he did not give his assent to all that passed there? Howard replied to this prompting, that every one knew my Lord Russell was a person of very great judgment, and not over lavish of discourse; that there were no formal questions put; but then there was no contradiction; and, as he took it, all gave their consent. The prisoner acknowledged that he had been present at some meetings, but insisted that the company had met upon no fixed design. He also insisted—and with perfect truth—that Lord Howard's evidence consisted chiefly of hear-say. Upon this the bench made a recapitulation of the things which Howard had deposed on his own knowledge; and, to give these things greater weight, the attorney-general called upon the messenger, who had some of the Scottish gentlemen in custody, to prove the matter of fact; and also called upon West to satisfy the court that he and his associates had always looked to some of the lords for their concurrence. West said that Lord Russell was certainly the lord they had most depended upon, because of his sobriety. The prisoner then alleged that, though the persons that testified against him might be accounted legal, they were not credible witnesses, *because they swore against him to save their own lives.* He proved that Lord Howard had denied the existence of any plot, and had sworn to his (Lord Russell's) innocence. Here, at the request of the jury, the chief witness was re-examined; but Howard said that, until he was arrested himself, it was natural that he should ridicule the plot, and call it a forgery; and that what he had said about Lord Russell's innocence was simply this—that when the design of assassinating the king was mentioned, he had asserted, with an oath, that Lord Russell was innocent of any such offence as that. The prisoner urged that, according to the statute of treason of Edward III., upon which he was avowedly tried, a design to levy war at some future time did not amount to treason unless that design was accompanied and rendered manifest by some overt act. The attorney-general replied, that to prepare forces to fight against the king was, by that statute, a design to kill the king; that a design, at any time, to depose the king, to imprison him, or to raise his subjects against him, was within that statute, and, in itself, evidence of a design to kill the king. Before the jury withdrew, Lord Russell said to them,—"Gentlemen, I am now in your hands eternally; my honour, my life, and all; and I hope the heats and animosities that are among you will not so bias you as to make you in the least inclined to find an innocent man guilty. I call heaven and earth to witness that I never had a design against the king's life. I am in your hands; so God direct you." But, at four o'clock in the afternoon, the jury brought in a verdict of guilty; and Treby, the Recorder of London, who had formerly been an exclusionist, and who had been deeply engaged with Lord Shaftesbury in all his city schemes and plots, pronounced the horrible sentence of death for high treason.*

Lord Russell knew from the beginning that nothing but his death would satisfy the deep revenge of the Duke of York; and, without any parade of heroism, he could look death in the face, and feel happy in the reflection that he had done nothing to sacrifice his friends. But he was a man most tenderly beloved by all that were near to him, and he had a father and a wife who were more anxious for his life than he was himself. The Earl of Bedford offered 100,000*l.* to the king, through the Duchess of Portsmouth; but Charles, it is said by the advice of his brother James, rejected that tempting offer. The old earl, in a more direct and public petition, told his sovereign that he should think himself and wife and children much happier to be left but with bread and water, than to lose his dear son for so foul a crime as treason; and he prayed God to incline his majesty's heart to the prayers of an afflicted old father, and not bring his grey hairs with sorrow to the grave. But, after resisting the earl's money, Charles was not likely to be overcome by his prayers. It appears, indeed, that the king was afraid of his condemned captive; for, when Lord Dartmouth represented to him that some regard was due to Lord Southampton's daughter and her children,—that to pardon Lord Russell would lay an eternal obligation on a very great family, while the taking of his life would never be forgiven,—Charles replied, "All that is true; but it is as true, that if I do not take his life he will soon have mine."† At the prayer of his sad old father and affectionate wife Lord Russell himself petitioned the king. He solemnly disclaimed the least thought against the king's life, or the least design to change the constitution; he confessed that he had been present through ignorance and inadvertence at meetings which he afterwards learned were

* State Trials.—Burnet.—Ralph.—Sprat.—Lord John Russell, Life of William Lord Russell; with some account of the Times in which he Lived.

† Burnet.

unlawful and justly provoking to his majesty; and he offered, if his life was spared, to spend the remainder of it, wherever his majesty might appoint, engaging never more to meddle in political matters. It is said that Russell never indulged any hope of the success of this petition; and yet, at the earnest solicitation of his wife, he wrote another letter, which he must have regarded as still more hopeless. This letter was to the Duke of York, who had never yet been known to pardon an injury; but it may well be that Russell was glad of an opportunity to declare, that, personally, he bore no unchristian malice or ill-will against James. But, while folding the letter, he could not help saying to his friend Burnet, "This will be cried about the streets as my submission when I am led out to be hanged." He assured the Duke of York in this letter that no part of his opposition to his highness had arisen from any personal malice or evil design; that, in the business of the Bill of Exclusion, he had acted from a sincere conviction that that bill was the best means of preserving the established religion; but that now, if the duke would interfere on his behalf, he would engage never more to oppose him. The letter was presented to the Duchess of York by Lady Russell herself; and, as matter of course, produced not the least effect upon James. For some time the ministers of the Protestant Church had been arrogating to themselves certain rights and practices which did not differ very materially from those of the father confessors of the Roman Church, with only this significant exception, that the Protestants made public the matter confessed, while the Catholic priests, at least to all appearance, kept it secret. Certain divines flattered Lord Russell that he might still save his life if he would disavow his political principles and acknowledge that he believed the subject had in no case any right to resist the sovereign. He nobly replied, "I can have no conception of a limited monarchy which has not a right to defend its own limitations: my conscience will not permit me to say otherwise to the king."* Dr. Burnet, however, who was not then so thoroughly a Whig as he became after the Revolution of 1688, when it was both safe and profitable to be so, and who was probably apprehending danger to himself from his close connexion with many of the Whig party, undertook to convert his lordship to the creed of passive obedience, and argued with him on the question, whether the people might or might not defend their religion and liberties, when invaded and taken from them, though under pretence and colour of law. Burnet even believed that he had convinced him they might not, and, with his usual bustling self-confidence, he imparted his fancied success to Tillotson, then dean of Canterbury. Tillotson hastened to communicate with Lord Halifax, and Halifax with the king, who is said to have been more impressed by this intelligence than by anything that had been said or done for the prisoner. But when Tillotson waited upon Russell he found that Burnet had misled him, that Russell was still firm to his principles, and that the most he could extract from him was, that he hoped he should be pardoned in another world if he was in error as to political matters.* Tillotson, apparently with reluctance, administered the sacrament to him; but the evening before his execution this churchman wrote, and delivered himself to his lordship, a remarkable letter, reasserting that resistance to authority was contrary to the general doctrine of Protestants, and warning him that he was about leaving the world in a delusion and false peace, to the hindrance of his eternal happiness. "In a churchman of the Church of Rome," says a recent writer, with whom, on this point, we entirely agree, "this would be called priestcraft;"† and Tillotson must indeed have been thinking more of fortifying a dogma of the high church than of saving the life of Lord Russell.

When there remained no other hope, his friend, Lord Cavendish, offered to manage his escape by changing clothes and remaining at all hazards to himself in his place; but Russell nobly refused, and prepared to die with Christian piety. He considered himself a much happier man than Howard, who had purchased a few years of life and ignominy by betraying his friends; and, when he had taken leave of his high-minded wife, he said, "Now the bitterness of death is past." The morning after this parting—on the 21st of July—he was led to the scaffold, which was not erected upon Tower Hill, but in Lincoln's Inn Fields, "in order that the citizens might be humbled by the spectacle of their once triumphant leader carried in his coach to death through the city; a device which, like most others of the kind, produced an effect contrary to what was intended: the multitude imagined they beheld virtue and liberty sitting by his side."‡ In passing he looked at Southampton House, the paternal home of his lady, and the sight brought a few tears to his eyes. He was attended by Tillotson and Burnet, and while Tillotson prayed, Burnet held the pen to record his lordship's last words. These words were few, and were addressed to Sheriff Rich, who superintended the execution, though he had once been an anti-courtier, and had voted with Russell for the exclusion. His lordship said, that, because he had never loved much speaking, and could not expect now to be well heard, he had set down in a paper, which he handed to the sheriff, all that he thought proper to leave behind him; adding, "God knows how far I was always from designs against the king's person, or for altering the government; and I still pray for the preservation of both. I forgive all the world: I thank God I die in charity with all men; and I wish all sincere Protestants may

* Dalrymple, who says he had this circumstance from Lord Littleton. Also Tillotson's Examination in the Lords' Journals.

* Lord John Russell, Life.
† Wallace's Continuation of Mackintosh.
‡ Dalrymple.

love one another, and not make way for popery by their animosities." He then prayed, embraced the two divines, and without any visible change of countenance, laid himself down and fitted his neck to the block. Like Lord Stafford, he refused to give the sign to the executioner, who chose his own moment, and severed his neck with two or three clumsy strokes. "And now," says Ralph, "it became again observable, as in the case of Lord Stafford, that, though the people of England crowd to these horrid spectacles, it is rather to gratify their curiosity than their cruelty; for now, as then, when the bleeding head was exposed with the usual proclamation, no shout of applause ensued; on the contrary, a general groan went round the scaffold; and in every face was to be read the anguish which had taken possession of every heart." The execution was scarcely over when every corner of the town rang with Russell's last paper,* which he had delivered to the sheriff in manuscript, but which was already in print and in circulation through the industry of Lady Russell, and probably of Burnet, who is more than suspected of having had a principal hand in its composition, notwithstanding his offering to take an oath before the council that the speech was penned by Lord Russell himself. His lordship said, or was made to say (for ourselves we believe all that is contained in the first clauses to have been his real sentiments), that he had lived and now died a true and sincere Protestant, and in the communion of the church of England, "though he could never yet comply with, or rise up to, all the heights of many people;" that, for popery, he looked upon it as an idolatrous and bloody religion, and therefore thought himself bound, in his station, to do all he could against it; that he had foreseen all along that this would procure him great and powerful enemies; that he had been for some time expecting the worst, and now blessed God he was to fall by the axe, and not by the fiery trial; that, whatever had been his apprehensions of popery, he never had a thought of doing anything against it basely or inhumanly, or that did not consist with the Christian religion and the laws and liberties of the kingdom; that he appealed to Almighty God for the truth of this; that he had ever proceeded sincerely without passion, private ends, or malice; that he had always loved his country much more than his life, and had always looked upon the constitution as one of the best governments in the world; and that he would have suffered any extremity, rather than have consented to any design to take the king's life. "Neither," continued the paper, "had ever any man the impudence to propose so base and barbarous a thing to me. And I look on it as a very unhappy and uneasy part of my present condition, that in my indictment there should be so much as mention of so vile a fact; though nothing in the least was said to prove any such matter, but the contrary, by the Lord Howard. Neither does anybody, I am confident, believe the least of it." After praying for the king, and wishing that he might be indeed the defender of the faith, the paper went on to explain his conduct in regard to the popish plot—the darkest stain on the character of Russell. We believe his assertions, but that belief must be coupled with, and made dependent upon, rather a low estimate of his intellect and penetration. "As for the share I had in the prosecution of the popish plot, I take God to witness, that I proceeded in it in the sincerity of my heart; being then really convinced, as I am still, that there was a conspiracy against the king, the nation, and the Protestant religion. And I likewise profess that I never knew anything either directly or indirectly, of any underhand practice with the witnesses, which I look upon as so horrid a thing, that I could never have endured it; for, I thank God, falsehood and cruelty were never in my nature." He then proceeded to justify his conduct about the bill of exclusion. "I thought the nation was in such danger of popery, and that the expectation of the popish succession put the king's life likewise in such danger, that I saw no way so effectual to secure both, as such a bill. As to the limitations which were proposed, if they were sincerely offered, and had passed into a law, the duke then would have been excluded from the power of a king, and the government quite altered, and little more than the name of a king left. So I could not see either sin or fault in the one, when all people were willing to admit of the other; but thought it better to have a king with his prerogative, and the nation easy and safe under him, than a king without it; which must have bred perpetual jealousies and a continued struggle. All this I say only to justify myself, and not to inflame others; though I cannot but think my earnestness in that matter has had no small influence in my present sufferings." His conspiring to seize the guards was again solemnly denied; but it was admitted that once at Shepherd's, and several times by accident in general discourses elsewhere, there had been some talk of the feasibleness of it; that he had heard it mentioned as a thing that might easily be done, but had never consented to it as a thing fit to be done; and that once at my Lord Shaftesbury's he flew out and exclaimed against it, and asked if the thing succeeded what must be done next, but massacring the guards in cold blood, which he looked upon as so detestable a thing, and so like a popish practice, that he could not but abhor it. It was further admitted that he had been warned that my Lord Shaftesbury and some hot men were engaged in schemes that would undo them all,* and that he

* "His speech," says Burnet, "was so soon printed, that it was selling about the streets an hour after his death; upon which the court was highly inflamed."

* "For my part," says Evelyn, "I believe the crafty and ambitious Earl of Shaftesbury had brought them into some dislike of the present carriage of matters at court, not with any design of destroying the monarchy, but perhaps of setting up some other (prince) whom he might govern and frame to his own platonic fancy, without much regard to the religion established under the hierarchy, for which he had no esteem. . . . . Every one deplored Essex and Russell, especially the last, as being thought to have been drawn in

had himself heard things said by some with more heat than judgment. "But this," continued the paper, "is but misprision of treason at most: so I die innocent of the crime I stand condemned for; and I hope nobody will imagine that so mean a thought could enter into me, as to go about to save myself by accusing others. The part that some have acted lately of that kind has not been such as to invite me to love life at such a rate. As for the sentence of death passed upon me, I cannot but think it a very hard one; for nothing was sworn against me (whether true or false I will not now examine) but some discourses about making some stirs. And this is not levying war against the king, which is treason by the statute of Edward III., and not the consulting and discoursing about it, which was all that was witnessed against me. But, by a strange fetch, the design of seizing the guards was construed a design of killing the king; and so I was in that cast." After praying God not to lay his death to the charge of the king's council, or the judges, sheriffs, or jury, and expressing pity for the witnesses, he added, "From the time of choosing the sheriffs I concluded the heats would produce something of this kind; and I am not much surprised to find it fall upon me."*

On the same memorable 21st of July, when Russell perished and this paper was printed, the University of Oxford, which, with a saving of the established religion, would have sanctioned every stretch of arbitrary power, published its decree in support of passive obedience and of the right of kings to govern wrong without resistance or challenge from their suffering subjects.† It was entitled "The Judgment and Decree of the University of Oxford, passed in their convocation, against certain pernicious and damnable doctrines, destructive to the sacred persons of princes, their state and government, and of all human society." For the honor of the holy and undivided Trinity, for the preservation of truth in the church, and for securing the king's majesty against the attempts of open bloody enemies and the machinations of treacherous heretics and schismatics, these gowned men formally condemned and anathematized a long series of political propositions collected out of the works of Buchanan, Bellarmin, Milton, Dolman, Goodwin, Hobbes, Owen, Knox, Baxter, Jenkins, and other writers. Among these propositions were several which were the mere spawning of fanaticism; as, for example, that all political dominion is founded in grace,—that the powers of this world are usurpations upon the prerogative of Christ,—that the Presbyterian government is in itself Christ's sceptre, to which kings as well as others are bound to submit, &c. But, high above these vagaries, which were every day becoming more harmless, there were certain axioms, derived from master-minds, which are sacred to all lovers of liberty, and without which there could be no constitution like our own. The chief of those were, that all civil authority is derived from the people, and is to be exercised for the good of the people; that if lawful governors become tyrants, they forfeit their right of governing; that the king of England has but a co-ordinate power with the other two estates, the Lords and Commons; that birth-right gives no title unless the sovereign has the other qualities necessary to a Protestant king; that passive obedience was a new and insane doctrine which laid no obligation upon Christians, &c. But the Oxford decree pronounced "all and every of these propositions false, seditious, and impious; most of them heretical and blasphemous," and ordered all the books containing them to be burnt. It also enjoined that "that most necessary doctrine which in a manner is the badge and character of the Church of England" (that is, passive obedience) should be diligently taught by all readers, tutors, and catechists.

In Trinity Term, when the court was making as much of the Rye-house Plot as ever its opponents had made of the Popish Plot, judgment was given against the city of London on the *quo warranto;* and, in the following month of September, the king was allowed to regulate the government of the city, changing the old aldermen and officers, and appointing new ones at his pleasure. Eight aldermen were deprived at once of the honours they had received by election of their fellow-citizens, and "were all turned out for lying under the horrid suspicion of loving their country better than king." On the 7th of September Algernon Sidney was brought to trial at the bar of the King's Bench, where Jeffreys now presided as chief justice. This bravo in law mounted the ladder of promotion by wonderfully rapid strides; but he seemed made for despotism and its particular exigencies at that time, and he had nerve and face to "go thorough," to undertake and drive to a conclusion of some sort any work the court might wish to be done by law. He was, in fact, as unflinching, as confident, and, in outward bearing, as heroic, in the performance of villany and in breaking the laws as was ever upright judge in supporting them. He was as bold with the law-books and statutes as Charles's other personal favourite Colonel Blood was with pistols, and daggers, and dark-lanterns.* Hence Jeffreys was

on pretence only of endeavouring to rescue the king from his present counsellors, secure religion from popery, and the nation from arbitrary government, *now so much apprehended:* whilst the rest of those who are fled, especially Ferguson and his gang, had doubtless some bloody design to set up a commonwealth, and turn all things topsy-turvy. Of the same tragical principle is Sidney."—*Diary.*

* It ought never to be forgotten that Russell, though he intrigued with the French court, is never charged with taking French money, like Sidney. Barrillon, indeed, tells his master that he durst not make his base proposals to his lordship.

† A few days after (on the 27th of July) the king ordered a declaration, which was to explain the great dangers he had been in, and to appoint a day of thanksgiving for his happy deliverance. Having received the sanction of the cabinet and privy council, this declaration was ordered to be made public, not only by the press, but by all the parish clergy in the kingdom, who had been found by experience to be as prompt in their obedience as a standing army. According to a champion of the Tories, it was complete and authentic, having no syllable expressed whereof the sense was not vouched. According to common sense, it abounded in lies, or truths tortured and disguised.

* Jeffreys's manners had not improved under promotion. According to Burnet, he "was drunk every day." Roger North says, "His friendship and conversation lay much among the good fellows and humourists; and his delights were all the extravagancies of the

prized and promoted. The nerve of that otherwise weak republican, Algernon Sidney, was well known; and it was fitting to oppose to him a man with nerve equal to his own. As in Lord Russell's case, Rumsey, Keyling and West gave little more than a rambling hearsay evidence, and the death-thrusts were left to be dealt by the hand of the noble Howard, whom Sidney had taken to his heart as a pure republican, and had forced upon the unwilling confidence of Essex and Russell. When Howard had stated what he knew of Sidney's conduct at the meetings at Shepherd's, and his engaging an agent to deal with the disaffected in Scotland, the prisoner was asked whether he would ask Lord Howard any questions. "No!" said he, with withering scorn, "I have no questions to ask such as him!" The attorney-general chose to consider this as a confession of guilt, and said,—"Silence —— you know the rest of the proverb." Several other witnesses proved words spoken, and that the prisoner had corresponded with some gentleman in Scotland; but, with the exception of Lord Howard, there was no living witness that both could and would swear to overt acts of treason, or that the conspiracy really aimed at insurrection, levying war, &c. In no sense was this single witness enough to take away life for treason; and, to make up weight, the attorney said,—"Now, to show that while his emissary was in Scotland, at the *same time* the colonel (which will be another overt act of treason) was writing a treasonable pamphlet;" and he then called the clerk of the council to prove that when he was sent to seize Sidney's papers, he had found the said pamphlet lying upon his table. After this deposition, three persons were called up to prove, or rather to swear, that the pamphlet was in Sidney's own hand-writing. One of these precious witnesses was Shepherd, the wine-merchant, who said that he had seen Sidney write several indorsements, and believed this writing to be his hand. Another of the witnesses, who had never seen Sidney write at all, and the third, who had only seen him write once, deposed that the manuscript was like his hand-writing, which they had seen upon some bills. Sidney urged that the mere comparison of hand-writing was not to be trusted, and that some men's hands might be very much alike. But this objection was overruled; and then, to prove the treasonableness of the manuscript, a selected section was read in court, and, by the torture of innendoes, was made to apply to the particular reign of Charles II., though it might have answered equally well for that of Henry VIII. When this reading was finished, the sheets were handed to the prisoner under the pretence of a favour done him, or that he might select passages to prove that the anti-monarchical argument did not run through the whole composition, and that there were other passages which would explain away the malignity of those referred to by the attorney-general; but what was really designed was, that the prisoner, thus taken by surprise, might say or do something that would prove him to be the author of the pamphlet. Sidney, though no lawyer, and not very acute, saw the snare, and put back the book. But Jeffreys made another attempt, saying, as he turned over the pages in seeming carelessness, "I perceive you have disposed your matter under certain heads; so, what heads will you have read?" "My Lord," answered Sidney, "let him give an account of it that did it." Finding that this stratagem had failed, the attorney-general closed his evidence with the record of the conviction of Russell, which, in the eyes of the law, was of no more weight against Sidney than the story of Essex's death was against Russell. In his defence the prisoner asked, with scorn and derision, whether a paper found in his study against Nero and Caligula would prove that he had conspired and compassed the death of Charles II.; whether any credit was due to a man like my Lord Howard, who had betrayed and cozened his friends, who deposed differently now from what he had deposed against Lord Russell, who had denied the plot before his arrest, and who had said since that he could not get his pardon till he had "done some other jobs,"—until "*the drudgery of swearing was over.*" "Besides," added Sidney, "this Howard is my debtor for a considerable sum; his mortgage was forfeit to me; and when I should have taken the advantage the law gave me, he found out a way to have me laid up in the Tower. His lordship is a very subtile man; for as, at Lord Russell's trial, he said he was to carry his knife between the paring and the apple, so for this he has so managed as to get his pardon and save his estate." He further said that the ink of the manuscript was visibly so old that it might be presumed the paper had been written these twenty years; and be the author of it who or what he might, there seemed no treason in answering polemically such a writer as Filmer, who, among other paradoxes, had maintained that possession was the only right to power. He asked the attorney-general how many years ago that book of Filmer's, to which the pamphlet was evidently an answer, was written. Jeffreys answered for the attorney, telling the prisoner that they had nothing to do with Filmer's book; that they were not there to waste their time upon a subject that served only to gratify a luxuriant way of talking. "Answer," proceeded this marvellous lord chief justice, "answer to the matter you are indicted for. Do you own that paper?" Sidney replied,—"No." "Go on, then," said Jeffreys. "I say first," continued Sidney, "the paper is not proved upon me; and, secondly, it is not a crime if it be proved." Nothing could be clearer or more true and convincing than this; and here Sidney ought to have closed his defence. But the chief justice instantly tried to excite his angry

bottle. . . . His weakness was, that he could not reprehend without scolding, and in such Billingsgate language as should not come out of the mouth of any man. He called it giving a lick with the rough side of his tongue. He seemed to lay nothing of his business to heart, nor care what he did or left undone."

passions, which would lead him to some less tenable position. It was enough for him to speak of Howard and his evidence: Sidney took fire at the name of the traitor, and proceeded to apply the brand. Nor was he unprovided with witnesses of high rank to assist him in making good his charges and deepening the furrows on the front of the miscreant. These witnesses were the Earl of Anglesey, Lord Clare, Lord Paget, Mr. Philip Howard, and Mr. Edward Howard (the last two of Howard's relations), Burnet, Monsieur Du Cas, a Frenchman, one Mr. Blake, and two of Sidney's own servants. They all swore that his lordship had declared there was no plot; and Mr. Edward Howard said he believed in his conscience that this denial was the truth without any equivocation or mental reservation, because he had no occasion to make use of any to him; and that, from the knowledge he had of his lordship, it was his opinion that if he had been in any such secret he would not have staid to be taken, or have made his application to the king in a manner so unsuitable to his quality. Here Jeffreys exclaimed, "No reflections upon any body!" But Edward Howard, who had been bullied into silence on Lord Russell's trial, was now put upon his metal and refreshed in his memory. "Since," he exclaimed, "your lordship has given me this occasion, I will speak now what I omitted then." And he proceeded to affirm that Lord Howard had told him that, even to his own knowledge, it was a sham plot, forged in the dark by priests and jesuits, and that he had himself gone to Lord Halifax, in Lord Howard's name and by his authority, to assure that minister that he, Lord Howard, was willing to express his detestation under hand and seal, and to declare there was no such thing as the plot to his knowledge. "I must needs add," proceeded this spirited witness, "from my conscience and from my heart, before God and man, that if my lord had spoken before the king sitting on his throne, abating for the solemnity of the presence, I could not have more believed his lordship from that confidence he had in me: and I am sure, from what I have said, if I had the honour to be of this gentleman's jury, I would not believe him now." At these words the court was much offended, and the attorney-general said that the witness ought to be bound over to his good behaviour. Sidney then resumed his address to the jury. He was answered by Finch, the solicitor-general, who maintained that the prisoner was mistaken in his law; that there needed not two witnesses to every particular fact; that one witness to one fact, and another witness to another fact, were the two witnesses required by law; that the testimony of the several persons who appeared in behalf of the prisoner had not in the least impeached the credit of Lord Howard as a witness; that writing the pamphlet was an overt act; that, as to the objection made by the prisoner that no judgment could be passed without reading the whole of that composition, what had been already read contained the whole series of arguments, which, coupled with the other evidence against him, was quite sufficient to prove his compassing the king's death, "inasmuch as he had, in particular, taught, that when kings broke their trust, they might be called to account by their people, and that the calling and dissolving of parliaments was not in the king's power; that in this he did as good as affirm the king (then reigning) had broke his trust; for everybody knew the king had dissolved parliament, and, considered with this circumstance, what was *there* matter of argument became affirmation." In the end Finch declared that Algernon Sidney was to be looked upon as the most dangerous of all conspirators, because he acted upon principle and not passion, which was the motive that usually actuated other men. My Lord Chief Justice Jeffreys declared that neither the king nor any of his judges desired to take away the life of any man not forfeited by law; that for himself he had rather many guilty men should escape than that one innocent man should suffer; but after this exordium he told the jury that the evidence before them was quite enough—that *scribere est agere;* and the jury brought in a verdict of guilty.*

On the 26th of November the prisoner was brought up to receive judgment. It was not the usage for the chief justice to pass sentence; but on this occasion Jeffreys, who knew that there would be a stir in court, charged himself with the office. Sidney said, in arrest of judgment, that he conceived that he had had no trial, for some of his jury were not freeholders; that there was a material defect in the indictment, which made it absolutely void, for the king was deprived of a title in it, the words defender of the faith being left out. The chief justice exclaimed, "In that you would deprive the king of his life, that is in very full, I think." The prisoner rejoined that, in a case of life and death, such things were not to be overruled so easily. "Mr. Sidney," roared Jeffreys, "we very well understand our duty; we don't need be told by you what out duty is: we tell you nothing but law; the treason is well laid." The prisoner again insisted that the papers had not been proved upon him,—that there was no treason in that manuscript written long ago. The chief justice insisted that there was scarcely a line in the book but what was treason. The prisoner said, "My lord, there is one person I did not know where to find, but everybody knows where to find him now; I mean the Duke of Monmouth; let him be sent for, and if he will say there was ever any such plot I will acknowledge whatever you please." "That is over," cried Jeffreys; "you have been tried for this fact: we must not send for the Duke of Monmouth." One Mr. Bampfield, a barrister, interposed, modestly and timidly, as *amicus curiæ*, and humbly hoped his lordship would not proceed to judgment while there was so material a defect in the indictment. "There

* State Trials.—Ralph.—Roger North.

remains nothing for the court to do," bellowed Jeffreys, "but to pass sentence." "I must appeal to God and the world I am not heard," said Sidney. "Appeal to whom you will," said Jeffreys, who then, after reproaching the prisoner with ingratitude to the king and censuring the pamphlet anew, sonorously pronounced the horrible words. As soon as he had finished, the prisoner said, with a loud and firm voice, "Then, O God! O God! I beseech thee to sanctify my sufferings, and impute not my blood to the country or the city: let no inquisition be made for it; but, if any day the shedding of blood that is innocent must be revenged, let the weight of it fall only on those that maliciously persecute me for righteousness' sake." The chief justice, half enraged and half confounded, thought himself obliged to put up his prayer also, which he did in these words: "I pray God to work in you a temper fit to go unto the other world, for I see you are not fit for this." "My lord," replied Sidney, stretching out his arm, "feel my pulse, and see if I am disordered. I bless God I never was in better temper than I am now." Sidney afterwards sent a paper to the king by Lord Halifax,—still a favourite minister,—who was his nephew by marriage. In this paper, which has been called a petition for justice rather than mercy, he gave a brief account of his trial, explained all its irregularities, and asked for admission into the king's presence. "And," he concluded, "if he does not show that it is for your majesty's interest and honour to preserve him from the said oppression, the petitioner will not complain though he be left to be destroyed." Charles replied to the petition by signing the death-warrant. In consideration to his noble family the axe was substituted for the halter; and, on the 8th of December, he mounted the scaffold on Tower Hill with the air of one who came to triumph, not to suffer. His parting words were few, his prayers short; and, having placed a paper in the hands of the sheriff as his last legacy to the world and last testimony to the good old cause, he laid his head upon the block, and was happily dispatched at one blow.* Thus perished the last of the Commonwealth-men, who would certainly have tried again, at all hazards, that great experiment in government which had utterly failed when tried by men who were immeasurably his superiors, and which would have failed again, and for the same reason, namely, that the people of England were not fitted for any such system. If Algernon Sidney had perished under a less infamous government, and in a less base and slavish time, his fate would have excited infinitely less interest.

Before Algernon Sidney was put upon his trial his grace of Monmouth was taken back to his father's heart. This was not entirely owing to Charles's fondness. The Lord Halifax, seeing that things were running much farther than suited his particular interests and politics, and that, from the growing indolence of the king, the Duke of York was acquiring immense influence, resolved, at all hazards, to bring the Duke of Monmouth again into favour. Halifax, accordingly, induced Monmouth, who had absconded, to sign some penitential letters to the king, which he (Halifax) had written for him. Charles admitted the penitent to a private audience on the 25th of October and received him pretty well. On the 4th of November the king became "very kind," and gave Monmouth directions how to manage his business and to make his peace with the Duke of York. Nothing would be required of him but what was safe and honourable, only something must be done to blind his royal highness. Halifax, who went and came between the king and Monmouth, drew up a letter of acknowledgment and confession. At first Monmouth hesitated, but when Halifax assured him that the original should be deposited in no hands but the king's, and that the Duke of York should only have a copy, he signed the confession. On the 25th of November the Duke of Monmouth surrendered to Mr. Secretary Jenkins, and desired to speak alone with the king and Duke of York. Up to this moment the negotiation had been carried on very secretly, and, as Sidney remarked on being brought up to receive judgment, nobody had known where Monmouth was. The Duke of York was therefore taken by surprise when Monmouth threw himself at the king's feet, and then confessed himself faulty to his highness, and asked his pardon also. There is no possibility of ascertaining what really passed in that strange scene; but it appears that Monmouth made another ample confession, only desiring that his majesty would not oblige him to be a *witness*, or in any way publish his confession; that he gave an account of the conspiracy, mentioned several names which had hitherto escaped suspicion, and added that Dr. Owen and all the considerable non-conformist ministers knew of the conspiracy; and that he solemnly denied any knowledge of any design in any of the conspirators to assassinate either the king or the Duke of York. A day or two after this scene his majesty declared, in full council, that the Duke of Monmouth had made a full declaration about the late conspiracy, had expressed extraordinary contrition, and had made a particular submission to his royal highness his brother, at whose prayer a full pardon had

* Jeffreys, whom his royal master had once twitted for not being "parliament-proof," was proof to all compunctious visitings—to all decency. Between the trial and execution of Sidney he drank and danced at a city feast. The following extract from Evelyn's Diary is interesting in more respects than one:—"5 Dec. I was this day invited to a wedding of one Mrs. Castle . . . a jolly friendly woman. There was at the wedding the lord mayor, the sheriffs, several aldermen, and persons of quality; *above all*, Sir George Jefferies, newly made lord chief justice of England, with Mr. Justice Withings, danced with the bride, and *were exceeding merry*. These *great men* spent the rest of the afternoon, till eleven at night, in drinking healths, taking tobacco, and talking much beneath the gravity of judges that had but a day or two before condemned Mr. Algernon Sidney, who was executed the 7th on Tower Hill, on the single witness of that monster of a man, Lord Howard of Escrick, and some sheets of paper taken in Mr Sidney's study, pretended to be written by him, but not fully proved, nor the time when, but appearing to have been written before his majesty's restoration, and then pardoned by the Act of Oblivion; so that, though Mr. Sidney was known to be a person obstinately averse to government by a monarch (the subject of the paper was in answer to one of Sir R. Filmer), yet it was thought he had very hard measure."

been granted. And a paragraph was inserted in the Gazette, which proclaimed in other words that Monmouth was a mean scoundrel, like Howard, that had purchased his own safety by sacrificing his friends. Monmouth was enraged at this paragraph, which probably came too near the truth; but he did nothing, said nothing, until his pardon had passed the seal. Then he set his friends to work, who declared in all directions that the paragraph in the Gazette was utterly false. Upon being told that the king had said that he had confirmed all that Howard had sworn about the plot, Monmouth denied it, and called Lord Howard a liar and a rogue. And this, too, was sent round the town by his creatures, who ran with it from coffee-house to coffee-house. When his pardon was passed it was inserted in the Gazette that it had been given on his confessing the late plot; and Charles, who cared not about having broken his promise not to make any public use of the confession, was incensed at Monmouth's denials. It was proposed to bring Monmouth before the council, and cause him to make some regular declaration, which might be entered there, and afterwards published; but Charles rejected this scheme, saying that he was such a blockhead that there would be mistakes, and that he would not speak as he ought. Then the Duke of Ormond proposed that something should be put in writing by the Duke of Monmouth, to prevent mistakes on all sides; and Monmouth actually wrote or signed a paper confessing the plot in general terms, and presented it himself to the king in the Duchess of Portsmouth's apartments, where he declared before all the company (the French mistress's boudoir was Charles's usual council-chamber) that he was a blockhead for being so long "in ill company" with "a parcel of fools." Neither Ormond nor the king, however, was satisfied with this paper—for there was no plain confession of any conspiracy in it. Another paper much more explicit was then drawn up by order of the king, who materially corrected it with his own hand. After some hesitation Monmouth made a copy from this draft, and presented it to the king as his own free deed. In doing so, he said "This paper will hang young Hampden." Charles replied it would not, nor should it ever be produced for such a purpose; but that "a better man than he (Gaston Duke of Orleans, brother to Louis XII., king of France) could not otherwise make his peace, and had been forced to hang his comrades, as he, if rightly served, should have been obliged to do. That night Monmouth supped with the elder Hampden and Mr. Trenchard of Taunton. The next morning he waited upon the king in a state of great excitement, and demanded back the paper. After some attempts at persuasion, which were followed by hard and coarse words, the king said that he should have it, but that he must restore to him the original draft whence he had copied it. Monmouth at first said he had burnt it, but, seeing that it was the only way to get back that which he had signed, he went and brought the draft, and the papers were exchanged. But by this measure Monmouth again lost himself at court, for the vice-chamberlain was sent to forbid his re-appearing there.* He retired to the country, but, steady to no principles, and fixed in no course, he again offered to lodge the signed paper as his real confession in the king's hands. It is said that herein he followed the advice of his wife, the heiress of Buccleugh, who seems always to have had more anxiety about the preservation of their united property than about the honour of her husband, who had very little affection for her. Instead of receiving an invitation back to court, Monmouth got a subpœna to attend as a witness for the crown on the trial of Mr. Hampden. Thereupon he fled to Holland, where he was kindly received by the Prince of Orange, whose court now swarmed with disaffected Scots and English of all classes and all colours of politics.

A. D. 1684.—When Hampden was brought to trial it was for a misdemeanor, which required but one witness, and not for treason, which required two; and this was because the court could only find one witness to swear against him—the infamous Lord Howard, who had not yet finished "the drudgery of swearing." As a matter of course the jury found for the king: the court set the fine at 40,000*l.*, and moreover ordered Hampden to be committed till it was paid, and to find sureties for his good behaviour during life. Two others of the Rye House plotters—Holloway, a merchant of Bristol, and Sir Thomas Armstrong—were condemned to death by Jeffreys, in defiance, not of one, but of many laws, and were both executed. No more blood was shed on this occasion in England; but there were several executions in Scotland, where the atrocities generally exceeded those of the English courts of law. All the Scottish plotters, or friends of Shaftesbury, Russell, and Sidney, that were arrested in London, were sent down for trial to Edinburgh. Baillie of Jerviswood was the first victim. Contrary to the laws of Scotland, written depositions, which had been partly extorted by torture out of court, were read to the jury, as were other depositions taken from the record of the trials of Russell, Sidney, and others in England. Being broken down by infirmities and long suffering, Baillie was executed on the same day he was condemned, lest a natural death in his dungeon should have disappointed his judges of a public execution. Several others were put to death in Scotland; but many more escaped into Holland, where, like their precursors, they were kindly received by the Prince of Orange, who must have been fully convinced by this time that tyranny and popery were opening his way to the throne of England and Scotland, to which, as yet, his wife

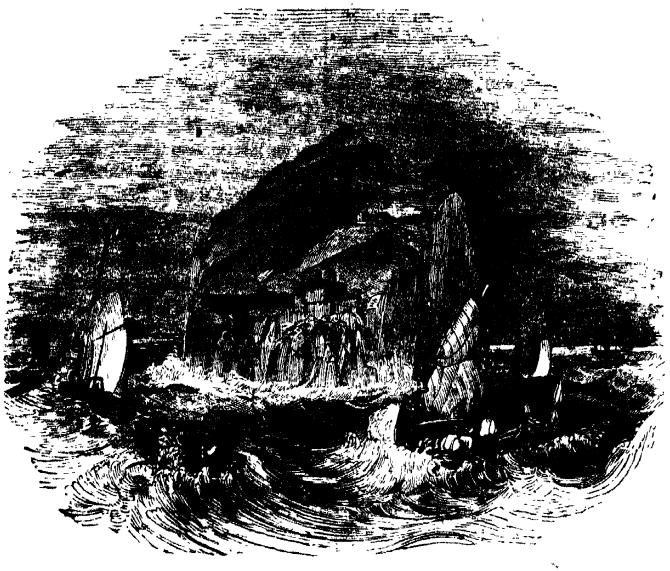
* Under date of the 5-6 of December Evelyn says, "The Duke of Monmouth, now having his pardon, refuses to acknowledge there was any treasonable plot, for which he is banished Whitehall This was a great disappointment to some who had prosecuted Trenchard, Hampden, &c., that, for want of a second witness, were come out of the Tower upon their *habeas corpus*." The king had now augmented his guards with a new sort of dragoons, who carried also granades, and were habited after the *Polish* manner, with long peaked caps, "very fierce and fantastical."—*Diary*.

Mary was next in regular order of succession to her father, the Duke of York. The most eminent of these last Scottish refugees were Lord Melville, Lord Loudon, and Sir Patrick Hume. The abuse of torture in Scotland at this time appears to have been greater than it had been even in the days of the Duke of Lauderdale. Spence, the fugitive Earl of Argyle's secretary, and Carstairs, a Presbyterian clergyman, who had both been seized in London, were sent to Edinburgh to be tortured and tried. Spence endured the torture twice, and Carstairs bore it for a full hour without confessing or revealing anything. Their thumbs were crushed and their sleep was interrupted for many days and nights.* At last nature could bear no more, and Spence consented to read some letters in cipher that treated of (or so, at least, it was represented) a projected rising in Scotland, the landing of Argyle, Stair, and other of the fugitives in Holland, and of aid to be received from the Whigs in England. This was on the 23rd of August; and on the 5th of September Carstairs, to avoid further torture, confessed before the secret committee of council that there had been a current plot in Scotland for the ten last years for keeping out the Duke of York and preserving the reformed religion; and he denounced the Earl of Tarras, Murray of Philiphaugh, Pringle of Torwoodlee, Scott of Galashiels, and many other gentlemen of rank, as being privy to it. Several of these lairds were threatened with the boots, and others were actually tortured with worse instruments. "Duke Hamilton," says the cool-blooded Lauder, "opposed this torturing much, and alleged that, at this rate, they might, without accusers or witnesses, take any person off the street and torture him; and he retired and refused to be present, on this ground, that, *if the party should die in the torture*, the judges were liable for murder, or, at least, were severely censurable. It was doubted how far these testimonies extorted *per torturam* could be probative against third parties, seeing that witnesses should be so far voluntary and spontaneous as to be under no impressions or terrors of fear of life or limb. . . . . Some thought our privy council would have been at some loss, and contracted some tash by this cruel torture, had they (the prisoners) suffered it as they did the boots (which they regarded not, *their leg being small*) without discovering or revealing this conspiracy; but their confessing tended to justify the privy council's procedure." Gordon of Earlstone, a man of family and fortune, had been condemned to die; but, upon information that he had been intrusted with important secrets, the council wrote to the Scotch secretary of state at London to know whether they might put him to the torture while he was under sentence of death. The Lord Advocate of Scotland opined that he might be tortured; and the king gave orders that he should. Thereupon Gordon was brought before the privy council and their accursed engines of torture; the sight of which drove him raving mad. "Through fear and distraction he roared out like a bull, and cried and struck about him, so that the hangman and his man durst scarce lay hands on him. At last he fell into a swoon, and then, reviving, he told that General Dalziell and Drummond were to head the fanatic party, and Duke Hamilton was on their side; which improbable things made some call it reverie, and others a politic design to invalidate all he should say; and the physicians were ordained upon soul and conscience to report his condition, if they judged him really mad, or only feigned, as David at Gath with Achish, as also to prescribe him a diet for curing him; and, for more quietness, they sent him to the castle."† He was afterwards reprieved by the council till the last Friday of the month of January following. (It was on the 23rd of November, 1683, that he was brought up for torture.) "They thought once to have given way to his execution; but, being furious, others thought it cruel then to bereave a man of his life, and endanger his soul, when he could not repent: though the king's advocate alleged that the end of the punishment of malefactors was not only *for their own good*, but in *emendationem et terrorem aliorum*, which end held even in decapitating a traitor, though from horror and fear turned mad."‡ Worse tortures were prepared for Ferguson, the minister, who had been actively employed in London, who had fled to Holland with Shaftesbury, and who had attended him on his death-bed there. This Ferguson, who was a man of great activity and address, had ventured to return in disguise to Edinburgh; but he was traced thither; the gates of the city were shut and the strictest search was made for him in every part of the town. Disguised and unknown, he ran to the prison under pretence of visiting a friend in confinement, and there he remained for some time, because he knew that there only no one would expect to find him.§

The unusual mildness shown by Monmouth towards the prisoners taken at Bothwell Bridge had been succeeded under the Duke of York by detestable cruelties. Not only were those punished

* Sir John Lauder, of Fountainhall, gives the following atrocious details:—"July 26th, 1684. Mr. W. Spence, by order of the privy council, is tortured and put in the boots, to force him to reveal what he knows of the earl's, and other persons' accession to the late English fanatic plot, and the association and design of rising; and in regard he refused to depone upon oath if he had the key whereby he could read some letters of the earl's, produced by Major Holmes, written in ciphers, and seeing he would not say upon oath that he could not read them, and that they offered to secure him by a pardon for his life, it rendered him very obnoxious and suspect of prevarication; so that, after the torture, he was put in General Dalziell's hands; and it was reported that, by a hair-shirt and pricking (as the witches are used), he was five nights kept from sleep, till he was turned half distracted. He eated very little, of purpose that he might require the less sleep; yet all this while he discovered nothing, and though he had done it, yet little credit was to be given to what he should say at such a time."—"August 7th, 1684. At privy council, Spence (mentioned 26th July) is again tortured, and his thumbs crushed with thumbikins: it is a new invention used among the colliers when transgressors, and discovered by General Dalziell and Drummond, they having seen them used in Muscovy. After this, when they were about to put him again in the boots, he, being frighted, desired time, and he would declare what he knew; whereon they gave him some time, and sequestrated him in the castle of Edinburgh, as a place where he would be free from any bad advice or impression, to be obstinate in not revealing."

* Spot, or stain, from French *tache*.
† Lauder. ‡ Id. § Dalrymple.



BASS ROCK,—with the Prisons of the Covenanters.

who had been in arms, but also those who gave them shelter or betrayed any sympathy in their after-sufferings; and this, too, without any distinction as to the ties of blood and close relationship. In many cases the wife was persecuted for concealing her husband, the father for harbouring his own son; men were tortured and then hanged for refusing to call that insurrection a rebellion, and the killing Archbishop Sharp a murder. Witnesses were tortured as well as prisoners.* Sentences of forfeiture were pronounced upon presumptive evidence, or upon no evidence at all, and the estates were divided among the ministers of state of the Duke of York's appointing, their retainers, and the commanders of the troops. In this way Graham of Claverhouse, afterwards the celebrated Viscount Dundee, and the favourite hero of the Tories, was enriched by the lands of a *suspected* Covenanter. The narrow and solitary fortress of the Bass rock, Dunbarton Castle, and other places the most difficult of access, were crowded with Covenanters and Cameronians, who were made to endure the extremity of cruelty and hardship.

In England, Judge Jeffreys continued to rise in the royal favour. When he was about to depart for the circuit, to give the provinces "a lick with the rough side of his tongue" (a favourite expression of his), the king took a ring from his own finger, and gave it to him, as a token of his particular regard. At the same time Charles bestowed upon him a curious piece of advice to be given by a king to a judge;—it was, that, as the weather would be hot, Jeffreys should *beware of drinking too much.* The people called the ring "Jeffreys's blood-stone," as he got it just after the execution of Colonel Armstrong.* The lord chief justice's grand aim was to push the *quo warranto*, and to obtain, through terror or cajolery, a surrender of the corporation charters; and this war against civic rights was driven on with such vigour and success, that almost all the municipalities were prevailed on, eventually, either to suffer judgment against them by default, or to surrender their charters in hope of conciliating the favour of the despot.† An attempt has been made by certain writers, who treat of the iniquities and atrocities of this disgraceful reign with a coolness astonishing in Englishmen, to excuse, nay, even to justify, these proceedings, upon the ground of defects and abuses in the corporations. It is quite true that those franchises, inherited from the Saxon times, had contracted some rust, and had lost some of their original virtues; and that a corporation reform, which has been reserved for the legislators of our own day, would have been a merit in Charles II.; but it was avowedly not a reform that he wanted, but a total destruction of municipal institutions, which, more than any other single cause,

* Under date of the 14th June, 1681, Lauder of Fountainhall has this horrible entry:—"It was moved by my Lord Haddo, and approven of by the king's advocate, that witnesses, in such a case, might be tortured, when they vary, as well as parties. This is, indeed, agreeable to the Roman law, but does not suit the genius of our nation, which looks upon the torture of the boots as a barbarous remedy; *and yet of late it hath been frequently used among us.*"—*Decisions.*

* "The king was persuaded to present him with a ring, publicly taken from his own finger, in token of his majesty's acceptance of his most eminent services, and this by way of precursor, being blazoned in the Gazette, his lordship went down into the country, as from the king, *legatus a latere.*"—*Roger North, Examen.*

† Penny Cyclopædia, Article *Borough.*—Willcock, Law of Municipal Corporations.

secure men in their liberty, and fit them for the enjoyment of it, and for the self-legislating (in minor points) and business habits of freemen. And whenever that Saxon spirit of municipal government is destroyed, either by an over-extension of the French principle of centralization, or by any other whim of rash legislators or embryo tyrants, the parliament of England will be worth less than a village vestry.

In the beginning of this year (1684) Sir Samuel Barnadiston, the foreman of the grand jury which had ignored the bill against Lord Shaftesbury, was condemned for a libel, and sentenced to pay a fine of 10,000*l.*, and to give security for good behaviour during life. Williams, the Speaker of the House of Commons, was severely prosecuted for what he had done in parliament, that is, for having signed the votes of the House, which he was bound to do by his office. In defiance of the authority of the parliaments which had committed them, and continued their imprisonment, Danby and the surviving Catholic peers, Lords Arundel, Powis, and Bellasis, were released from their long captivity in the Tower by sentence of the judges, who declared, and correctly, that, "in justice and conscience," they ought to have been admitted to bail long ago. But, as well in what was just as in what was unjust, Charles was now proving to the world that he had no intention of ever again meeting parliament. Halifax ventured to propose such a meeting, but Charles had now resigned himself to the will of his brother. The duplicity of Halifax hardly saved him from the duke's vengeance; and, during the few months that remained of this reign, the duke and minister were alternately engaged in united intrigues against other ministers, and in intriguing the one against the other. The whole business of the Admiralty was again placed in the hands of James; and presently after, in defiance of the Test Act, he was re-admitted as a member of the council. It was scarcely to be expected that he who never pardoned any one should overlook his arch-enemy, the Rev. Dr. Titus Oates. That great hero of the Popish plot was brought before Jeffreys, upon whom, in former days, he had adventured his wit,* charged with sundry libels under the statute *de scandalis magnatum.* Witnesses swore that the doctor had said that the Duke of York was a traitor,—that "the Duke of York, before the succession should come to him, should be banished or hanged, but hanging was fittest." Damages were awarded to the duke to the amount of 100,000*l.*, which was equivalent to a sentence of perpetual imprisonment against the doctor.

Jeffreys, who had first been promoted at court by James, who had employed him as his solicitor-general, seems to have undertaken the most difficult and dangerous task of stretching the limits of toleration, but with the sole view of benefiting the Catholics. One morning he brought to the council table, at which he now sat, an enormous roll of papers and parchments, and, turning to the king, he said,—"Sir, I have a business to lay before your majesty, which I took notice of in the North, and which will deserve your majesty's royal commiseration. It is the case of numbers of your good subjects that are imprisoned for recusancy. I have the list of them here to justify what I say. They are so many that the gaols cannot hold them without their lying one upon another." The Lord-Keeper North, who hated Jeffreys worse than popery, *because* he knew that Jeffreys was trying hard to get the seals, and who, moreover, dreaded the responsibility of passing an indulgence and general pardon without consent of parliament, perceiving that Halifax, Rochester, and the other lords "eminently Protestant," were silent, took courage to say,—"I humbly entreat your majesty that my lord chief justice may declare whether *all* the persons named in those rolls are actually in prison." Jeffreys retorted that he did not mean that,—that all the prisons in England could not contain them,—but that the fate of those not under actual restraint was little better than that of the captives, seeing that they were liable "to be worried and taken up by every parish justice, and mulcted of fees to the ruin of their families." North, though professing the most intolerant Protestantism, was not bold enough to fall upon the Papists; but he assailed with all his fury the Dissenters, who, for the occasion, were to be coupled with the Catholics as deserving the royal commiseration and mercy. Turning to the king, he said, "I beg your majesty will consider what little reason there is to grant such a general pardon as this is at this time. For they are not all Roman Catholics that lie under sentence of recusancy, but sectaries of all kinds and denominations; perhaps as many, or more, who are all professed enemies to your majesty and your government in church and state. They are a turbulent people, and always stirring up sedition; and if they do so much when they lie obnoxious to the laws, which your majesty may inflict upon them at your pleasure, what will they not do if your majesty gives them all a discharge at once? That would be to quit the greatest advantage you have of securing the peace of the nation. Is it not better that your enemies should live under some disadvantages, and be obnoxious to your majesty's pleasure, who may, if they are turbulent and troublesome, inflict the penalties of the law upon them? And, as to the Roman Catholics, if there be any persons to whom

* This was upon the trial of College, the Protestant joiner, when Oates appeared to prove that subornation had been practised against the Protestants. He appealed to Jeffreys, then serjeant, as to his knowledge of Alderman Wilcox: Jeffreys exclaimed that he did not intend to be an evidence for such as he. "I do not desire," said Titus, "that Sir George Jeffreys should be an evidence for me; I had credit in parliaments, and Sir George had disgrace in one of them." Jeffreys was cowed, and merely said, "Your servant, Doctor; you are a witty man and a philosopher." In fact, in November, 1680, the House of Commons had voted that Sir George Jeffreys, the Recorder of the City of London, by traducing and obstructing petitioning for the sitting of this parliament, had destroyed the right of the subject. They had, moreover, petitioned the king to remove him out of all public offices, and had brought him upon his knees at the bar of the House. Jeffreys was also frightened into a surrender of the recordership of London. Charles made a mockery of his terror, and told him he was not *parliament proof!*

your majesty would extend the favour of a pardon, let it be particular and express, and not universally, to set your enemies as well as friends at ease." The king paid great attention; the lords of the council wondered; but nothing more was said about the indulgence, and they proceeded to other business.

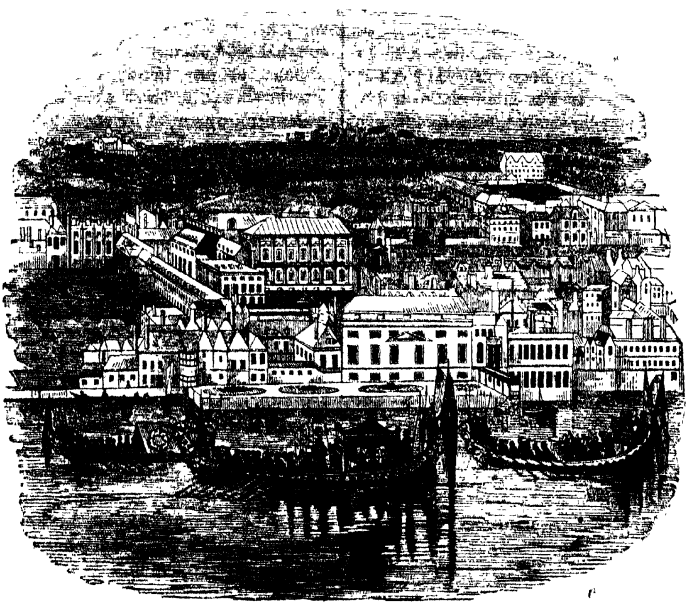
In his bold intrigues Halifax included a secret correspondence with the Duke of Monmouth, with some others of the exiles at the court of the Prince of Orange, and also *with William himself;* but though the Duke of York knew or suspected this, he was unable to deprive him of the favour of the king, who liked the minister more for his ready wit and talent for satire than for any other quality. Lord Rochester, the second son of the late Chancellor Clarendon, after a vain rivalship, was appointed to the presidency of the council, a post of nominal dignity rather than of power or great emolument. This his rival Halifax called kicking a man up stairs. Subsequently, Rochester was appointed to the government of Ireland, in the room of the Duke of Ormond, the old and steady friend of his father, who was abruptly recalled to make room for him and for a scheme which it was fancied Ormond would not go into. This was the raising of a Catholic army in Ireland, to be employed, if necessary, in England.* Godolphin, that adroit trimmer, who retained place and favour under three successive princes of very opposite characters, after being promoted to one of the two secretaryships of state, was removed to Rochester's place. Sunderland, as adroit as Godolphin, remained in office, and kept up a very friendly understanding with the French mistress. The foreign transactions of this cabinet were sufficiently base; but they were unimportant, being merely a continuation of Charles's old system. Among these transactions may be classed the marriage of the Princess Anne, the Duke of York's second daughter. This young lady, it is said, had been, for prudential reasons, always destined to a Protestant prince; and, it is added, that the court of France, which exercised their influence in all things, had consented to that arrangement, with the proviso that they should have the naming of the person. It was on this errand that George (afterwards George I.), the son of the Elector of Hanover, came over to England in 1682. Burnet intimates that this wooer was recalled by his father, who had changed his mind, and settled that he should marry the Princess of Zell, his first cousin;

* Roger North, Life of the Lord Keeper. Roger continues:—"That night his lordship came home full of melancholy; and it was some time before any person near him knew the occasion of it. But he would sometimes break out in exclamations, as,—'What can be the meaning! Are they all stark mad!'—and the like. That very night he took his pocket-almanack, and, against the day, wrote

'Motion, *cui solus obstiti.*'
Motion, which I alone opposed.

For he accounted this action of his the most memorable that he had ever done. He was not without a jealousy that one great end of that pestilent, absurd motion was, to put a thorn in his foot, and, by way of dilemma, heave him out of his place. For, if the king had commanded, and he refused to put the seals to such a pardon, then he deserved to be removed by a just displeasure. If he had complied, then the parliament had effectually done it."

* Dalrymple.



WHITEHALL AND ADJOINING BUILDINGS, WITH A ROYAL AQUATIC PROCESSION.
From Pictures of the Period engraved in Smith's Westminster.

but it is insinuated by others that the Hanoverian was fastidious; that the Lady Anne had not the fortune to please him; and that, like other great ladies, she never forgot or forgave the affront to her dying day.* On the 19th of July, 1683, two days before the beheading of Lord Russell, and in the midst of the public excitement about the Rye-House Plot, George Prince of Denmark, brother to his Danish majesty, arrived to marry the Lady Anne; and, as he was backed by France, and all the preliminaries had been settled, the marriage took place at Whitehall a week after. According to one account this match was Charles's own act, against the inclination, design, and interest of the duke; and the marriage was highly acceptable to the nation. But Burnet affirms, on the contrary, that it did not at all please the nation, for that it was known that the proposition came from France, and apprehended that the prince would change his religion. Others, again, who believe that the duke fully approved of the match, give this reason for it:—James calculated that this Protestant alliance would more and more persuade people that they had nothing to apprehend from a Popish successor.

Meanwhile, Louis XIV., regardless of the treaty of Nimeguen, and of the rights of nations, was continuing his career of encroachment and aggression. Upon the Rhine, at the foot of the Pyrenees, and across the Alps, the might of his arms or of his gold and intrigues was felt. Genoa, the superb, was bombarded, and her Doge compelled, in person, to implore the pardon of the *Grand Monarque* at Versailles. It seemed that England had resigned the sovereignty of the seas; France had now a magnificent fleet manned by 60,000 sailors, and the French flag exacted homage in all directions. Across the Mediterranean the corsairs of Algiers, Tunis, and Tripoli were severely chastised, and the liberated Christian slaves sang the praises of the great Louis. The Prince of Orange, who again found Holland exposed by Louis's capture of Luxembourg, Courtray, Dixmude, and other places in Flanders, and who had never ceased labouring to form a coalition against the French, now united with the courts of Madrid and Vienna in urging Charles to take part in a league for the preservation of the independence of Europe: but Charles knew that he could not figure as a belligerent without calling a parliament for money, and a parliament he was resolved never to call. He therefore continued to receive his pay from France, which became less liberal and regular as Louis perceived his real condition. In the preceding year (1683) Lord Dartmouth was sent with a squadron to Tangier, with a secret commission to blow up the mole, the fortifications, and all the works, which had cost England immense sums, to bring home the garrison, and to leave the ruins to the Moors. No material benefit had been derived from the occupation of that African port; but a wiser government might have rendered it something like what Gibraltar has become in our hands, and made it a nucleus of African commerce and civilization. By its abandonment a very important saving was made to the revenue, and a considerable accession to the standing army; and Charles, in his scheme for doing without parliaments, wanted both money and troops. The French, who had long been jealous of seeing the English there in a position whence they might have commanded the Straits, were very anxious for the demolition, and it is suspected that Louis furnished the money for Lord Dartmouth's inglorious expedition. According to Burnet, the Portuguese ambassador "took fire upon it; and desired that, if the king was weary of keeping Tangier, he would restore it to his master, undertaking to pay a great sum for the charge the king had been at: but the king believed that, as the money would never be paid, so the King of Portugal would not be able to maintain that place against the Moors."

A. D. 1685.—In rendering himself absolute, Charles had failed to increase his happiness: his usual gaiety forsook him, and he became morose, gloomy, and dejected, unable to find any solace except in sauntering away his time among his women. A variety of causes has been assigned for this change of temper in the constitutionally gay and thoughtless monarch, and there were many causes to account for it; yet, probably, after all, his dejection arose more from his declining health than from any intensity of moral feeling or anxiety. It was, perhaps, nothing more than the heaviness and gloom which generally precedes apoplexy. In the midst of the fiercely renewed conflicting intrigues of Halifax and the Duke of York, who each wished to banish the other, Charles, who had wavered and lied to both, promised to make up his mind to some certain course; but, on Monday, the 2nd of February, after passing a restless night, his face was observed to be pale and ghastly, his head drooped, and his hand was fixed on his stomach. Dr. King, an eminent chemist and physician, who was in waiting that day by the particular order of the king, who had a taste for experimental philosophy, ran out of the room, and meeting the Earl of Peterborough, told him that his majesty was in a strange humour, for he did not speak one word of sense. The earl returned with the doctor into the chamber, and they had scarcely entered when Charles fell on the floor as if dead. Dr. King then resolved to bleed him at all hazards; and, after bleeding, the king came to himself. The royal physicians afterwards approved of King's promptitude, and the council ordered 1000*l.* for his good service, *which was never paid.* As soon as the report of this illness got abroad the people were thrown into a great ferment. According to one party, this was simply the effect of their wonderful love to Charles's person; but the other party hinted that the dread of his successor did not a little contribute to swell their sorrow. On the third day of the king's illness the

* Ralph.

lords of the council inserted a bulletin in the Gazette, stating that his physicians conceived that he was now out of danger, and that in a few days he would be freed from his distemper. But this bulletin was scarcely made public when the king had a second fit, and then the physicians gave him over, and consigned him to the spiritual care of the bishops. Barillon, the French ambassador, hastened to Whitehall to speak with the Duke of York. "The doctors," said James, "believe that the king is in extremity. I beg you to assure the king your master, that he will ever have in me a faithful and grateful servant." The ambassador went for a moment into the apartment of his countrywoman, the Duchess of Portsmouth. "Instead of speaking to me," says Barillon, "of her grief and of the great loss she was about to sustain, she entered into a private cabinet, and said, Monsieur l'Ambassadeur, I am going to tell you the greatest secret in the world, and my head would be in danger if it were known here. The king, in the bottom of his heart is a Catholic, and nobody tells him the state he is in, or speaks to him of God. I can no longer, with propriety, enter his chamber, where the queen is almost constantly with him. The Duke of York thinks about his own affairs, and has no time to take the care which he ought of the king's conscience. Go and tell him that I have conjured you to warn him to do what he can to save the soul of the king, his brother. He is master in the royal chamber, and can make any one withdraw from it as he lists. Lose no time, for if you delay ever so little it may be too late." Barillon hurried to the duke, who recovered himself as if from a profound lethargy. "You are right," said James; "there is no time to lose. I will hazard all rather than not do my duty." But as the duke had no intention of proceeding openly, there were several difficulties to overcome. The bishops hardly ever left the bedside of the dying monarch, and they had even pressed him to receive the sacrament according to the rites of their own church; and then, by the law of the land, it was still death for a native Romish priest to present himself, and Charles, it appears, could confess himself in no other language than English. James, however, went to his brother, and, returning an hour after, he told Barillon that he had spoken to the king, and found him resolved not to take the sacrament, which the Protestant bishops had pressed him to receive; that this had surprised the bishops much, but that one or other of them would still remain always in the room, if he (the duke) did not find some pretext to make everybody leave it in order to get the opportunity of speaking to his brother with freedom, and disposing him to make a formal renunciation of heresy, and confess himself to a Catholic priest. Various expedients were thought of by the duke and the ambassador. James proposed that Barillon should ask leave to speak to the king to tell him something in secret from his master, and that every body should go out of the room. The ambassador represented that this would make a great noise in court, and that there was no likelihood of his being allowed to remain in private with the king of England long enough for what he had to do. The duke then thought of sending for the queen, as if to take her last farewell, and to ask pardon if she had ever in anything disobeyed the king, who was on his part to go through the same ceremony to her. But at last it was resolved that the duke himself should speak to the king in whispers, so that no person in the room might hear what he said. It was thought that this course would remove suspicion, and that it would be believed that the duke spoke only of state affairs. "Thus," continues Barillon, "without any further precaution, the Duke of York stooped down to the king his brother's ear, after having ordered that no one should approach. I was in the room, and more than twenty persons at the door, which was open. What the Duke of York said was not heard, but the king of England said from time to time, very loud, *Yes, with all my heart.* He sometimes made the Duke of York repeat what he said, because he did not easily hear him. This lasted near a quarter of an hour. The Duke of York again went out as if he had gone to the queen, and said to me, The king has consented that I should bring a priest to him: but I dare not bring any of the duchess's, they are too well known: send and find one quickly." Barillon told the duke that he would do it with all his heart, but he believed that too much time would be lost; and that he had just seen all the queen's priests in a closet near the bedchamber. At that moment James perceived Castelmelhor, a foreign nobleman, well acquainted with the court, and begged him to find a proper confessor. The count warmly engaged to do this, and to speak with the queen; but he came back in an instant, saying, "Should I hazard my head in this, I would do it with pleasure; but I do not know one of the queen's priests that understands or speaks English." Upon this, it was resolved to send to the Venetian resident for an English priest; but as time pressed, the Count of Castelmelhor went into the closet where the queen's priests were assembled, and unexpectedly found among them one Huddleston, a priest, who had saved the king's life after the battle of Worcester, and who, by special act of parliament, had been exempted from all the laws made against the Catholics. They put a wig and gown upon this man to disguise him. Castelmelhor took him to be instructed by a Portuguese monk of the order of the Bare-footed Carmelites in what he had to do on such an occasion; for Huddleston was no practised confessor, or, in the words of Barillon, "of himself he was no great doctor." Then Castelmelhor conducted him to the door of a room that adjoined the sick chamber; and the Duke of York, being warned by Barillon that all was ready, sent out Chiffinch of the back stairs, who had been accustomed to bring Charles his women, to bring in Huddleston and the host. The Duke of York

exclaimed aloud, "The king wills that every body should retire except the Earls of Bath and Feversham." The physicians went into a closet, the door of which was shut upon them; and Chiffinch came back with the disguised priest. In presenting Huddleston, James said, "Sire, here is a man who once saved your life, and who is now come to save your soul." The king answered, "He is welcome." He then confessed himself with seeming sentiments of devotion and repentance; and the Duke of York assured Barillon that Huddleston had acquitted himself very well as a confessor, and made the king formally promise to declare himself openly a Catholic, if he recovered his health. After confession Charles received absolution, the Romish communion, and even extreme unction. During the three quarters of an hour that all this lasted the courtiers, attendants, Protestant bishops, and others in the ante-chamber gazed at one another; none said anything except with their eyes, or in low whispers. According to Barillon, the presence in the sick room of Lords Bath and Feversham, who were Protestants, satisfied the bishops a little; but the queen's women and the other priests saw so much going and coming that it was impossible the secret could be kept long.* After Charles had received the communion the violence of his disorder seemed to abate, and he spoke more intelligibly than he had done for some time. He sent for his natural children, gave them his dying blessing, and recommended them to his successor. But of the absent Duke of Monmouth he made no mention, good or bad. As he was pronouncing his blessing on his illegitimate sons, the bishops observed that he was the Lord's anointed, and the father of his country; and thereupon all present fell upon their knees, and Charles raised himself in his bed, and very solemnly blessed them all. The queen had sent to excuse her absence, and to implore his pardon for any offence that she might have given him. "Alas! poor woman," said Charles, "it is I that should ask her pardon; and I do it with all my heart." He spoke repeatedly to the Duke of York in terms of tenderness and friendship; he twice recommended to him the Duchess of Portsmouth and his son by her, the young Duke of Richmond; he begged kind treatment for the Duchess of Cleveland; nor was his stage mistress forgotten. "Do not," said he, "let poor Nelly starve." At these words the bishops were much scandalized. The king often expressed his confidence in God's mercy. Ken, the orthodox Bishop of Bath and Wells, read some prayers, and spoke to him of God; "but the bishop," adds Barillon, "was not officious in saying anything particular to him, or proposing that he should make a profession of his faith; he apprehended a refusal, but feared still more, as I believe, to irritate the Duke of York."* Charles was perfectly sensible the whole night, and spoke upon all things with great calmness. At six o'clock in the morning (it was the 6th day of February) he asked what hour it was, and said "Open the curtains that I may once more see daylight." He was then suffering great pain, and at seven o'clock they bled him, which seemed to give him relief. But this did not continue. His pains returned, and he began to speak with great difficulty, struggling for breath. At ten o'clock his senses were quite gone, and he died half an hour before twelve, without any struggle or convulsion.† Charles was in the fifty-fifth year of his age, and the twenty-fifth of his reign *de facto* from the Restoration in 1660; though the formal mode of reckoning in acts of

* All this time, and from the king's being in danger to his death, "prayers," says Evelyn, "were solemnly made in all the churches, especially in both the court chapels, where the chaplains relieved one another every half quarter of an hour from the time he began to be in danger till he expired, according to the form prescribed in the church offices. Those who assisted his majesty's devotions were, the Archbishop of Canterbury, the Bishops of London, Durham, and Ely, but more especially Ken, the Bishop of Bath and Wells. It is said they exceedingly urged the receiving the holy sacrament, but his majesty told them he would consider of it, which he was so long about, that it was too late. Others whispered that the bishops and lords, except the Earls of Bath and Feversham, being ordered to withdraw the night before, Huddleston, the priest, had presumed to administer the Popish offices."—*Diary.*

* It is said by James himself, or at least by the writer of his memoirs, compiled from his own papers, that "when the king's life was wholly despaired of, and it was time to prepare for another world, two bishops came to do their function, who, reading the prayers appointed in the Common Prayer Book on that occasion, when they came to the place where usually they exhort a sick person to make a confession of his sins, the Bishop of Bath and Wells, who was one of them, advertised him, *it was not of obligation*; and, after a short exhortation, asked him if he were sorry for his sins? Which the king saying he was, the bishop pronounced the absolution, and then asked him if he pleased to receive the sacrament? to which the king made no reply, and, being pressed by the bishop several times, gave no other answer, but that it was time enough, or that he would think of it." "James," this account continues, "stood all the while by the bed-side, and, seeing the king would not receive the sacrament from them, and knowing his sentiments, he desired the company to stand a little from the bed, and then asked the king whether he should send for a priest, to which the king replied, For God's sake, brother, do, and lose no time. The duke said he would bring one to him; but none could be found except Father Huddleston, who had been so assistant in the king's escape from Worcester; he was brought up by a back staircase, and the company were desired to withdraw, but he (the Duke of York), not thinking fit that he should be left alone with the king, desired the Earl of Bath, a lord of the bedchamber, and the Earl of Feversham, captain of the guard, should stay; the rest being gone, Father Huddleston was introduced, and administered the sacrament."—*Life of James II.*, 2 vols. 4to. Lond. 1816.

† Dépêche de M. Barillon au Roi, dated February 18 (new style), 1685—Huddleston's Brief Account in State Tracts, and in Sir H. Ellis's Letters—Evelyn's Diary—Letter to the Rev. Francis Roper, Fellow of St. John's College, Cambridge, in Sir H. Ellis's collection. This last epistle is attributed to the chaplain of the Bishop of Ely, who watched one night by the king's bed-side. The writer, a furious high-churchman, seems to have had no glimpse of Huddleston's doings. He says, "I do believe the most lamented prince that ever sat upon a throne, one of the best of kings, after near five days' sickness, left the world, translated, doubtless, to a much more glorious kingdom than all those which he has left behind him now bewailing of their loss. It was a great piece of providence that this fatal blow was not so sudden as it would have been if he had died on Monday, when his fit first took him: as he must have done, if Dr King had not been by, by chance, and let him blood. By these few days' respite, he had opportunity (which accordingly he did embrace) of thinking of another world; and we are all prepared the better to sustain so great a loss. He showed himself, throughout his sickness, one of the best-natured men that ever lived; and, by abundance of fine things he said in reference to his soul, he showed he died as good a Christian: and the physicians, who have seen so many leave this world, do say, they never saw the like as to his courage, so unconcerned he was at death, though sensible to all degrees imaginable, to the very last." The writer, like a man looking to promotion, says, however, a great deal more about the new king than about the dead one. After mentioning that the archbishop and bishops had waited upon James, and in a private audience had requested him "to patronise the church as his royal brother of blessed memory had all along done; giving him all assurances of loyalty in the clergy, as what he might depend upon, as it is both the doctrine and practice of our church, beyond any church in the world," this correspondent exultingly tells Mr. Roper that his majesty King James had declared that "*he would never give any sort of countenance to dissenters*," "and so," he concludes, "God continue him in his good resolutions, and make us all live peaceably and happily under him, and may his reign be always answerable to this auspicious beginning!".

parliament and legal documents is from the death of his father, which makes the duration of his reign thirty-six years.

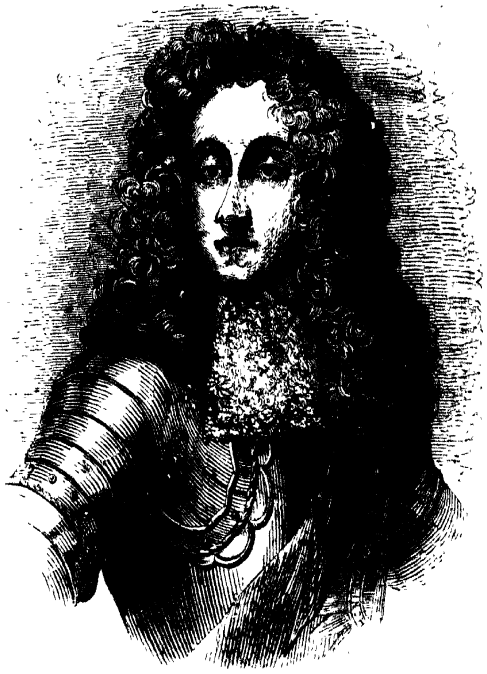
It was instantly "ventilated abroad" that his death was caused by poison administered to make way for the succession of his popish brother; but it appears to us that this foul rumour, of which we shall soon hear more, rested upon the slenderest of foundations, and that James, with all his faults and hardness of heart, was utterly incapable of committing or permitting any such crime.

JAMES II.

GREAT SEAL OF JAMES II.

A. D. 1685.—As soon as his brother was dead James hastened to the council, and thus addressed the members of it:—"My lords, before I enter any other business, I think fit to say something to you. Since it hath pleased Almighty God to place me in this station, and I am now to succeed so good and gracious a king, as well as so very kind a brother, it is proper for me to declare to you that I will endeavour to follow his example, and particularly in that of his great clemency and tenderness to his people. I have been reported to be a man fond of arbitrary power; but that is not the only falsehood which has been reported of me: and I shall make it my endeavour to preserve this government, both in church and state, as it is now by law established. I know the principles of the church of England are favourable to monarchy; and the members of it have shown themselves good and loyal subjects; therefore I shall always take care to defend and support it. I know, too, that the laws of England are sufficient to make the king as great a monarch as I can wish; and, as I shall never depart from the just rights and prerogative of the crown, so I shall never invade any man's property. I have often before ventured my life in defence of this nation; and shall go as far as any man in preserving it in all its just rights and liberties." On the same afternoon at four o'clock James was proclaimed in the very same forms as his grandfather James I., after the death of Queen Elizabeth. The people answered with acclamations, and not a shadow of opposition appeared anywhere. In the evening there was a great kissing of hands at Whitehall, the queen being in her bed, but putting forth her hand. Evelyn, who went with the rest to perform this ceremony, says, "I can never forget the inexpressible luxury and profaneness, gaming, and all dissoluteness, and, as it were, total forgetfulness of God (it being Sunday evening), which this day se'nnight I was witness of, the king sitting and toying with his concubines—Portsmouth, Cleveland, Mazarine, &c.,—a French boy singing love-songs, in that glorious gallery, whilst about twenty of the great courtiers and other dissolute persons were at basset round a large table, a bank of at least 2000*l.* in gold before them; upon which two gentlemen who were with me made reflections with astonishment. Six days after was all in the dust!" James, though little less vicious than his brother, was more quiet in his pleasures, and was possessed of a strong sense of decorum and stateliness. "The face of the whole court," adds Evelyn a few days later, "was exceedingly changed into a more solemn and moral behaviour; the new king affecting neither profaneness nor buffoonery."

When the ministers and great officers waited upon James, to surrender their offices and charges



James II. From a Picture by Sir G. Kneller

into his majesty's hands, he returned them all back to them with gracious words. By the advice of the council, his first declaration was printed and dispersed all over the country, as containing matter of great satisfaction to a jealous people; and a proclamation was set forth to continue all magistrates and authorities whatsoever; thus making the transition of government almost imperceptible, and causing the new reign to appear no more than a continuation of the former one. But all these and other measures began to lose their value when the king was seen, on the first Sunday after his brother's burial,* going to mass publicly with all the ensigns of royalty, and ordering the doors of his Romish chapel to be set wide open. The Duke of Norfolk, who carried the sword of state, stopped at the unlawful threshold. "My Lord," said the king, "your father would have gone further." "Your majesty's father would not have gone so far," replied the duke. He ordered Huddleston, the priest, to publish a relation of Charles's dying in the communion of the Church of Rome, and he himself became the publisher of two papers, which he declared in his own royal name, and under his signature, were found by him in his brother's strong box; their tendency being to establish that there could be but one true church, and that that was the Church of Rome; that whosoever set up their own authority against that one true church, whether individuals, nations, or governments, fell immediately into fanaticism; and that, consequently, the Church of England lay as open to that imputation as any of the sects which had arisen out of and separated from it. James triumphantly showed these two papers to Sancroft, archbishop of Canterbury, who said that he did not think the late king had been so learned in controversy, but that the arguments in the papers were easy to refute. James challenged the archbishop to confute them in writing, if he could; but Sancroft, not anxious to incur the martyrdom of court displeasure, said that it ill became him to enter into a controversy with his sovereign. Nor could James, as king, magnanimously overlook the affronts which had been offered to him as Duke of York, or treat with decent civility any of his old opponents except such as laid their principles and their honour at his feet. When the leading Whigs came up to pay their court in common with the rest of his subjects, most of them were but coldly received; some were sharply reproached for their past behaviour; and others were denied access. When the versatile, intriguing, and most capable Halifax apologized for his opposition to his majesty in the latter part of the late reign, James told him

* "14 Feb.—The king was this *night* buried *very obscurely* in a vault under Henry VII.'s Chapel, at Westminster, without any manner of pomp, and soon forgotten."—*Evelyn.*

that he would forget everything except his behaviour in the affair of the exclusion, when he had combated and defeated his uncle Shaftesbury, Lord Russell, and the whole Whig party. But this royal gratitude in the one direction intimated as deep a resentment in the other, and an undying hatred of all who had voted *for* the exclusion. But another more decided symptom of James's remembrance of past injuries appeared in his ordering Sprat, bishop of Rochester, to publish a full narrative of the Rye House Plot under the royal authority. "This relation was written with great virulence of expression upon past heats; and in it an averment was made that James knew of 20,000 persons who had been engaged in that plot,—an implied menace, which, by the ambiguity of its object, caused every Whig in the nation to think it was levelled at him."* James, moreover, though he had promised to call a parliament, had not patience to wait for its assembling, but proceeded at once to stretch the prerogative in regard to points where the nation was most sensitive. Those branches of the revenue which consisted of the customs and of part of the excise, having been granted to the late king for life, stopped by law at his death. The commissioners waited in a body upon the Treasury to know what was to be done. The Treasury, not willing to incur the heavy responsibility of ordering the levy of duties without act of parliament, told them that the laws lay before them, and they might judge for themselves. The important question was then carried before the privy council. There Lord Keeper North advised that the duties should be levied as in the late reign, and be paid into the Exchequer, but kept there separate from all other moneys until the next parliament should dispose of them. Others suggested that bonds only should be taken for the duties, to stand in force until the same period. But Lord Chief Justice Jeffreys moved that, without further ado, the king should instantly issue a proclamation commanding the revenue to be levied and employed as in the former reign; and James followed this congenial advice. To cover this stretch of arbitrary power the court procured addresses from many public bodies. The barristers and students of the Middle Temple thanked his majesty for extending his royal care to the preservation of the customs, and prayed that there never might be wanting millions as loyal as themselves to sacrifice life and fortune in support of his majesty's sacred person and prerogative in its full extent; and the University of Oxford hastened to declare their faith and true obedience to their sovereign, without any restrictions or limitations of his power.† But all these addresses could not blind men to the illegality of the measure, or make them forget the civil wars and the miseries produced by the attempt of this king's father to levy part of the same duties without consent of parliament; and "compliments by public bodies to the sovereign for the breach of the laws only served to remind the nation that the laws had been broken."* Humanity, justice itself, would make us approve and applaud the object of another of James's proceedings by prerogative, but the nation was not then in a state for the exercise of this humanity and justice, and the measure was clearly contrary to law and the constitution, which had repeatedly repudiated this dispensing power in the sovereign. By his royal warrant he threw open the prisons of England to thousands of Dissenters and Papists, who had been enduring a horrible captivity for conscience sake. James had taken the earliest opportunity of assuring his friend Barillon that his trust, after God, was in the French king. Louis, to secure him, as he had done his brother, sent him 500,000 livres, which James received with tears of gratitude. Rochester plainly told Barillon, "Your master must place mine in a situation to be independent of parliaments;" and James renewed his abject prayers for more money. At the same time he outwardly affected an equality with Louis, declared that he would not be governed by French councils, and that he would maintain the balance of Europe with a steady hand. Captain Churchill, now a lord, and in the highest favour, was sent to Paris to announce in form the accession, and had orders to observe and report exactly all the circumstances of the ceremonial of his reception. Louis received Churchill seated and covered; and, when the Marshal de Lorge came over to return the compliment, James received him in the same manner. Louis laughed at him, and said, "The king, my brother, is proud, but he loves the pistoles of France nevertheless."†

Many scruples were entertained both by James and his wife touching the coronation, which ceremony it was necessary should be performed by a Protestant prelate. Priests, and even the pope himself, were consulted. A quibble was resorted to in order to justify the oath which had to be taken to maintain the Anglican Church; and, after taking the solemn vows, the king and queen, upon St. George's Day, were crowned in Westminster Abbey by Sancroft, archbishop of Canterbury. As the crown was put upon James's unhappy head it tottered and almost fell; and it was observed that, during both the coronation and the banquet, he was ill at ease. His conscience, his

* Dalrymple.—Other papers were published nearly at the same time by, or with the consent of, the king. One of these was an account of the blessed conversion of his first wife, the daughter of the high-churchman Clarendon.

† Cambridge, "that other light of the nation," seemed determined to blaze as high as Oxford. "Considering," said her reverend sons, "that, in despite of all the violence and treachery of turbulent men, who maliciously endeavoured to turn the stream of lineal succession out of its proper and ancient channel, God has been pleased to provide a lasting security for these nations, as well by preserving the sacred life and person of your majesty, as also by your rightful and peaceable accession to the imperial crown of these kingdoms, we do rejoice with all our souls, and bless God for these singular mercies, which have as *fully* repaired our former inestimable loss as our hearts could hope or desire; and we do, with all humble submission, present to your sacred majesty our most unfeigned loyalty, the most valuable tribute that we can give or your majesty receive from us. This is a debt which we shall be always paying and always owing; it being a duty *naturally flowing* from the *very principles* of our holy religion, by which we have been enabled, in the worst of times, to breed as true and steady subjects as the world can show, as well in the doctrines as practice of loyalty, from which we can never depart."

* Dalrymple. † D'Avaux.—Mazure.—Ralph.

Westminster Hall and Abbey, from St. James's Park.
From a Print by Tempest.

superstition, would sufficiently account for this inquietude; but he told Barillon that everthing made him believe that there was some design formed against him. The Bishop of Ely preached a sermon; but, says Evelyn, "to the great sorrow of the people, there was no sacrament, as ought to have been."

On the 7th of May, a fortnight after the coronation, Titus Oates was again brought up to the bar of the Court of King's Bench; for James was not satisfied with the perpetual imprisonment to which he was already doomed. This time the "saver" of the nation was tried, not for libels, but for perjury. A vast number of Roman Catholics assembled in Westminster Hall, "in expectation of the most grateful conviction and ruin of a person who had been so obnoxious to them." Jeffreys was again his judge, and this time his brutal severities were unchecked. People expected to see the Protestant champion cower like a whipped spaniel,—but it was not so. This exemplary witness boldly challenged the veracity and the character of the witnesses brought against him; particularly objecting to Lord Castlemaine as a Papist. "I wonder," cried Jeffreys, "to see any man that has the face of a man carry it at this rate, when he has such an evidence brought in against him." But in impudence and strength of face Oates was a match even for the redoubtable Jeffreys; and the scoundrel had a sort of spirit which the wonderful change in his circumstances could not depress. "I wonder," said he, in reply, "that Mr. Attorney will offer to bring such evidence,—men that must have malice against me as Papists." "Hold your tongue," roared Jeffreys, "you are a shame to mankind." "No, my lord," said the imperturbable Titus, "I am neither a shame to myself or mankind. What I have sworn is true; and I will stand by it to my last breath, and seal it, if occasion be, with my blood." "*'Twere pity but that it were to be done by thy blood,*" responded this decent lord chief justice. Oates was convicted upon two indictments, and this was his sentence:—1st. He was to pay a thousand marks upon each indictment. 2nd. To be stripped of all his canonical habits (a sentence the right of pronouncing which belonged only to the courts ecclesiastical). 3rd. He was to stand twice in the pillory. 4th. To be whipped from Aldgate to Newgate one day, and two days afterwards from Newgate to Tyburn. And 5th. He was to stand in the pillory on five days in every year as long as he lived. The sentence was executed without mercy as long as James and Jeffreys had the power to inflict torture.* The most severe death would have been preferable; but Titus's body was as tough as his soul, and he survived to be pardoned and rewarded at the Revolution. Nor did the sight of his humiliating sufferings altogether throw him from that pedestal on which religious zeal had placed him. "There are still thousands," says one of his biographers, writing in this same year, "of those unthinking, unconverted animals, that have that veneration still for their darling Titus, that they pay him even a wild Indian adoration, and make a god of the devil himself."

Bedloe was safe in his grave, and others of the Protestant witnesses had either hid themselves or entered into the pay of the court; but Dangerfield was caught and tried at the King's Bench for

* The *gentle* Evelyn has this entry in his Diary on the 22nd of May, *which*, it should be remarked, *was the day when parliament opened*:—"Oates, who had but two days before been pilloried at several places and whipped at the cart's tail from Newgate to Aldgate, was this day placed on a sledge, being not able to go by reason of so late scourging, and dragged from prison to Tyburn, and whipped again all the way, which some thought to be very severe and extraordinary: but if he was guilty of the perjuries, and so of the death of many innocents, as I fear he was, *his punishment was but what he deserved*. I chanced to pass just as execution was doing on him;—a strange revolution!"

writing and publishing a villanous and scandalous libel called his "Narrative." He received judgment to stand twice in the pillory; to be whipped from Aldgate to Newgate on one day, and from Newgate to Tyburn on another, and to pay a fine of 500*l.* This handsome scoundrel was not made of such materials as Titus. He "was struck with such horror at this terrible sentence that he looked on himself as a dead man, and accordingly chose a text for his funeral sermon; but persevered in asserting that all he had delivered in evidence before the House of Commons was true. The whipping was executed in full rigour, as before upon Oates; and it was scarce over before one Mr. Robert Frances, a barrister of Gray's Inn, gave him a wound with his cane, in or near the eye, which, according to the deposition of the surgeons, was the cause of his death.*" This furious barrister, Mr. Frances, was tried for murder; and as the popular feeling was violent against him, it was judged proper to permit his conviction and execution.

The Scottish parliament assembled on St. George's day,—the day of their majesties' coronation,—and the Scots, priding themselves on being the first parliament called by the new king, voted the excise and customs to him and his successors for ever, and a further sum of 25,000*l.* a-year for his life. The Duke of Queensberry, the king's commissioner, and Lord Perth, the chancellor, told them that the king would never alter the established Protestant religion.

The English parliament assembled on the 22nd of May; and, as the elections had gone greatly in favour of the Tories, it was expected that it would be as prompt and obedient as the Scotch. But not even the Tories were prepared for the repeal of the Habeas Corpus Act, for a general toleration, or for the promotion of Popery; and it was well known that James was aiming at all three. The bishops all took their places; "and after a short space," says an eye-witness, "came in the queen and Princess of Denmark (Anne), and stood next above the archbishops, at the side of the House on the right hand of the throne. In the interim, divers of the lords, who had not finished before, took the test and usual oaths; so that her majesty, the Spanish and other ambassadors, who stood behind the throne, heard the pope and worship of the Virgin Mary, &c., renounced very decently, and the prayers which followed, they standing all the while. Then came in the king, with the crown on his head, and, being seated, the Commons were introduced, and, the House being full, he drew forth a paper containing his speech, which he read distinctly enough."† He told them that he had resolved to call a parliament from the moment of his brother's decease, as the best means of settling all the concerns of the nation, so as to be most easy and happy to himself as well as to his subjects: he repeated almost word for word the assurances which he had given to the council on the morning of his brother's death, that he would defend and support the Church of England, and govern according to law; and then continued: "Having given this assurance concerning the care I will have of *your* religion and property, which I have chosen to do in the same words I used at my first coming to the crown, the better to evidence to you that I spoke them not by chance, and, consequently, that you may firmly rely on a promise so solemnly made——." Here he was interrupted by a murmur of satisfaction; and men who had hitherto had their eyes fixed upon him now gazed at one another with surprise, joy, and triumph. Resuming his speech, the king told them that he might now reasonably expect a revenue for life such as had been voted to his brother. Here was another murmur, which expressed universal assent. But James, who could not control his arbitrary temper, and who was wholly unfit to manage popular assemblies, continued,—"There is one popular argument which I foresee may be used against what I have asked of you; the inclination men have for frequent parliaments some may think would be the best secured by feeding me from time to time by such proportions as they shall think convenient; and this argument, it being the first time I speak to you from the throne, I will answer once for all,—that this would be a very improper method to take with *me*: and that the best way to engage me to meet you often is, always to use me well. I expect, therefore, that you will comply with me in what I have desired, and that you will do it speedily." At these words every face was covered as it were with a cloud.* But the royal bird of bad augury had not yet done; and he proceeded to announce that news had reached him that very morning that Argyle, with a rebel band from Holland, had landed in the Western Islands, and had proclaimed him a usurper and tyrant. Both Houses, however, pledged themselves to assist his majesty to the utmost; and, according to Evelyn, "there was another shout of *Vive le Roi*, and so his majesty retired."†

As soon as the Commons returned to their own House they took into consideration the king's speech, voted him thanks for it, granted the revenue of 1,200,000*l.* for his life, and everything else that was demanded, as if they were more forward to give than the king was to ask. Lord Preston, who had been for some years ambassador in France, was set up by the court as a sort of manager in the Commons; and his lordship told them that the reputation of the nation was beginning to rise abroad, under a prince whose name spread terror everywhere; and that, if his parliament would but repose entire confidence in him, England would

* Ralph. † Evelyn.

* Barillon.

† Evelyn notes,—"there was no speech made by the lord keeper (North), after his majesty, as usual. It was whispered he would not be long in that situation; and many believe the bold chief justice, Jeffreys, who was made *Baron of Wem*, and who went thorough-stitch in that tribunal, stands fair for that office. I gave him joy the morning before of his new honour, he having always been *very civil to me*."

Maria Beatrix of Modena,
Queen of James II. From a Picture by Sir P. Lely.

again hold the balance, and his majesty would be indeed the arbiter of Europe. The courtiers said everywhere that James was a prince that had never broken his word; and that the word of a king was the best security a people could have for their religion and laws. But, when certain petitions concerning the late elections were presented, Sir Edward Seymour made a bold speech, and proposed that several members should withdraw till they had cleared the matter of their being legally returned. "The truth is," says a zealous Tory, "there were many of the new members whose elections and returns were universally censured, many of them being persons of no condition or interest in the nation or places for which they served, especially in Devon, Cornwall, Norfolk, &c., but said to have been recommended by the court, and returned from the effect of the new corporation charters changing the electors. It was reported that Lord Bath carried down with him into Cornwall no fewer than fifteen charters, so that some called him the Prince Elector. Seymour told the House, in his speech, that if this was digested they might introduce what religion and laws they pleased, and that, though he never gave heed to the fears and jealousies of the people before, he now was really apprehensive of popery."* Not a single voice was raised in support of Seymour's motion; but his words about popery sunk into the hearts of the majority. Two days after a very full committee unanimously resolved to "move the House to stand by the king in the support and defence of the reformed religion of the church of England, with their lives and fortunes;" and to address him "to put the laws in execution *against all dissenters whatsoever* from the church of England." James instantly summoned some of the leading members to his presence, and told them harshly that they must present no such address. A vehement debate ensued in the House; but, in the end, a compromise was hit upon, and the resolution was put in these words:—"The House relies on his majesty's word and repeated declaration, to support and defend the religion of the church of England, as it is now by law established, which is dearer to us than our lives." The Speaker, who presented this resolution, together with the money-bill, "without any appropriating or tacking clauses whatever," dwelt with particular emphasis on the last words of the resolution—"dearer than our lives." The king did not bestow one syllable upon the subject in his answer to the Speaker; but to others he complained that the Commons would have him in his own person to be the persecutor of the Catholics. On the 14th of July certain intelligence was received of the landing of the Duke of Monmouth with an armed

* Evelyn.

force. Both Houses forthwith attainted the duke as a traitor, and the Commons voted an extraordinary supply of 400,000*l.* James then, on the 2nd of July, adjourned parliament to the following November. By this time, though Monmouth had set up his standard as king of England, Argyle had been routed and put to death.

The leading facts of this double invasion are soon told. The Scottish refugees in Holland fancied that neither England nor Scotland would tolerate the government of the papistical and idolatrous James; and they were encouraged by many suffering Presbyterians and Covenanters to strike a blow for liberty and the kirk. Argyle opened a correspondence with Monmouth, and it was arranged between them that two expeditions should be made simultaneously — one to Scotland, under Argyle, the other to England, under the duke. Money and nearly everything else was wanting, and Monmouth was dilatory and diffident of success. But at last two handfuls of men were got together, and some arms were purchased and some ships freighted. Argyle sailed on the 2nd of May, with Sir John Cochrane, with Ayloffe, and Rumbald, the maltster, two Englishmen, who had been made famous by the parts attributed to them in the Rye House plot, and with about a hundred followers. Monmouth promised to sail for England in six days; but he wasted his time—loth to tear himself from a beautiful mistress, the Lady Henrietta Wentworth, who had been living with him at Brussels. In the mean time Argyle shaped his course for the Western Highlands. The first land he touched at was Kirkwall, in the Orkneys, where the people whom he put on shore for intelligence were seized, and whence advice was given to the government of his arrival. While he was beating round the northern capes and headlands the government had leisure to make their preparations; and, as it was known that he would land on the western coast, where both his family strength and that of the Covenanters lay, two ships of war were stationed there to watch his motions. The whole militia of the kingdom, consisting of 20,000 men, was put under arms; and a third part of it, with 3000 regular troops, was marched into the western country. At the same time all such as were suspected of favouring him were seized, and the king's proclamations and the declarations of parliament were published to the people, who stood in awe of James's well-known severity. Argyle, however, effected a landing, sent the fiery cross from hill to hill, from clan to clan, and got about 2500 highlanders to join him. He published two declarations, one in his own name, complaining of his own wrongs, the other setting forth that the miseries of the nation arose out of the breach of the Covenant; that the king had forfeited the crown by the crimes of popery, prelacy, tyranny, and fratricide; and that he was come to suppress alike prelacy and popery. His standard bore the inscription, "Against Popery, Prelacy, and Erastianism." He lost some time in expecting to be joined by more of the highlanders, and to hear of Monmouth's landing upon the western coast of England, as had been agreed upon; and when he pushed forward for Glasgow he was betrayed by his guides and waggon-men, deserted by the greater part of his followers, and confronted by Lord Dunbarton with a force in every way far superior to his own. Hume and Cochrane, who were among those whom he afterwards accused of ignorance, cowardice, and faction, left him almost alone, and crossed the Clyde in safety with two or three hundred men. Attended only by Fullarton, Argyle, in disguise, endeavoured to elude pursuit, but he was tracked by some militia-men, overpowered, made prisoner, and carried back to his old cell in Edinburgh Castle on the 20th of June, having his hands tied behind him, his head bare, and the headsman marching before him. His life was held to be forfeited without any trial by his former sentence; and James sent down his death-warrant, allowing him three days, to be employed in "all ways" that might make him confess the full particulars of his defeated plan. It is generally understood that James meant by this that Argyle should be put to torture; but it does not appear that the noble prisoner was either booted or thumb-screwed, and it is certain that he betrayed none of his friends. He was beheaded on the 30th of June, and died with admirable courage. Many were sorely disappointed that he was not hanged like Montrose; but they had some satisfaction in seeing his head stuck up on the Tolbooth. The two Englishmen, Ayloffe and Rumbald, who had accompanied Argyle from Holland, were both taken, after a desperate resistance, in which they were dreadfully wounded. On the 26th of June the doctors reported to the privy council that Rumbald "was in hazard of death by his wounds; so the council ordained the criminal court to sit on him the next morning, that he might not prevent his public execution by his death."* This Richard Rumbald, maltster, and formerly master of the Rye House, was an English yeoman of the true breed. His indictment bore that he had designed to kill the late king at the Rye, or Hoddesdon, on his return from Newmarket to London. He positively and most solemnly denied, as a dying man, the whole of this charge; and so "the king's advocate passed from that part, lest it should have disparaged or impaired anything of the credit of the said English plot."† But when they charged him with having joined Argyle, a forfeit traitor, and invaded Scotland and commanded as a colonel in the rebel army, he readily confessed all this, signed his confession, and justified his deeds by the sacred duty imposed upon all freemen to resist tyrants, saying, in rough but significant words, that he did not believe that God had made the greater part of mankind with saddles on their backs, and bridles in their mouths, and some few booted and spurred to ride the rest.‡ An attempt was made to prove that he

* Lauder of Fountainhall. † Id. ‡ Burnet.

was one of the masked executioners of Charles I.; but he declared he was not, though he was one of Oliver Cromwell's regiment, and was on horseback at Whitehall that day, as one of the guard about the scaffold. He further declared that, as a lieutenant in Cromwell's army, he had fought at Dunbar, Worcester, and Dundee (words unpleasant to Scottish ears*), and that he had foreseen Argyle would ruin the late attempt by lingering in the Isles and Highlands, instead of marching at once into the inland country. Being asked if he owned the present king's authority, he craved leave to be excused from answering, seeing he needed neither offend them nor grate his own conscience, as they had enough already to take his life. He was sentenced to be executed that same afternoon. He was drawn on a hurdle; "for, laying aside the ignominy, he was not able to walk, by reason of the wounds he got when he resisted Raploch and his men." The undaunted yeoman suffered ten times the pain of Argyle with as much heroism. "He was certainly," says the cool and circumspect lawyer that narrates all the atrocities of his execution,† "a man of much natural courage: his rooted, ingrained opinion was for a republic against monarchy, to pull which down he thought a duty and no sin. And on the scaffold he began to pray for that party which he had been owning, and to keep the three metropolitan cities of the three kingdoms right; and if every hair of his head were a life, he would venture them all in that cause: but the drums were then commanded to beat. Otherwise he carried himself discreetly enough, and heard the ministers, but took none of them to the scaffold with him."‡ Colonel Ayloffe was sent up to London in the hope that some fuller discovery of the plot, and who had underhand been concerned in it, might be drawn from him. James, who had an unroyal fondness for such practices, examined him in person; but the colonel was as firm as the maltster, and the king got nothing from him except a cutting repartee. "You know, sir," said James, "that, if you desire it, it is in my power to pardon you." "It is in your power, but not in your nature," replied Ayloffe. The colonel was nephew by marriage to the late Chancellor Clarendon, and it was thought that the nearness of his relationship to the king's children (by Anne Hyde) might have moved his majesty to pardon him, which would have been the most effectual confutation of the bold repartee; but he signed his death-warrant instead.§ Sir John Cochrane, who had also been taken, was condemned to be hanged at the cross of Edinburgh; but he seemed "timorous and penitent;" he made some disclosures, was sent up to London, and, after he had been for some time closeted with the king, it was given out that the matters he had discovered were of such importance as to have merited the royal pardon. "It was said," adds Burnet, "he had discovered their negotiations with the Elector of Brandenburgh and the Prince of Orange: but this was a pretence only to conceal the bargain, for the prince told me he had never once seen him." According to the same authority, the *bargain* was an offer of 5000*l.* to James's priests, who wanted a stock of money, and so interposed. Some other executions took place in Scotland on account of Argyle's wretched incursion; and the Earl of Balcarras was sent into Galloway, and the other western shires, with a commission of fire and sword against the "resetters" of the rebels. All matters were conducted in the most savage and brutal spirit; the old feuds of the rival clans were encouraged, and hereditary enemies, scarcely more civilised than the Red Indians, were let loose upon one another. Charles Campbell, Argyle's second son, was taken, lying sick of a fever in Argyleshire; and the Marquess of Athol, the hereditary enemy of the Campbells, by virtue of his justiciary power, resolved to hang him, though still in a raging fever, at his father's gate at Inverary; but the privy council, at the intercession of sundry ladies, including his wife, Lady Sophia Lindsay, who had contrived his father's escape from Edinburgh Castle, stopped this execution, and ordered the prisoner to be brought to Edinburgh. His brother, Mr. John Campbell, and one of his cousins, finding that they could no longer conceal themselves, went disguised in women's riding-habits to my Lord Dunbarton, and, falling at his feet, discovered themselves. This general, who had some humanity, signed an order constituting them prisoners in Stirling, with the liberty of the whole castle, and trusted them with the carrying of the order without any guard: at which the secret committee were sorely offended. Some of the common prisoners and other highlanders were by the privy council delivered to Mr. George Scott of Pitlochy and other planters in New Jersey, Jamaica, &c.; "but, considering that some of them were more perverse in mincing the king's authority than others, they ordained these, to the number of forty, to have a piece of their lug (ear) cut off by the hangman; and the women disowning the king to be burnt in the shoulder, that if any of them returned they might be known by that mark, and hanged."*

Instead of six days, it was a month before the lingering Monmouth set sail from the Texel, with about eighty officers and a hundred and fifty followers of various kinds, Scotch and English. Lord Stair, who had fled from the tyranny of James when Duke of York and commis-

* Lauder, however, is particular in mentioning that "the assize (jury) consisted *mostly* of Englishmen—like a *medietas linguæ* given to strangers by law."—*Decisions, &c.*

† "Being hoisted up by a pulley and hanged awhile, he was let down scarce fully dead, and his heart pulled out and carried on the point of a bayonet by the hangman, crying, "This is the heart of a bloody traitor and murderer;" and then thrown into a fire: after which, they struck off his head, and carried it so also; then cutted him in four quarters, which were affixed at Glasgow, Dumfries, New Galloway, and Jedburgh, and his head put on a poll at the West Port of Edinburgh; *but, by order of the king, they were afterwards carried to London.—Lauder.*

‡ Lauder of Fountainhall.

§ Burnet.

* Lauder of Fountainhall. He adds, "which severity was all performed this day, August 5th, 1685."

sioner in Scotland, did not join the expedition; but Fletcher of Saltoun, a fugitive for the same cause, Sir Patrick Hume, and Lord Grey, who had escaped from the very gates of the Tower when arrested for the Rye House plot, embarked with Monmouth: It is said that Fletcher, who had far more head and heart than any of his adherents, dissuaded the duke from the enterprise as being desperate and premature, and that the infamous Lord Grey urged him to it. There is a suspicion, amounting almost to a certainty, that James's son-in-law, the Prince of Orange, encouraged underhand the expeditions of Argyle and Monmouth. Insignificant as were the preparations, some rumours of them had reached England; but, when James's ambassador remonstrated, the prince pretended to give no credit to the reports. James then insisted with the Dutch that they should seize all the British rebels who had at any time taken refuge among them: but Fagel in public, and the prince in private, opposed this application, which few independent states would have listened to. He then applied for the British regiments which had been left in the service of the Dutch; but here William contrived to throw difficulties and delays in the way; and, soon after, he offered to go himself into England, with his own guards, to assist his dear father-in-law. James, who probably suspected from the beginning that William was aiming at the power and consequence which would have attended his becoming an umpire in this quarrel, sent him this ambiguous answer,—"that it was more for the king's interest he should remain where he was."*

Six days before Argyle's capture Monmouth and his small band landed at Lyme in Dorsetshire. It was a beautiful day in June, and no enemy was in sight. They landed about nine o'clock in the evening, and Monmouth, as soon as he set foot on shore, fell upon his knees and returned thanks for the dangers they had escaped. Having collected his little band on the sands, he marched into the town and set up his standard in the market-place. Upon being asked what was the object of his expedition, he replied that it was to secure the Protestant religion, and to extirpate popery. Allured by this assurance, and by his agreeable person and manners, people began to flock to him in great numbers, demanding arms and officers. No time was lost in spreading abroad "The Declaration of James Duke of Monmouth, and the noblemen, gentlemen, and commons now in arms for the defence of the Protestant religion and vindication of the laws, rights, and privileges of England from the invasion made upon them, and for delivering the nation from the usurpation and tyranny of James Duke of York." This declaration is attributed to the bitter pen of Ferguson. It set forth that, for many years past, the power of the crown had been applied wholly to the destruction of the people's liberties; that this notorious perversion was mainly owing to the Duke of York, a man of immoderate ambition, who was panting after absolute dominion, and desiring to introduce popish idolatry in order to obtain it; that the constitution itself had given way and sunk under the weight of his oppressive administration; that parliaments had been corrupted; that a bribed parliament had surrendered the command of the militia, while the people had been made to part with the power of electing the sheriffs, and that by these two causes the people had become naked of all defence; that the laws intended for the preservation of Protestantism and the suppression of popery had, through the corruption of judges, been turned against Protestants; that corrupt sheriffs had procured corrupt or slavish juries; that by these and other means, such as placing and displacing judges, proroguing and dissolving parliaments at their will and pleasure, the said Duke of York and the rest of the conspirators had been enabled to prosecute their arbitrary and tyrannical purposes without fear of punishment. Then, descending to particulars, it charged James Duke of York with the burning of London (it was well they did not charge him with the plague); with the shutting up of the Exchequer, whereby the people were defrauded of 1,200,000*l.* and upwards; with the breach of the triple league, whereby Europe had been involved in a bloody and expensive war, and the Protestant interest on the continent almost ruined; with the popish plot, and the murder of Sir Edmondbury Godfrey; with the many forged plots turned against the patriots; with the violent seizing of charters of corporations; with the barbarous murder of Arthur Earl of Essex in the Tower, and of several other persons, to conceal that murder; with the most unjust condemnation of William Lord Russell, and Colonel Algernon Sidney; with the illegal delivery of the popish lords out of the Tower; with the unparalleled execution and murder of Sir Thomas Armstrong without a trial; with the eluding and breaking through the act for calling and holding a parliament once in three years; and, finally, with poisoning the late king Charles II. to prevent the discovery and punishment of the murder of the Earl of Essex, and to make way for the said Duke of York to the throne. In these charges falsehood was mingled with self-evident truths, yet the document was not the less suited to the passions and intellect of an ill-informed people. It went on to declare that the whole series of James's

* Dispatches of D'Avaux and Orleans, as quoted by Dalrymple. It is certain, however, that some of the British troops came over from Holland, though in a disaffected humour, and too late to take any part in the campaign. On the 3rd of July the king, in writing to the Prince of Orange, mentions the arrival of some Scotch troops, which, it appears, had just been landed at Gravesend. They were to march on the 4th to Hounslow, and so forward, according to the movements of the rebels. But the battle of Sedgemoor was fought on the 5th. Under the date of the 31st of July, Lauder of Fountainhall has the following significant entry: "The king having called over the three Scots regiments in Holland to England, to assist him against Monmouth, and they being now on a dry march, many of the common soldiers deserted, and ran away with their officers' clothes, money, and arms, after they had been at the expense of taking them on; therefore the privy council, by an act, discharged any, and especially the commanders of the standing forces in Scotland, to receive or take in any of these runaways and deserters without passes from their commanders, and to keep them prisoners till they be re-delivered to these captains seeking recruits."—*Decisions.*

life had been one continued conspiracy against the people and their religion; that through his means Englishmen had become the scorn and reproach of surrounding nations; that since his intruding into the throne he had made an impudent and bare-faced avowal of the Romish religion in defiance of the laws and statutes of the realm, had arbitrarily seized the customs, had attempted the utter subversion of all law and liberty by packing together, through illegal charters, false returns, and other corrupt means, a company of men which he styled a parliament. (By this last clause the existing parliament was incensed against the invader.) The declaration then called upon all patriots and Protestants to have recourse to arms as the sole means of redress; affirmed that Monmouth and his friends had not rushed on that cruel experiment from any corrupt or private motive, but, as was known to Almighty God the searcher of hearts, out of necessity, for self-preservation and to preserve their country from utter ruin; that for these causes they proclaimed the Duke of York a traitor, a tyrant, a popish usurper, a murderer, and an enemy to all things that are good, and had come to an engagement never to capitulate or treat with the duke, nor separate themselves or lay down their arms till they had restored liberty and the Protestant religion, and secured these rights and privileges:—1. That no Protestant of what persuasion soever should be molested for the exercise of religion. 2. That parliament should be annually chosen and held, and should not be prorogued, dissolved, or discontinued within the year till petitions were answered and grievances redressed. 3. That sheriffs should annually be elected by the county free-holders,—that the Militia Act should be repealed,—and some way found for settling the militia, which should be commanded by the sheriffs; and that no other standing force should ever be allowed without consent of parliament. 4. That the Corporation Act should be repealed, and the corporations restored to their ancient charters and freedoms. All the late *quo warranto* judgments, and all surrenders of charters made by a corrupt and perjured faction, were declared to be null and void in law, and the old charters still good and valid; all honest burgesses and freemen were invited to re-assume the rights and privileges which belonged to them, and were assured that they would now be delivered from those court parasites and instruments of tyranny that had been set up to oppress them; destruction was denounced against all that continued to adhere to the tyrant and usurper, but mercy promised to any of his former tools who should atone for their past misconduct by joining in the present great work of redeeming their country. After all this it was declared, in the name of the Duke of Monmouth, and as by and for himself, that, though it had been, and still was, believed that he had a legitimate right to the three crowns, of which he made no doubt to be able to give the world full satisfaction, notwithstanding the means used by the late king his father, upon popish motives, and at the instigation of the Duke of York, to weaken and obscure it; yet such was the generosity of his own nature, and the love he bore the nation, whose welfare and settlement he infinitely preferred to what merely concerned himself, that he would for the present waive all disputes as to that matter, and leave his rights and pretensions and the settling of the government to the wisdom and justice of a properly elected and free parliament. This revival of a most idle and exploded pretension was calculated to make Monmouth many implacable enemies in Holland as well as in England; but hundreds of the unthinking men that surrounded him at this moment were encouraged and flattered by the belief that Lucy Walters had been the late king's wife, and that the legitimate blood of royalty ran in the veins of Monmouth. The adventurer had flattered himself with hopes of being instantly joined by the Lords Macclesfield, Brandon, Delamere, and other noblemen and gentlemen of Whig principles; but none appeared. Trenchard of Taunton, who was afterwards secretary of state to King William, fled into Holland, instead of going, as he had promised, to Monmouth; and even Wildman, that wild plotter who had escaped with difficulty from the Rye House plot, failed in his appointment. With money the adventurer was wholly unprovided, and his supply of arms was very insufficient. But the yeomanry and peasantry were enthusiastic, and a man of more military genius and superior daring might have done wonders with the first heat of this enthusiasm. One of James's favourites, the French Earl of Feversham, had thrown a detachment of regular troops into Bridport, a town about six miles from Lyme. Monmouth detached about three hundred men to storm that town, which they did with admirable spirit. But the infamous Lord Grey, who was entrusted with the command, deserted his men at the first brush; and, galloping back to Lyme, carried the news of a defeat when his party had actually obtained a victory. Monmouth, astonished, exclaimed to Captain Matthews, "What shall I do with Lord Grey?" Matthews replied like a soldier, "You are the only general in Europe who would ask such a question." Monmouth, however, dared not venture to offend the man of greatest rank and property he had with him; and even after this disgraceful exhibition, he entrusted Grey with the command of his cavalry.* But after thus trusting the worst man with him, he lost his best man by a circumstance over which he had no control. This was Fletcher of Saltoun, who was equally able with the sword and the pen, who was at once a soldier and scholar, an orator and a statesman, with notions far above the low level of the age in which he lived. In the general want of the *matériel* for a campaign, Fletcher wanted a war-horse, and laid claim to one which was mounted by Dare of Taunton, who had escaped from the persecutions of the court in

* Ferguson's account.—Burnet.

1682, and who had now come to join Monmouth with a considerable body of volunteers. A quarrel ensued, and Dare not only used very provoking language, but also made use of his cane; upon which the proud Scot presented his pistol and shot him dead on the spot. Dare's followers went in a body to the duke to demand vengeance; and Monmouth was obliged to dismiss Fletcher and to have him smuggled on board a vessel. The catastrophe was, of course, attended by other bad consequences. Nevertheless, on the 15th of June, four days after his landing, the duke marched from Lyme with a force that had increased to near three thousand men. His progress was watched by several bodies of militia, who had no inclination to engage, and whom he was equally disinclined to attack; conceiving it, as he said, to be his business not to fight, but to march on. He passed through Axminster, and encamped in a good position, between that town and Chard in Somersetshire. On the 16th he was at Chard, and there, it appears, the first proposition was made for proclaiming him king by right of birth. It is said that Ferguson made the proposal, and that Lord Grey, Monmouth's evil genius, seconded it; but that it was easily run down then by those who were against it. From Chard the insurgents, whose leaders were already distracted by conflicting views, proceeded to the pleasant town of Taunton, where the Protestant dissenters were numerous and enthusiastic, and the king and his masses held in abhorrence. Here Monmouth's reception was flattering in the extreme. All classes of the inhabitants welcomed him as a deliverer sent from Heaven: the poor rent the air with their joyful acclamations, the rich opened their houses to him and his followers, and supplied his little army with meat and drink. His path was strewed with flowers,—the windows were crowded with ladies waving their handkerchiefs,—and a lovely deputation, more pleasing to young eyes than aldermen in coats of scarlet, or than judges in their ermines, waited upon the handsome hero. It consisted of twenty-six young maidens of the best families in all Taunton, who presented him, in the name of their townsmen, with colours and emblems wrought by their own fair hands, and with a bible, kneeling as they gave them. The course of his life had been neither very moral nor very devout, but Monmouth kissed the holy book, and said that he had come to defend the truth contained in it, and to seal it with his blood if there was occasion. From thus taking the title of Defender of the Faith, a part of the style-royal, it was but a step to take the title of King, and this, either through his own impatience or the advice of evil counsellors, Monmouth did at Taunton on the 20th of June. At the same time he wrote to the Duke of Albemarle, who had collected the militia to oppose him, intimating that it was his royal will and pleasure that he should desist from all hostility and force against him and all his loving subjects, and repair immediately to his royal camp, where he would not fail of meeting with a very kind reception. The alternative was, of course, treason and its penalties against Albemarle and all in arms under his command. By the same trumpet which carried Monmouth's letter Albemarle sent his answer "For James Scott, late Duke of Monmouth," telling him that James II., brother to his late dear master King Charles, was lawful king; and that, whenever they met, he doubted not the justice of his cause would sufficiently convince Monmouth that he had better have left this rebellion alone, and not have put the nation to so much trouble. On the 21st of June the invader declared Albemarle a rebel, &c.* Several reasons were urged for Monmouth's assuming the title of king,† but there were indisputably many and much more cogent reasons against that vain-glorious assumption. Many of those who followed him, or who favoured him in secret, still worshipped the hereditary rights of kingship; and not a few retained a lingering and desperate affection for republican institutions. These opposite classes were equally dissatisfied. "The Commonwealth-men," says Mr. Fox, "were dissatisfied, of course, with the principle of the measure; the favourers of hereditary right held it in abhorrence, and considered it as a kind of sacrilegious profanation; nor, even among those who considered monarchy in a more rational light, and as a magistracy instituted for the good of the people, could it be at all agreeable that such a magistrate should be elected by the army that had thronged to his standard, or by the particular partiality of a provincial town." Moreover, the partisans of the Prince of Orange, who were already pretty numerous, considered it as an inexcusable infringement of the rights of James's eldest daughter, Mary, Princess of Orange, who, by

* Letters from MSS. in the British Museum, published in Sir Henry Ellis's Collection.

† Ferguson states that it was not from ambition that Monmouth chose, at that juncture, to take the royal style, but that it proceeded from a necessity he conceived himself under in order the better to attain the ends of his declaration; and that he judged it to be giving the enemy too much advantage to leave the Duke of York, *de facto* king, in undisputed possession of his title, &c. "For whatever men's inclinations were towards us, yet, if they were any ways sagacious, they could not but see a vast difference between adhering to the Duke of York, which the Duke of Monmouth without assuming the name of king, could not threaten to punish as a crime, and the promoting his grace's interest, while it was branded with the name and stood liable to the penalties of high treason. Accordingly he had not only messages from great gentlemen, but was told by several non-conforming ministers that came into the camp, that, unless he took the style of king, none who had estates to lose would venture themselves in his quarrel. This I heard often said by many." Mr. Fox reasons that, as the present coldness visible among the Whig nobility might be imputed to the indistinctness of Monmouth's declarations with respect to what was intended to be the future government, it was natural for him to attempt to remove this by fuller explanation. "Men zealous for monarchy might not choose to embark without some certain pledge that their favourite form should be preserved. They would also expect to be satisfied with respect to the person whom their arms, if successful, were to place upon the throne. To promise, therefore, the continuance of a monarchical establishment, and to designate the future monarch, seemed to be necessary for the purpose of acquiring aristocratical support. Whatever might be the intrinsic weight of this argument, it easily made its way with Monmouth in his present situation. The aspiring temper of mind, which is the natural consequence of popular favour and success, produced in him a disposition to listen to any suggestion which tended to his elevation and aggrandisement; and when he could persuade himself upon reasons specious at least that the measure which would most gratify his aspiring desires would be, at the same time, a stroke of the soundest policy, it is not to be wondered at that it was immediately and impatiently adopted."—*History of the Early Part of the Reign of James the Second.*

birth and by Protestantism, stood indisputably next in order of succession; for the story of Monmouth's legitimacy was too gross to impose on any but the vulgar. If this weak and unhappy man got himself called king for the reasons assigned by Ferguson, and fancied by Fox, the effect of that measure must have been a cruel disappointment. The nobility and wealthy gentry still stood aloof. Not a single nobleman repaired to his banner. Yet, still indulging in one of the worst prerogatives of royalty, Monmouth, on the 21st of June, proclaimed all the members of the parliament then sitting as traitors, and issued a declaration about collecting the revenue. Another fatal mistake arose out of his notions about the art of war, in which he considered himself a great proficient. He lost time in drilling his raw levies, not knowing, or not reflecting upon, the fact that a very little drilling is infinitely worse in such cases than none at all; he stopped his men in the ardour of the march to form them in lines and columns, and to teach them tactics and discipline which only puzzled them. The days he thus lost were altogether insufficient for converting mechanics and farmers' men into disciplined troops; but they were sufficient to allow the already disciplined troops of the king to concentrate. On the 22nd of June he advanced from Taunton to Bridgewater, where he was proclaimed a second time, the mayor and burgesses assisting in their formalities. Here he divided his forces into six regiments, and formed two tolerably good troops out of about a thousand horse that followed him. But still none of the grandees either joined him or sent him money and arms, for the want of which he was every day forced to dismiss hundreds or thousands of the populace who crowded to his quarters. It is said that he was more discouraged with the disappointments that befel him on the one hand—that is, in the shyness of the Whig nobility—than he was elated with the successes and plaudits he met with on the other. From Bridgewater he marched to Glastonbury, and thence to Wells, where he was again proclaimed. Here he resolved to cross the Mendip Hills, and to push forward for Bristol, in the hope of taking that important city by a *coup de main*, if not without any opposition. He halted at Shipton Mallet, and communicated his project to his officers, who, after some discussion, agreed that the attack should be made on the Gloucestershire side of Bristol, and, with that view, that the river Avon should be passed at Cainsham, or Keynsham bridge, a few miles from Bath. On their march from Shipton Mallet the stragglers in the rear were harassed by a party of horse and dragoons, who, however, cautiously and even timidly avoided any serious engagement. At night the Monmouthites lodged quietly at the village of Pensford. On the following morning, before sunrise, a detachment was thrown forward to secure Keynsham bridge, and, upon their approach, a troop of the Gloucestershire militia fled with precipitation, leaving two horses and one man behind them. The bridge had been broken to prevent the passage, but it was soon repaired, and before noon Monmouth and his army crossed the Avon, and were in full march to Bristol, which he determined to attack the ensuing night; but, presently, he called a halt. According to some accounts he was deterred by learning that the Duke of Beaufort had declared to the citizens of Bristol that he would set fire to their town if they attempted an insurrection; according to others, heavy rains, and the hopes of lulling the enemy, by a retrograde movement, into a false security, determined the retreat. Some of the active partisans said the finger of God was in it,—that their consultations were overruled to their own ruin;—for this was the top of their prosperity, and yet all the while not a nobleman or gentleman more had come to their assistance. They fell back into Keynsham, where their quarters were beat up by two strong detachments of horse, who entered the town unawares from two opposite quarters. Monmouth lost fourteen men and a captain of horse; but the royalists were obliged to retire, leaving three or four prisoners. That evening it was resolved to abandon the enterprise upon Bristol, and to make for Wiltshire, where Monmouth expected to be joined by such numbers as would enable him confidently to offer battle to the royal army. Passing by Bath they summoned that place, but the people not only refused but treated the herald with great barbarity. Monmouth then wheeled about for Philips Norton, hoping to strengthen himself by deserters from the several bodies of county militia that hovered round him under the commands of the Dukes of Albemarle, Somerset, and Beaufort, lords-lieutenants of the western counties. At Philips Norton the insurgent horse, consisting of men of rather better condition, were quartered inside the town, and the foot in the fields outside. On the preceding day (the 25th of June) there had been a considerable rising in Frome, headed by a bold constable, who posted up Monmouth's declaration in the market-place; and many people flocked in from the neighbouring towns of Westbury and Warminster, most of them armed with no better weapons than scythes, ploughshares, and pitchforks. But the Earl of Pembroke, entering the town with a hundred and sixty horse and forty musketeers, completely dispersed this rabble rout, and threw a damp upon the spirits of the peasantry. By this time, however, the chill had reached the never over-confident heart of Monmouth himself, and at Philips Norton he began bitterly to complain of broken promises and a want of resolution. Though now upon the confines of Wiltshire, none of those bodies of horse upon whose junction he had calculated made their appearance, and some of those already with him began to desert. On the morning of the 27th he was roused by a brisk attack of the royalists, led on by his half-brother the young Duke of Grafton, another of the late king's illegitimate sons. The engagement ended in the retreat of Grafton, who lost forty men, and who was nearly taken prisoner

himself; but Monmouth, on the other side, lost several of his best officers. Feversham, who had moved from Bath, now drew up on an eminence about a mile from Philips Norton with nearly the whole of his forces and a small train of artillery. Monmouth, who had only four field-pieces, put them in position and opened a fire which was returned by Feversham with the same arm. Neither horse nor foot charged; and the artillery kept at such long shot, and fired so badly, that, though the cannonading continued nearly six hours, Monmouth only lost one man, and Feversham not one. The rain again fell in torrents; and the royalists, having, besides, an aversion to engaging among hedge-rows and inclosed fields, beat a retreat, after the least bloody battle that was ever fought by Englishmen. Monmouth, instead of harassing their rear, lit a large fire, and then, under cover of night, marched away to Frome, where he quartered his troops for two whole days. Here he first heard certain news of the ruin of Argyle, which had the effect of sinking his spirits even lower than they had been at Philips Norton. Other men, as despondent as himself, now proposed that he and his officers should leave the army to shift for itself, and fly back to the continent. Monmouth certainly entertained this pusillanimous and dishonourable project; but, when submitted to his council of officers, it was condemned by all except one, and was particularly inveighed against by the recreant Lord Grey. Wavering and uncertain, Monmouth then proposed proceeding to Warminster; but, deterred by the near presence of the king's troops, and flattered by an assurance that there was a great force of club-men in the marshes to the westward ready to join him, he gave up his march upon Warminster, and returned to Shipton Mallet. On the 1st of July he entered Wells, and took some carriages belonging to the royal army: on the 2nd he marched towards Bridgewater in search of the club-men, and found, instead of 10,000, only 160. On the 3rd of July he entered Bridgewater, whence many of his followers went to Taunton, and other places in the neighbourhood, to see their friends. It is said that almost all of these returned according to their promise; but a day or a day and a half had been lost, and apparently no fixed plan of operations was adopted, when, on the morning of the 5th, accounts were received of the close approach of Feversham, who had been considerably reinforced. Monmouth then thought of retreating, and of getting, by forced marches, into the counties of Chester and Shropshire. In this intention orders were given and preparations made; but on the same afternoon he learned—what he had not known before—the true situation of the royal army, which lay encamped upon Sedgemoor, apparently with little order. A council was then called, and a night attack suggested, provided only there were no entrenchments round the camp. Scouts and some country people reported that there was no appearance of entrenchments on Sedgemoor, and the nocturnal attack was settled. The troops were summoned to the rendezvous in the castle-field at Bridgewater, and by eleven at night they were formed and put upon the march without beat of drum, having received express orders not to fire a musket till they were within the enemy's lines. The command of the horse was still entrusted to Grey. Captain Matthews remonstrated, and reminded Monmouth of that nobleman's misconduct in the affair of Bridport; but Monmouth replied, "I will not affront my Lord Grey, and what I have given him in charge is easy to be executed." Grey rode on at the head of the cavalry boldly enough until he came to a ditch; for though there were no entrenchments, there was a broad ditch, which served as a drain to the moor, and of which no mention had been made by the unskilful men who had surveyed the ground. The attacking cavalry were brought to a halt, the slumbering royalists were in part roused by the noise, a loose fire was opened across the ditch, and Grey in a very short time turned his back. Monmouth threw forward the vanguard of the foot commanded by Colonel Wade; but, instead of reserving their fire until they had crossed the ditch, the men began to fire long shots, loosely and blindly, for the night was dark: this allowed Feversham time to mount his horse and to advance his foot and artillery to the inner edge of the ditch. Day soon began to dawn, and the royal artillery did dreadful execution upon Monmouth's foot; while his horse still kept out of the reach of the guns, and could never be brought up to charge the artillerymen, though a passage by which they might have easily made their way had been discovered lower down the ditch. The royalists, both horse and foot, sallied from their position on Sedgemoor, and, crossing the ditch, fell upon the insurgents flank and rear. These victims were for the most part armed with rustic implements, and those who had guns had soon no powder, for the drivers drove away the ammunition waggons after the cavalry. Notwithstanding all these disadvantages the poor peasants fought most bravely with the butt ends of their muskets or with their scythes and forks; and they continued to fight long after Monmouth had abandoned the field. The story is variously told, but in no instance very favourably to the valour of Monmouth, who seems to have been all along haunted by a dread of being taken prisoner. According to the more generally received account, Grey rode up to him at the height of the action, when nothing was decided, and told him that all was lost—that it was more than time to think of shifting for himself. And nearly all accounts agree in stating that Monmouth rode off the field with Grey and a few other officers, leaving the poor enthusiasts, without order or instructions, to be massacred by a pitiless enemy. Fifteen hundred were killed and five hundred made prisoners; but the loss of the royalists was also very considerable.* "Now," says Barillon, the attentive re-

* Fox.—Dalrymple.—Ralph.—Echard.

porter of these events, "*all the zealous Protestants will put their hope in the Prince of Orange.*" Meanwhile Monmouth fled for Wales; but, ever undecided, he listened to Lord Grey, and changed his course for the New Forest, in Hampshire. On the evening of the 7th, the second day after the battle of Sedgemoor, Grey, disguised as a peasant, was taken, and on the following morning a Brandenburgh officer in the same disguise was also captured. This foreigner confessed that he had parted from Monmouth only a few hours before. The neighbouring country was thoroughly searched, and before night the Duke of Monmouth, in the same lowly disguise as his two last companions, was found in a ditch half buried under fern and nettles. He had wandered far on foot, and, to appease the cravings of hunger, had gathered some pease in the fields. If this showed the hard condition to which he had been reduced, there were other things found upon him which seemed to prove his weak and frivolous character. These were papers and books. One of the books was a manuscript of spells, charms, and conjurations, songs, receipts, prescriptions, and prayers, all written with his own hand. Two others were manuscripts about fortifications and the military art, and a fourth consisted of computations of the yearly expense of his majesty's navy and land forces. Utterly prostrated in body and in mind, he wrote an imploring letter to the unforgiving king.* After staying two days at Ringwood, Monmouth and Grey were escorted to London, where they arrived on the 13th of July. Besides writing to James, Monmouth from Ringwood had addressed the queen-dowager, the widow of Charles II., imploring her, as the only person that might, to have some compassion for him, and, "for the last king's sake," to intercede for him, assuring her majesty he would not write this if he were not convinced, from the bottom of his heart, how much he had been deceived, and how angry God Almighty was with him.* And it is said that Catherine of Braganza, who had always treated him with kindness, earnestly pressed James to admit his nephew to an audience, in the confident hope that the meeting would lead to at least such a pardon as should save his life. It is, however, consonant with James's character, and it is the opinion entertained by many, that he required no pressing to grant this interview, being sufficiently urged thereto by his dark suspicions and his anxiety to know that *one word* which his captive said he had to impart. On the very day of their arrival in the capital both Monmouth and Grey were carried to Whitehall, and introduced, not both together, but separately, to the king, in the apartment of Chiffinch, the minister of Monmouth's father's pleasures and debaucheries. James was attended by no one except Sunderland and Middleton, the two secretaries of state; and the precise particulars of what passed can never be ascertained. The arms of the prisoners were pinioned; and if we may believe the memoirs drawn up from James's own notes, Monmouth abjectly crawled upon his knees to embrace those of his majesty. On the day after the interview the king, who had punctually informed the Prince of Orange of Monmouth's proceedings, from his landing down to his defeat at Sedgemoor, sent William a very laconic account of what had passed at Whitehall. "The two," said he, "first desired very earnestly to speak with me, as having things of importance to say to me, which they did, but did not answer my expectations in what they said to me: the Duke of Monmouth seemed more concerned and desirous to live, and did behave himself not so well as I expected from one who had taken upon him to be king. I have signed the warrant for his execution to-morrow. For Lord Grey, he appeared more resolute and ingenuous, and never so much as once asked for his life: his execution cannot be so soon, by reason of some forms which are requisite to be complied with." Another account, which has been more generally followed—not because its truth is more susceptible of proof, but because it is more striking and dramatic—is that of Bishop Kennet. "This unhappy captive," says the bishop, "by the intercession of the queen-dowager, was brought to the king's presence, and fell presently at his feet, and confessed he deserved to die; but conjured him, with tears in his eyes, not to use him with the severity of justice, and to grant him a life, which he would be ever ready to sacrifice in his service. He mentioned to him the example of several great princes, who had yielded to the impressions of clemency on the like occasions, and who had never afterwards repented of those acts of generosity and mercy; concluding in a most pathetic manner, Remember, sir, I am your brother's son, and if you take my life, it is your own blood that you will shed. The king asked him several questions, and made him sign a declaration that his father told

* "Sir,—Your majesty may think it the misfortune I now lie under makes me make this application to you; but I do assure your majesty, it is the remorse I now have in me of the wrong I have done you in several things, and now in taking up arms against you. For my taking up arms, it was never in my thoughts since the king died. The Prince and Princess of Orange will be witness for me of the assurance I gave them, that I would never stir against you. But my misfortune was such, as to meet with some horrid people, that made believe things of your majesty, and gave me so many false arguments, that I was fully led away to believe that it was a shame and a sin before God not to do it. But, Sir, I will not trouble your majesty at present with many things I could say for myself, that I am sure would move your compassion; the chief end of this letter being only to beg of you, that I may have that happiness as to speak to your majesty; for *I have that to say to you*, Sir, that I hope may give you a long and a happy reign.

I am sure, Sir, when you hear me, you will be convinced of the zeal I have of your preservation, and how heartily I repent of what I have done. I can say no more to your majesty now, being this letter must be seen by those that keep me. Therefore, Sir, I shall make an end, in begging of your majesty to believe so well of me, that I would rather die a thousand deaths than excuse anything I have done, if I really did not think myself the most in the wrong that ever a man was, and had not from the bottom of my heart an abhorrence for those that put me upon it, and for the action itself. I hope, Sir, God Almighty will strike your heart with mercy and compassion for me, as he has done mine with abhorrence of what I have done: wherefore, Sir, I hope I may live to show you how zealous I shall ever be for your service; and could I but say *one word* in this letter, you would be convinced of it; *but it is of that consequence that I dare not do it.* Therefore, Sir, I do beg of you once more to let me speak to you; for then you will be convinced how much I shall ever be .

Your majesty's most humble and dutiful

MONMOUTH.

* Sir Henry Ellis's Collection.

him that he was never married to his mother; and then said, he was sorry, indeed, for his misfortunes, but his crime was of too great a consequence to be left unpunished, and he must of necessity suffer for it. The queen is said to have insulted him in a very arrogant and unmerciful manner. So that when the duke saw there was nothing designed by this interview but to satisfy the queen's revenge, he rose up from his majesty's feet with a new air of bravery, and was carried back to the Tower."* Mr. Fox rejects as improbable this account of the barbarous behaviour of the queen, and of James's extracting from Monmouth the declaration of his illegitimacy. Though Mary of Este was a miserable fanatic, we have no right to suppose her capable of the gratuitous inhumanity with which she is here charged; but, notwithstanding the public declaration which Charles II. made before his council in 1679—that he was never married to Monmouth's mother—we can conceive that James might deem it expedient to force such a confession from the lips of the young man himself, who had so recently assumed the title of hereditary king, and proclaimed his uncle an usurper and murderer. Speculation has wearied itself in surmises as to the *one word* which was to procure pardon; but it seems to be a rational belief (positive proof is out of the question) that Monmouth had either no important disclosure to make, or had too much honour left to betray his friends for the merest *chance* of life. A writer who was generally well informed of what was passing in court says distinctly that he named nobody but the Earl of Argyle and Ferguson, about whom James required no information.†

From the presence of the hard-hearted king Monmouth was conveyed to the Tower. On his way he implored Lord Dartmouth, who escorted him, to intercede for his life; but that nobleman answered that he had put himself out of the reach of mercy by assuming the royal title.‡ The bill of attainder, which had been hurried through parliament on his first landing, was held to supersede the necessity of any kind of trial, and his execution was fixed for the next day but one. This time was too short even for the worldly business he wished to settle; and on the morrow (the 14th of July) he wrote another imploring letter to the king, desiring some short respite.§ This favour was sternly denied by James. We come again to clashing and contradictory accounts; for those who best knew the exact circumstances disagree in their accounts of Monmouth's last moments in the Tower. According to James's statement in his Memoirs he refused to see his wife, the great heiress of Buccleugh; while, according to Burnet and others, she positively refused to see him, unless in presence of witnesses, who might hear all that passed, and justify her and preserve her family. Burnet says that they met and parted very coldly; Monmouth merely recommending to her the bringing up of their children in the Protestant religion. Bishop Kennet says that he was told by Dr. Tennison that he (Tennison) advised him to be better reconciled to the duchess; and that he excused himself, saying, that his heart was turned against her, because in his affliction she had gone to plays and into public companies. Dalrymple states that he wrote a third letter to the king, in which he warned his majesty against his intriguing minister Sunderland; and that Colonel Blood, or that bravo's son, who then held an office in the Tower, got possession of the letter before it could be carried to the king, and carried it to Sunderland, who destroyed it. Burnet and several others agree in stating that the wretched captive believed, on the authority of a fortune-teller, that if he outlived the 15th he was destined for great things. For the sake of his children, who had been clapped up in the Tower,* he signed a paper renouncing his pretensions by birth to the crown. As long as he fancied there was any hope of life he was weak and unsettled; but when he was convinced of his inevitable doom, he, according to every account, collected his energies to die like a man.† He passed the night of the 14th with Turner, bishop of Ely, and Ken, bishop of Bath and Wells, who at an early hour on the morning of the fatal 15th were joined by Dr. Hooper and Dr. Tennison. The two bishops teazed and tormented him rather than comforted him; nor does it appear that the two doctors were much more considerate of the feelings of a dying man, or more sensible of the monstrosity of the politico-religious dogmas which the Church in an evil hour had taken to her bosom. "Certain it is," says Mr. Fox, "that none of these holy men seem to have erred on the side of compassion or complaisance to their illustrious penitent. Besides endeavouring to convince him of the guilt of his connexion with his beloved Lady Harriet, of which he could never be brought to a due sense, they seem to have repeatedly teazed him with controversy, and to have been far more solicitous to make him profess what they deemed the true creed of the church of England, than to soften or console his sorrows, or to help him to that composure of mind so necessary for his situation. He declared himself to be a member of their church, but they denied that he could be so, unless he thoroughly believed the doctrine of passive obedience and non-resistance. He repented generally of his sins, and especially of his late enterprise, but they insisted that he must repent of it in the way they prescribed to him; that he must own it

* Hist. † Sir John Reresby's Memoirs.

‡ Note of Lord Dartmouth's son in Burnet.

§ According to a manuscript of Dr. Lloyd, bishop of St. Asaph, quoted by Echard, "the duke made another experiment on the king by letter, representing *how useful he might and would be, if his majesty would be pleased to grant him his life*; and beseeching, in case that was refused, that he might be allowed a little longer time, and to have another divine to assist him—Dr. Tennison, or whom else his majesty should appoint: and his majesty, by way of answer, sent him Bishop Ken, with notice that he must die the next day."

* Barillon, in a letter to Louis XIV., dated the 23rd of July, *new style*, says, "His children are in the Tower. The duchess would follow them there. It is believed that they will not get out for a long time, on account of the title of king which their father has taken."

† According to Bishop Kennet, Monmouth spoke with great indignation of Shaftesbury and of Ferguson, calling the first a tricking man, and the second a bloody villain.

to have been a wicked resistance to his lawful king, and a detestable act of rebellion."

At ten o'clock on the morning of the 15th Monmouth was put into the carriage of the lieutenant of the Tower, and doubly and trebly surrounded with guards, for fear the despair of his friends, or the compassion of the populace, should have prompted an attempt at rescue. The two bishops went in the carriage with him, and one of them told him that their controversy was not yet at an end, and that upon the scaffold he would be expected to make some more satisfactory declarations. They soon arrived at the destined spot on Tower Hill, which was surrounded by bars and strong palings to keep off the multitude. All the avenues leading to Tower Hill were filled with soldiers; and all the open space, the windows, and the house-tops were crowded with spectators. He descended from the coach and mounted the scaffold with a firm step. The bishops followed him. A loud murmur of sighs and groans went round the assembled multitude, and by degrees sank into an almost breathless silence. He saluted the people, and said that he should speak little; that he came to die, and should die a Protestant of the church of England. Here he was interrupted by one of the bishops, who told him that, if he was of the church of England and true to his profession, he must acknowledge the doctrine of non-resistance to be true: and when they could not prevail upon him to adopt this political article of divinity, they, both of them, baited him with arguments and remonstrances, which, however, had no effect. To silence them on this point, and to defend the reputation of the lady he loved, Monmouth spoke of Lady Harriet Wentworth, calling her a woman of virtue and honour; and insisting that their connexion was innocent and honest in the sight of God. Here Gosling, one of the sheriffs, who did not reflect upon the domestic arrangements, not merely of the late, but of the present king, whose mistresses were probably among the spectators, rudely interrupted the duke, by asking if he had ever been married to the Lady Harriet. Monmouth was silent; and then this Gosling said, "I hoped to have heard of your repentance for the treason and bloodshed which had been committed." The victim mildly replied, "I die very penitent." But the bishops again called upon him for particular acknowledgment and confession. He referred them to a paper he had signed in the Tower.* The bishops told him that there was nothing in that paper about resistance, and inhumanly and indecently pressed him to own that doctrine. Worn out by their importunities, he said to one of them, "I am come to die.—Pray, my lord!—I refer to my paper." But their zeal would not be silenced even by this touching appeal, which the victim was heard to repeat from time to time as they persevered in their inquisitorial office. They were particularly anxious that he should call his late invasion rebellion; and at last he said aloud, "Call it by what name you please; I am sorry for invading the kingdom; I am sorry for the blood that has been shed, and for the souls which have been lost by my means. I am sorry it ever happened." These words were echoed to the people by Vandeput, the other sheriff, and then the divines plied him with fresh exhortations to atone for the mischief he had done by avowing their great principle of faith and government. Monmouth again regretted whatever had been done amiss, adding, "I never was a man that delighted in blood. I was as cautious in that as any man was. The Almighty knows I die with all the joyfulness in the world" And here, if the bishops had had any bowels, they would have left their victim to the merciful axe. But, instead of so doing, they expressed a doubt whether his repentance were true and valid repentance or not. "If," said Monmouth, "I had not true repentance, I should not so easily have been without the fear of dying. I shall die like a lamb." "Much," rejoined his persecutors, "may come from natural courage." "No," replied Monmouth, "I do not attribute it to my own nature; for I am as fearful as other men are: but I have now no fear, as you may see by my face. There is something within which does it; for I am sure I shall go to God." "My Lord," said they, "be sure upon good grounds! Do you repent of all your sins, known or unknown, confessed or not confessed,—of all the sins which might proceed from error of judgment?" He replied that he repented in general for all, and with all his soul. "Then," said the bishops, "may Almighty God of his infinite mercy forgive you! But here are great numbers of spectators—here are the sheriffs who represent the great city, and in speaking to them you speak to the whole city: make some satisfaction by owning your crime before them." Monmouth was silent. Then the churchmen fell to prayers, in which he joined with fervour and devotion. They repeated twice over the versicle in the Liturgy, "O Lord, save the king;" to which, after some pause, he said "Amen." Monmouth then began to undress himself, refusing to have a cap over his eyes. Even during this last sad ceremony the bishops molested him anew. "My lord," said they, "you have been bred a soldier; you will do a generou Christian thing if you please to go to the rail, and speak to the soldiers, and say, that here you stand a sad example of rebellion; and entreat them and the people to be loyal and obedient to the king." At this the dying man waxed warm, and he said in a hasty tone, "I have told you I will make no speeches—I will make no speeches—I come to die." But even this was not enough to silence the bishops, who renewed their attack by saying that the speech need not be a long one—that ten words

* It was in the following words:—"I declare, that the title of king was forced upon me, and, that it was very much contrary to my opinion, when I was proclaimed. For the satisfaction of the world, I do declare, that the late king told me he was never married to my mother. Having declared this, I hope the king who is now will not let my children suffer on this account. And to this I put my hand this 15th day of July, 1685.

"Monmouth."

would be enough. Monmouth turned away, gave a token to a servant for Lady Harriet, and spoke with the executioner. As was usual, he gave the headsman some money, and he then begged him to have a care not to treat him so awkwardly as he had done my Lord Russell. He felt the edge of the axe, and said he feared it was not sharp enough, but, being assured that it was of proper sharpness and weight, he laid his neck across the block, the divines bestowing their parting ejaculation, and praying God to accept his *imperfect and general* repentance. The headsman, who might be discomposed by the very warning which the duke had given, and who probably entertained the prevalent notion of the sanctity of royal blood, fell into a fit of trembling, and struck so faint a blow, that the victim, but slightly wounded, lifted up his head and looked him in the face. Two other blows were almost equally ineffectual; and then the man threw down his axe in horror, crying out, "I cannot finish this work." But, being brought to himself by the threats of the sheriffs, he took up the axe again, and, with two other strokes, separated the head from the body. And thus perished, in the thirty-sixth year of his age, James Duke of Monmouth. "He died," says Barillon, "with sufficient firmness, as Englishmen generally do. . . . . The people of London showed great dejection and grief at his death. The court industriously circulates whatever can injure his memory in the mind of the church of England Protestants, by comparing his discourses to those of the fanatics, and in the mind of the people by taxing him with cowardice, and with having retired too soon from the battle of Sedgemoor. . . There are some people here who believe that Monmouth said something to the king against the Prince of Orange; but I have not been able to penetrate this matter, and, from all that I can learn, Monmouth said nothing very important. He had made up his mind to do what he could to save his life, but as soon as he had spoken with the king he had no longer any kind of hope, and he afterwards showed a deal of firmness and resolution."

It was expected by most men that the execution of Lord Grey would closely follow that of Monmouth; but Grey was respited for his natural life. As this was so marked an exception to James's general rule, various reasons have been assigned for it. It is said, for example, that he had been *given*, as the phrase then went, to my Lord Rochester, one of the brothers of James's first wife, and that it was found his estate was so entailed, that no forfeiture for treason could prevent its descending to Grey's brother; and that therefore his life was spared, that the grantee Rochester might have the benefit of it.* That caitiff, moreover, obeyed the command of James, and wrote in the Tower "a Secret History," or "a Confession," in which he made disclosures, which, under the circumstances, are not entitled to the slightest credit, respecting the Rye House plot, &c. The German officer who had been taken after Grey, and who had contributed to the taking of Monmouth, was let go. Of the rest who had accompanied the hapless expedition from Holland, some made their escape out of the country, and some remained to fall among the hecatombs offered up by Jeffreys, to glut the vengeance of an unforgiving court, who made no distinction between artifice and credulity, between ambition and delusion.

The French Lord Feversham immediately after the battle of Sedgemoor had hanged up without any trial twenty of his prisoners; and Colonel Kirk, upon entering Bridgewater and Taunton, had executed some nineteen in the same manner. This Kirk had served for a long time at Tangiers, and, according to Burnet, had become "savage by the neighbourhood of the Moors there." His regiment carried the standard they had borne in the war against the infidels, which had upon it the figure of a lamb—the emblem of Christian meekness; and hence, in sad irony, the people of Somersetshire called his plundering and butchering soldiers "Kirk's lambs." Poetry and tradition have both exaggerated and invented facts, yet the authenticated horrors committed by these lambs and their leader were enormous.* The chief service in which they were engaged was to search for rebels, as well those that favoured and assisted the combatants at Sedgemoor, as those who had fought there. Their search was directed by mercenary spies, and by personal enmities; for any man in the west that wished to ruin another had but to denounce him to Kirk as a partisan of Monmouth, and the lambs did the rest. Feversham was called up to court to receive thanks and honours, no attention being paid to the remonstrance of Bishop Ken, who told his lordship that, the battle being over, he ought to have tried his prisoners before putting them to death. Kirk had, therefore, the field to himself. His love of money, however, somewhat balanced and controlled his love of blood; and, following the example of ministers and magistrates, he sold pardons to many prisoners who were rich enough to buy them at a high price. His summary executions and all his illegal proceedings were notorious in London, and excited disgust and comment; yet the king, through Lord Sunderland, informed Kirk that he was "very well satisfied with his proceedings;"† and, subsequently, this officer declared that his severities fell short of the orders which he had received. On the 10th of August Kirk was summoned to court to give particular information on the state of the west; but the system of terror was not

* Bishop Burnet says, "He had a great estate that by his death was to go over to his brother: so the court resolved to preserve him, till he should be brought to compound for his life. The Earl of Rochester had 16,000*l.* of him: others had smaller shares. He was likewise obliged to tell all he knew, and to be a witness in order to the conviction of others, but with this assurance, that nobody should die upon his evidence."

* Among the inventions, the story forming the subject of Pomfret's well-known poem of "Cruelty and Lust," which first appeared in print in 1699, is now universally classed, though the popular tradition still prevails at Taunton.

† In other dispatches Sunderland censured Kirk for setting some rebels at liberty (alluding perhaps to those who had purchased their lives), but he never censured him for having put others to death.

changed, and Colonel Trelawney, who succeeded him, illegally executed at Taunton, on the 1st of September, three persons for rebellion, and pillage and martial law continued to be exercised without compunction either in the government or in its savage instruments. Some allowance might be made for the passions, and habits, and ignorance of the soldiery; but it was soon found that lawyers like Jeffreys could commit far greater atrocities than the military.

Four other judges—Montague, the chief baron, Levinz, Watkins, and Wright—were joined in commission with the lord chief justice, who had recently been raised to the peerage under the title of Baron Jeffreys of Wem.* An order was issued in the king's name and authority to all officers in the west, "to furnish such parties of horse and foot as might be required by the lord chief justice on his circuit, for securing prisoners, and to perform that service in such manner as he should direct."† From thus having troops at his command, it was said that the lord chief justice had been made a lieutenant-general; and, from the whole character of the circuit, it was nick-named "Jeffreys's campaign"—a name which the king himself had the folly and brutality to give it in writing to the Prince of Orange.‡ The suffering people in the west still more correctly called the circuit "the bloody assize." Jeffreys (the other judges were mere ciphers) took the field on the 27th of August, at Winchester, where his whole fury was directed against an aged and infirm woman. This was Mrs. Alicia Lisle, widow of Mr. Lisle, one of the Commonwealth judges of Charles I., whose murder in Switzerland by royalist assassins has been recorded.§ She was charged with having given shelter in her house, for one night, to Hickes and Nelthorpe, two fugitives from Sedgemoor—"an office of humanity," says Sir James Mackintosh, "which then was and still is treated as high treason by the law of England." She had no council to assist her; she was so deaf that she could very imperfectly hear the evidence, and so lethargic from advanced age as frequently to slumber at the bar where the remnant of her life was called for. A poor peasant who had guided the fugitives to her house was the principal and unwilling witness against her. Jeffreys and three counsel bullied and terrified the confused rustic. "It is infinite mercy," roared the lord chief justice, "that for those falsehoods of thine, God does not immediately strike thee into hell." The poor fellow at last admitted some facts which afforded reason to suspect, though they did not prove, that Mrs. Lisle knew that the sufferers to whom she had extended her charity and hospitality were fugitives from Monmouth's army. The unfortunate lady said in her defence that she knew Mr. Hickes to be a Presbyterian minister, and that she thought he was flying from the warrants that were out against him and all non-conformist ministers on account of their profession. Jeffreys declared that all Presbyterians had had a hand in the rebellion. The jury hesitated, and asked the chief justice whether it were as much treason to receive Hickes before as after conviction? He told them that it was; and this, it appears, is literally true in law; but he wilfully concealed from the ill-informed jury that, by the law, such as it was, the receiver of a traitor could not be brought to trial till the principal traitor had been convicted or outlawed.* The four scoundrels in ermine, who sat by Jeffreys's side, said not a word about this designed suppression of the truth. The jury retired, and remained so long deliberating upon their verdict as to provoke the wrath of the chief justice. When they returned into court they expressed a doubt whether the prisoner really knew that Hickes had been in Monmouth's army. The chief justice assured them that their doubt was unfounded and the proof complete. They retired again, and again returned into court with the doubt on their lips and with human feelings in their hearts. Jeffreys again sent them out in a fury; and a third time they returned still unsatisfied. At this critical moment the defenceless prisoner made an effort to speak; but she was instantly silenced by Jeffreys, who at last bullied and overawed the jury into a verdict of guilty. "Gentlemen," exclaimed this bravo in law, "had I been among you on the jury, and had she been my own mother, I should have found her guilty." In pronouncing sentence on the following morning he let loose all his virulence and invective against the Presbyterians, to which sect he supposed Mrs. Lisle belonged; yet, mixing artifice with his fury, he tried by ambiguous phrases to lure her into discoveries. His atrocious sentence was, that, according to the old law relating to female traitors, she should be burnt alive on the afternoon of that very day. The clergy of the cathedral of Winchester had the rare merit of interfering with this monster's decree; and they succeeded in obtaining a respite for three days. During this interval powerful and touching applications were made to the king: the aged victim was obnoxious on account of her husband, who had been sent to a bloody grave twenty-one years ago; but testimony was borne to her own loyalty or exceeding humanity: the Lady St. John and

* He was sarcastically called Earl of *Flint*.—See *Granger, and Sir Harris Nicholas's Synopsis of the Peerage*

† Papers in the War Office, as quoted by Sir James Mackintosh, *Edin. Rev.* The order was dated on the 24th of August, 1685.

‡ James gave it this name to the prince more than once. On the 10th of September he says, "I have now but little news to tell you, all things being very quiet at present here, though the Presbyterian and republican party are still very busy, and have as much mind to rebel again as ever. Lord chief justice *is making his campaign in the west*, and when the parliament meets, some of the peers which are in custody will be tried." Again, on the 24th of September, after telling the prince that he had been "a fox-hunting on Tuesday last," and "was this day at the same sport, the weather being now very proper for it and stag hunting over," James says, "As for news, there is little stirring, but that *lord chief justice has almost done his campaign; he has already condemned several hundreds, some of which are already executed, more are to be, and the others sent to the plantations*."—*Dalrymple. Appendix.*

§ See ante, p. 690.

* "A provision," says Sir James Mackintosh, "indeed so manifestly necessary to justice, that, without the observance of it, Hickes might have been acquitted of treason after Mrs. Lisle had been executed for harbouring him as a traitor."

the Lady Abergavenny testified "that she had been a favourer of the king's friends in their greatest extremities during the late civil war," among others, of these ladies themselves; and upon these grounds, as well as for her general behaviour, they earnestly recommended her to pardon. Her son, so far from taking arms for Monmouth, had served in the royal army against that invader; she herself had often declared that she shed more tears than any woman in England on the day of Charles I.'s execution; and it was a fact notorious to all that, after the Restoration and the attainder of Mr. Lisle, his estate had been granted to her at the intercession of Chancellor Clarendon, for her excellent conduct during the prevalence of her husband's party. As it was perfectly well known to the friends of the aged victim that money was more powerful at court than mercy, a thousand pounds were promised to Lord Feversham for a pardon; but the king declared to this favourite that he would not reprieve her for one day. A petition was then presented from Mrs. Lisle herself, praying that, in consideration of her ancient and honourable descent, she might be beheaded instead of being burned alive. A careful search was made for precedents, and the utmost extent of the royal mercy was to sign a warrant for the beheading, which was performed at Winchester on the 2nd of September, the venerable matron laying her head on the block as serenely as if it had been her pillow; and praying with her last breath for the preservation of the Protestant religion and of the cold-blooded tyrant then on the throne

Hickes, the Presbyterian preacher, who had been the cause of these atrocities, but whose name was not in any proclamation when Mrs. Lisle received him into her house, and Nelthorpe, whom she did not know, and who had been involved in the Rye House plot, were executed afterwards in different places.

From Winchester, with a train of guards and prisoners at his heels, Jeffreys proceeded on to Salisbury, and thence (having increased his train) he went to Dorchester, and there hoisted his bloody flag.† The fierce nature of the chief justice was made fiercer by an agonising disorder, which was probably brought on and increased by excess of drinking. In writing to Sunderland from Dorchester on the 16th of September, he says, "I this day began with the rebels and have dispatched ninety-eight; but am at this time so tortured with the stone, that I must beg your lordship's intercession to his majesty for the incoherency of what I have adventured to give his majesty the trouble of."* But if honours and promotions could have soothed the pangs of disease, Jeffreys was not without those lenitives. On the 5th of September Lord Keeper North departed from life and office together; and three days after —that is, between the execution of Mrs. Lisle at Winchester and his arrival at Dorchester—he was raised by his applauding and grateful sovereign to be lord chancellor. At Dorchester this chancellor and chief justice, to save time, began to declare that if any of the prisoners would repent and plead guilty, they should find him a merciful judge; but that those who put themselves upon their trials should, if found guilty, be led to immediate execution. And the matter was afterwards managed in this way: two officers were sent together to the accused with the alternative of mercy or certain death; and, as many were induced to accept the profered mercy, these officers were employed as witnesses of their confession in case of their retracting—and at times without any retracting, but merely to satisfy the thirst for blood.†

> "He bid 'em to confess, if e'er they hope
> To be reprieved from the fatal rope:
> This seemed a favour, but he'd none forgive;
> The favour was, a day or two to live:
> Which those had not that troubled him with trial,—
> His business blood, and would have no denial.
> Two hundred he could sentence in an hour, &c."

Those who had accepted the terms offered were not afterwards permitted to plead. Any evidence was held to be sufficient; and to a constable of Chardstock, who objected to the witnesses—a prostitute and a papist—Jeffreys exclaimed, "Villain! rebel! methinks I see thee already with a halter about thy neck;" and the prisoner was soon hanged. The judge had declared, in his facetious manner, that if any lawyer or parson came in his way they should not escape him; and accordingly Matthew Brag, an attorney, was executed without reprieve. In all, eighty persons were hanged at Dorchester in the course of a very few days: the remainder were transported, severely whipped, or imprisoned. Those transported were sold as slaves, and the bodies of those that were executed were quartered and stuck upon gibbets. Jeffreys then proceeded to Exeter, where another red list of two hundred and forty-three prisoners was laid before him. One man, upon pleading not guilty, was condemned and sent out to be hanged on the instant, which so terrified the rest, that they thought it advisable not to exasperate him by putting him to the trouble of doing his duty; so all that he had to do was to consign them in a body, on their own confessions, to the executioner. But, as he was less fatigued with long hearings than he had been

* Mackintosh.—Ralph.—Roger Coke. Some of the reasoning of this last writer, who was living at the time, is superlatively pedantic. "She had sentence passed upon her," says Coke, "which in women is to be burnt, but the execution was by beheading of her; so that, whether the sentence was just or not, the execution was unjust; for though the king may pardon or mitigate the punishment of any crime against him, as to pardon treason, or to mitigate the execution to beheading, which is part of the sentence, yet he cannot alter the punishment into any other sentence than the law prescribes."

† Ralph.

* From the last clause of the sentence quoted in the text, and from several expressions in other letters, we are justified in giving credit to the assertion of Burnet, that the king had a particular account of these proceedings written to him every day. Jeffreys concludes this present epistle to Sunderland in a very characteristic manner. "My dearest lord, may I ever be tortured with the stone if I forget to approve myself, my dearest lord, your most faithfully devoted servant, &c." Sunderland, in reply, assured the chief justice that the king approved of all his proceedings.

† According to a poem of the time called "Jeffreys' Elegy,"—

EXETER.
From an Original Drawing

at Dorchester, he was not altogether so prodigal to the hangman. He then went into Somersetshire, the centre of the late insurrection, where, at Taunton and Wells, nearly eleven hundred prisoners were arraigned for high treason. One thousand and forty confessed themselves guilty; only six ventured to put themselves on their trial; and two hundred and thirty-nine, at the very least,* were executed with astounding rapidity. In order to spread the terror more widely and to appal the neighbours, friends, and relatives of the victims, these executions took place in thirty-six towns and villages. The dripping heads and limbs of the dead were affixed in the most conspicuous places, in the streets, by the highways, over the town-halls, and over the very churches devoted to a merciful God. "All the high roads of the country were no longer to be travelled, while the horrors of so many quarters of men and the offensive stench of them lasted."† Sunderland apprized Jeffreys of the king's pleasure to bestow a thousand of the convicts on several of his courtiers, and one or two hundred on a favourite of the queen, upon condition that the persons receiving them thus as a gift should find security that the prisoners should be enslaved for ten years in some West India island, where, as James must have known, field-labour was death to Europeans. The chancellor remonstrated with his majesty, directly, against this giving away of the prisoners, who, he said, would be worth ten or fifteen pounds a piece.* In a subsequent letter from Bristol he yields to the proposed distribution of the convicts; boasts of his victory over that "most factious city," and pledges his life, and that which was dearer to him, his loyalty, "that Taunton and Bristol, and the county of Somerset too, should know their duty both to God and their king before he leaves them."

With the evidence of these letters alone, we may confidently reject the dreams of those who pretend that James was unacquainted with his judge's manner of proceeding; and, if other proofs were wanting to prove the want of heart and feeling in this wretched prince, they are assuredly to be found in the Gazettes of the day that report his progresses and amusements. He went to Winchester soon after the iniquitous execution of Mrs. Lisle, and there he remained, diverting himself with horse-races, during the hottest part of Jef-

* The names of two hundred and thirty-nine are preserved; but as no judgments were entered it is not known how many more may have suffered. Three persons were executed in the village of Wrington, the birthplace of Mr. Locke, whose writings have tended to lessen the misery suffered by mankind from cruel laws and unjust judges.—*Mackintosh.*

† Lord Lonsdale's Memoirs. Other writers, who were eye-witnesses, though violent men, and given to exaggeration, have left still more horrible pictures. Shirley, the author of "The Bloody Assizes," which was published after the Revolution, says, "Nothing could be liker hell than these parts: cauldrons hissing, carcasses boiling, pitch and tar sparkling and glowing, bloody limbs boiling, and tearing, and mangling."—"England was now an Aceldema; the country for sixty miles together from Bristol to Exeter had a new and terrible sort of sign posts and signs, gibbets, and heads and quarters of its slaughtered inhabitants. Every soul was sunk in anguish and terror, sighing by day and by night for deliverance, but shut out of all hope by despair."—*Oldmixon.*

* Letter from Jeffreys to the king, dated Taunton, 19th September, from MSS. in State Paper Office, as cited by Mackintosh. In the same letter Jeffreys returns thanks for his majesty's gracious acceptance of his services in the West.

freys's campaign.* But there is still farther an indisputable proof of James's approbation of Jeffreys's proceedings; for when (on the 30th of September†) that precious new chancellor returned to court his promotion was announced in the Gazette with an unusually emphatic panegyric on his person and services; and some months after this, when Jeffreys had brought on a dangerous attack by one of his furious debauches, James expressed great concern, and declared—with perfect truth—that such another man would not easily be found in England. Besides, wherever the king was directly and personally concerned, there was the same unflinching severity. When Holmes, an old republican officer, was brought into his presence at London, James offered to spare his life if he would renounce his principles and engage to live quietly. Holmes answered, that he still must be a republican from his firm conviction that that form of government was the best; that he was an old man, whose life was as little worth asking as it was worth giving: and thereupon he was instantly sent down to Dorchester to be hanged. Cornish, formerly sheriff of London, was brought to trial at the Old Bailey for the Rye House plot, to which so many victims had been already sacrificed: the trial was conducted with illegal haste, which rendered it impossible for the prisoner to procure witnesses or prepare a defence; he was convicted upon the evidence of Rumsey (who owned that on the trial of Lord Russell he had been guilty of perjury); and, James having signed his death-warrant, he was executed in sight of Guildhall and almost before his own door. On the very same day, and also by a warrant signed by the king, Elizabeth Gaunt, of Wapping, was burnt alive at Tyburn; and one Lindsey was hanged on Tower Hill. The offence with which the poor woman was charged was, having compassed the king's death, by favouring the escape of one Burton, accused of participation in the Rye House plot, into Holland, and giving succour to the same Burton after the battle of Sedgemoor; and the principal witness against her was the execrable Burton himself, whose life she had twice saved.‡ The offence of the man who was hanged at Tower Hill was desertion—an offence not then provided for by any recognised martial law. Mrs. Gaunt died like a primitive martyr, declaring at the stake that she had only obeyed the sacred precepts which commanded her to hide the outcast, and not to betray him that wandereth.§ Two other persons of humble condition were executed in London, where the outrages offered to the remains of the dead were carried to an unusual height, and where the dying speeches of all the prisoners were arbitrarily suppressed. Even the dismembered body of Rumbald was brought up from Scotland; and the slavish sheriffs of London received a royal warrant to set up one of the fetid quarters over one of the city gates, and to deliver the remaining three quarters to the sheriff of Hertford, who was directed by another royal warrant to place them, one at the Rye House, one at Hoddesdon, and the other at Bishop's Stortford.*

In London, as in the West, corruption and bribery were the only checks to infernal cruelty. Thus, Prideaux, who was thrown into the Tower by an arbitrary warrant upon mere suspicion, bought himself off with 1500*l.*; and Hampden, still in prison for his misdemeanor, put aside the new and capital charge of high treason by paying 6000*l.*, to be divided between Jeffreys and Father Petre, the king's confessor and chief adviser. The queen's maids of honour, as pocket-money, were allowed to take from 50*l.* to 100*l.* from each of the fair damsels of Taunton who had presented Monmouth with flags and a bible, and who thus were saved. In consequence of the suspicions of the court and of the disclosures made by Lord Grey, the Lords Brandon, Delamere, and Stamford, were proceeded against for high treason. Brandon was convicted by perjured witnesses; but, having a sister-in-law in favour at court,† he escaped, not being, however, enlarged upon bail till fourteen months, nor receiving his pardon till two years after his trial. Delamere, who was tried before the lord steward, Jeffreys, and thirty peers, was unanimously acquitted, though the falsehood, and infamy, and perjury of those who swore against him were not more conspicuous than the same vices in the evidence upon which many obscurer persons had been hanged and quartered. Stamford took the benefit of a subsequent amnesty.

The Marquess of Halifax had remained in the ministry during all the atrocities of Jeffreys's campaign, sitting at the council-board with Sunderland, with Rochester, whose vices of drinking and swearing did not prevent his being considered the head of the high church party, and with Godolphin, whose business habits were held to be indispensable. Halifax, however, to use his own witticism, had been "kicked up stairs" into the sounding but empty office of president of the council; and now it was resolved to deprive him of office altogether; for James suspected him of a determination to oppose the repeal of the Test and Habeas Corpus Acts; and he had not penetration enough to perceive the danger he ran in driving that crafty and able politician to extremities. Nor would the despotic blunderer delay this dismissal till the approaching session of parliament should be over.

* According to Burnet, James took pleasure in relating all the particulars of this campaign to foreign ministers; speaking of all that was done in a style that neither became the majesty nor the humanity of a great prince; and the historian adds that Dyckvelt, the Dutch ambassador, afterwards told him "that the king talked so often of these things in his hearing, that he wondered to see him break out in these indecencies."—*Own Time.*

† Here Sir James Mackintosh remarks, "Had James been dissatisfied with the conduct of Jeffreys, he had the means of repairing some part of its consequences, for the executions in Somersetshire were not concluded before the latter part of November."

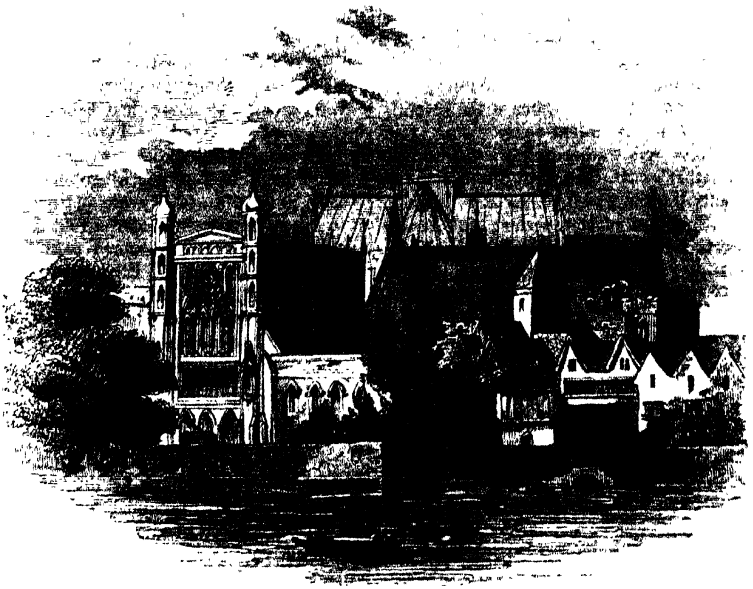
‡ Roger North was an active counsel against the benevolent and courageous woman.

§ With her own hands she disposed the straw and more combustible materials around her, so as to shorten her agony by a quick fire. Among the weeping spectators was the celebrated Quaker William Penn, who was then frequently admitted to familiar intercourse with the king.

* Warrants at the State Paper Office, as quoted by Mackintosh.

† It is said also that the infamous Grey had some compunctious visitings, and bargained with James that no life should be taken upon his disclosures.

That session, as appointed, opened on the 9th of November. Uplifted with his mighty doings during the recess, and with the appearance of universal timidity and submission, James now presumed that the parliament of England would bend before him, and, like the parliament of Paris, content themselves for the future with the honour of receiving his commands and registering his decrees. After speaking briefly of the storm that was past, he told them, in a dictatorial style, that the militia, which had hitherto been so much depended on, was an inefficient force, and that there was nothing but a standing army of well disciplined troops that could secure the nation at home and abroad. He then stated how he had augmented the army during the late wretched attempt; and called for a supply answerable to the increased expense. "And," continued he, "let no man take exception that there are some officers in this army not qualified, according to the late tests, for their employments. The gentlemen, I must tell you, are most of them known to me; and, having formerly served me on several occasions, and always approved the loyalty of their principles by their practices, I think them now fit to be employed under me: and I will deal plainly with you, that, after having had the benefit of their services in such time of need and danger, I will neither expose them to disgrace nor myself to the want of them, if there should be another rebellion to make them necessary to me." Without this declaration both Lords and Commons knew very well that he had commissioned Catholic lords to levy Catholic troops against Monmouth, and in the choice of officers had shown a marked preference for men of the ancient religion: and now the old hatred of popery came in to revive the languishing cause of civil liberty, and high-churchmen and low-churchmen, Tories and Whigs, became for a season united. The Commons, in coming to a resolution about a supply, voted an address to his Majesty for the discharge of all such officers as refused the Protestant test. James in reply said, "Whatever you may do, I will adhere to all my promises." The house was thrown into a ferment, and Mr. John Kok, member for Derby, said, "I hope we are Englishmen, and not to be frightened out of our duty by a few high words" But the majority of the Englishmen there committed him to the Tower for his speech. Still, however, with all their servile loyalty, they were resolute about the popish officers; and the Lords showed equal or superior zeal. The ex-minister Halifax led the van against the court; and Jeffreys, the chancellor and main manager, was checked in his high career of insolence and arrogance, and made to crouch in the dust. On the eleventh day of the session, James, disappointed and furious, prorogued the parliament, which never met again for the dispatch of business; and the houses were deserted and silent till they echoed his expulsion and dethronement, as pronounced by the Convention.



St. Stephen's Chapel and the Parliamentary Buildings of Westminster.
From Old Pictures and Prints of the Period.

A.D. 1686. James had not obtained a sixpence from the late session, but for a time he counted upon money from France; his minister Sunderland accepted a French pension of 25,000 crowns; and, after some shuffling and an attempt to save a sort of false pride and dignity, the King of England tied himself to the triumphal car of Louis XIV., by which he made his political existence absolutely incompatible with that of his son-in-law the Prince of Orange, and at the same time rendered himself doubly odious to his Protestant subjects, as the ally and tool of one who had waged a most pitiless warfare against the reformed religion in France. For it was just at this critical moment, when Englishmen were filled with doubts and terrors as to the intentions of their popish king, that Louis revoked the tolerant edict of Nantes,* and drove many thousands of his Huguenot subjects to exile. The accounts which these fugitives brought into England added fresh fuel to the fire which was about to break out and consume James and his insane projects. It was known at the time that he and Father Petre were busily engaged in attempts to convert many of the Protestants about court; and with a standing army encamped upon Hounslow Heath, and which kept still increasing, it was reasonably apprehended that such zealots would not always confine themselves to polemical arguments, persuasions, and promises. Sunderland had privately embraced Catholicism, and in appearance adopted all his master's partiality in favour of Roman Catholics. Other converts, both male and female, more openly proclaimed their abandonment of the Protestant faith; and the poet Dryden, the greatest writer of the day, recanted and wrote with very unchristian violence against the reformation and the established church.† Some of these proceedings are a complete banquet to the cynic. James, like Louis XIV., reconciled his breaches of the seventh commandment with his ardent religionism. His reigning mistress was Catherine Sedley, who had some of her father's wit, though no pretensions to personal beauty.‡ She was installed at Whitehall, and created Countess of Dorchester; but James and his priests failed in converting her to popery; and the champions of the Protestant church did not disdain to pay court to the orthodox mistress. Rochester, that other pillar of the church, clung to her; while his rival Sunderland made common cause with the queen, who was jealous, and with the confessor, who considered a mistress of such decided Protestantism a very dangerous appendage. Between them, the queen, confessor, and prime minister prevailed upon the king to send his mistress into Ireland, where a good estate had been given to her. The convert Sunderland then rose, and his rival Rochester sunk. The ministry was in fact converted into a close cabal of seven persons; the king, Sunderland, Father Petre, and the Catholic lords, Bellasis, Powis, Arundel, and Dover, who assembled sometimes in Sunderland's house and sometimes in the apartments of Chiffinch of the back-stairs. Roger Palmer, Earl of Castlemain by right of his wife's prostitution to the late king, was sent on an embassy to Rome, and an ambassador from the pope was openly received in London. After a few preludes in the courts of law, where it was endeavoured to convert the Test Act into a dead letter, James, with blind and headlong haste, proceeded to assert a dispensing, a suspending, and a repealing power over all laws or acts of parliament whatsoever, and to put Catholics into the highest civil and military offices, from which the Protestants were dismissed. By means of *quo warranto* writs the corporations throughout the kingdom were remodelled; papists were admitted into all of them, and papists were made lieutenants of counties, sheriffs, and justices of the peace. In Scotland, where the parliament had been dissolved because it betrayed the same dread of popery as that of England, the same measures were resorted to, and the high church Tory ministry was dismissed to make room for one of an entirely Catholic complexion. In Ireland the Protestants, who alone had been intrusted with arms, were disarmed by Tyrconnel, who was declared even by one of his own party to be "madman enough to ruin ten kingdoms." Indeed, in that country the scales were entirely turned, and the Protestants were treated in all things as badly as they had been accustomed to treat the papists ever since the days of Elizabeth. The revenues of the church were in good part given to popish bishops and priests, who were not merely permitted but commanded to wear their canonicals in public. Four thousand Protestant soldiers were cashiered, stripped of their uniforms, and left to wander, hungry and half naked, through the land. Their officers, for the most part, retired into Holland, and gathered round the Prince of Orange.

All this was too much for the endurance even of Tories and high-churchmen, and, in despite of the dogma of passive obedience, the pulpits began to resound with warnings and denunciations. To quench the flame in its infancy James issued letters mandatory to the bishops of England, prohibiting the clergy to preach upon points of controversy, and establishing an ecclesiastical commission

* The edict of Nantes, which is said to have been composed by the great historian De Thou, was passed by Henry IV. in the year 1598. It was suddenly repealed by Louis XIV., on the 18th of October, 1686, just three weeks before the meeting of the English parliament. The cruelties which immediately preceded and followed that measure were atrocious. At Nismes alone 60,000 Protestants were forced, in three days, to abjure their religion. Louis's missionaries were dragoons: whence the proceedings obtained the name (for ever memorable, and for ever infamous) of *dragonnades*.

† James however failed in many instances where he had probably expected immediate success. Jeffreys would not change; and it is said of Kirk, that, when urged by the king to turn Catholic, he excused himself by saying, that when in Africa he had given a promise to the Emperor of Morocco that if he ever changed his religion he would turn Turk. Admiral Herbert, though a professed libertine and a man of extravagant habits, resigned his lucrative offices rather than comply.

‡ The lady was daughter of the very witty and profligate Sir Charles Sedley. Charles II., who had more taste in female beauty, used to say that one night fancy his brother's mistresses were given to him by his father confessor as penances, they were all so ugly. According to Horace Walpole, Miss Sedley (ennobled into the Countess of Dorchester) was accustomed to wonder what James chose his mistresses for. "We were none of us handsome," said she; "and, if we had wit, he had not enough to find it out."—*Reminiscences.*

with more power than had been possessed by the abominable court over which Laud presided. It was authorised to search out and call before it "even those who seemed to be suspected of offences;" and to "correct, amend, and alter the statutes of the universities, churches, and schools; or, where the statutes were lost, to devise new ones;" and the powers of the commission were declared to be effectual "notwithstanding any law or statute to the contrary."* But James could not fill this court with men of the same views. The Archbishop of Canterbury (Sancroft) would not act at all; upon which the less scrupulous Cartwright, bishop of Chester, was put in his place: the other members were Crewe, bishop of Durham, who was more than half a papist, Sprat, bishop of Rochester, who preferred the king to the church, Rochester, the head of the high-church party, Sunderland, the concealed papist, Jeffreys, and Lord Chief Justice Herbert. With this court, such as it was, James ventured to issue a mandate to Compton, bishop of London, who had declared boldly in the House of Lords against the popish standing army, to suspend Doctor Sharp, who had preached in the pulpit against popery in general. Compton replied through Lord Sunderland that he could not legally punish Sharp without hearing him in his own defence. Upon this the new commission was put into play, and the bishop himself was summoned before it. At first Compton argued that the court was illegal; that he was subject in ecclesiastical matters to his metropolitan and suffragans alone; that he was a prelate of England, a lord of parliament, and could be tried only by the laws of his country: but he added that he had enjoined Sharp to desist from preaching, who was himself willing to make reparation and beg his majesty's pardon. James ordered the commissioners to suspend him, and, after some differences among themselves, the Bishop of London was suspended accordingly. Rochester, who had been averse to this extreme measure, and who is said to have affronted the king in a personal conference and argument about the merits of their respective religions, was turned out of the commission and his other offices shortly after; but he received a pension of 4000*l.* a-year on the post-office, together with a regular grant of an annuity of 1700*l.* a-year out of the estate of Lord Grey;† and, after all, his plotting rival Sunderland was disappointed, for his lucrative office of lord treasurer was put into commission. Nearly at the same time Rochester's brother, Lord Clarendon, was recalled from Ireland, and Tyrconnel, with the title of lord deputy, was left to govern that country. Even D'Adda, the pope's minister, saw clearly that James was ruining his cause by precipitation; and the wary Italian informed his court that men's minds were embittered by the belief that Rochester had been dismissed because he would not turn Catholic, and that there was a design for the extermination of all Protestants.* Yet still James kept his course, and looked with satisfaction and pride to his encampment on Hounslow Heath, in which were now enclosed 15,000 men, horse and foot. He caused Samuel Johnson, a clergyman of the establishment, who had been chaplain to Lord Russell, to be sentenced to pay a fine, to be pilloried three several times, and to be whipped from Newgate to Tyburn, for writing an address to the soldiers to remind them that they were freeborn Englishmen. He attempted to convert his daughter, the Princess Anne, and to deprive his daughter Mary, the Princess of Orange, of her right to the succession; and, looking neither to the right nor to the left, he went on more openly to assail the chartered rights of public bodies.

A.D. 1687. One of his great objects was to obtain the control of the seminaries and schools. Of these the Charter House in London was a very important one, and accordingly he commanded the governors of that establishment to admit into it one Andrew Popham, a papist, without test or oath. But the majority of the governors, headed by the Duke of Ormond, Compton, the suspended bishop of London, and the ex-minister Lord Halifax, resisted the mandate. Yet, after failing in this attempt, he demanded from the University of Oxford that they should acknowledge a right in Father Petre to name seven Fellows of Exeter College,† and from the University of Cambridge the degree of master of arts for one Alban Francis, a Benedictine friar. Both those learned bodies, in spite of their recent declarations of non-resistance, resisted to the very utmost; the Oxford question was referred to the Courts of Westminster, but the new ecclesiastical commission took up the Cambridge case, and summarily deprived Pechell, the vice-chancellor, of his office, and suspended him from the mastership of Magdalen College. James then commanded the Fellows of Magdalen to elect as their master one Antony Farmer, a concealed papist. The Fellows petitioned his majesty, but finding him not to be moved, they exercised their own undoubted right, and elected Doctor Howe. The ecclesiastical commission declared this election to be void, and then a new mandate was issued to the

* Books of the privy council as cited by Dalrymple.

† Evelyn.

* Estratti delle lettere de Monsignor D'Adda, Nunzio Apostolico, etc.—*In Mackintosh, Appendix.*

† "The noble family of Petre (of whom Father Edward Petre was one) in January, 1687, claimed the right of nomination to seven fellowships in Exeter College, which had been founded there by Sir W. Petre, in the reign of Elizabeth. It was acknowledged on the part of the college, that Sir William and his son had exercised that power, though the latter, as they contended, had nominated only by sufferance. The bishop of Exeter, the visitor of the college, had, in the reign of James I., pronounced an opinion against the founder's descendants, and a judgment had been obtained against them in the Court of Common Pleas about the same time. Under the sanction of these authorities, the college had for seventy years nominated to these fellowships without disturbance from the family of Petre. Alibone, the Catholic lawyer, contended that this long usage, which would otherwise have been conclusive, deserved little consideration in a period of such iniquity towards Catholics that they were deterred from asserting their civil rights." Before this attempt James had obtained the appointment of one Massey, a Catholic, as dean of Christ Church, Oxford, and had obtained a dispensation for Obadiah Walker, master of University College, Oxford (long a concealed papist), and for two of his fellows of the same faith, together with a licence for publishing books of Catholic theology. And Walker had had the courage to establish a printing press and a Catholic chapel in his college.

college to elect Parker, bishop of Oxford, who had several qualifications which Farmer had not, but who was also suspected of being a papist in disguise.* The Fellows with unexpected spirit stuck to the master of their own choosing, and Howe exercised his authority in spite of the ecclesiastical commission and the king. In the course of a summer progress James arrived at Oxford, summoned the members of Magdalen into his presence, chid them for their disobedience, and told them to go away and choose the bishop of Oxford, or else they should certainly feel the weight of his sovereign displeasure. Here was a call upon passive obedience from the very lips of the Lord's anointed; but still the Fellows insisted on their right, and answered him respectfully but firmly. Then they were privately warned that, like the corporations, they would be proceeded against by *quo warranto*, and inevitably lose everything. But still the gownmen were firm. The tyrant, astonished and enraged, issued a commission to Cartwright, bishop of Chester, Chief Justice Wright, and Baron Jenner, to examine the state of the college, with full power to alter the statutes and frame new ones. The commissioners arrived at Oxford on the 20th of October, when Cartwright thundered at the devoted college; but Howe maintained his own rights, and the rights of the body which had elected him, with decorum and firmness; and when, on the second day, the commissioners deprived him of the presidency and struck his name off the books, he entered the hall and boldly protested against all they had done. The chief justice bound him in a thousand pounds to appear in the King's Bench, and Parker was put into possession by force. Then a majority of the Fellows were prevailed upon to submit "as far as was lawful and agreeable to the statutes of the college." But the weakly arrogant king would not be satisfied with this; he insisted that the Fellows should acknowledge their disobedience and repentance in a written submission. Upon this the Fellows withdrew their former submission, and declared in writing that they could not acknowledge they had done anything amiss. On the 16th of November Bishop Cartwright† pronounced the judgment of the commission in the shape of a general deprivation and expulsion. This was followed up in December by the sentence of the ecclesiastical commission, which incapacitated all and every the Fellows of Magdalen from holding any benefice or preferment in the church; a decree, however, which passed that body only by a majority of one. The intention was to defeat the project of some of the nobility and gentry, who had intended to bestow livings in the church on some of the ejected Fellows. James himself declared that he would look upon any favour shown to the Fellows as a combination against himself; but notwithstanding his threats considerable collections were made for them, and his own daughter, the Princess of Orange, sent over 200*l.* for their relief; and in the end, though they obtained the honours of martyrdom, they experienced little of its sufferings. Their places in the University were filled by avowed papists or by very doubtful Protestants.

But long before this result the king had issued "A Declaration for liberty of conscience;" by which all the penal laws against Protestant nonconformists as well as Catholics were to be suspended.* "We have thought fit," said James, "by virtue of our royal prerogative, to issue forth this our declaration of indulgence, making no doubt of the concurrence of our two houses of parliament *when we shall think it convenient for them to meet.*" The preamble was in other respects irreproachable:—it laid down the great and saving virtue of toleration; and the declaration gave leave to all men to meet and serve God after their own manner, publicly as well as privately; it denounced the royal displeasure, and the vengeance of the laws against all who should disturb any religious worship; and it granted a free pardon to all the king's loving subjects from penalties, forfeitures, and disabilities incurred on account of religion, the penal laws, &c. But this power of suspending the laws was not to be tolerated by any people pretending to freedom and a constitution; and it was understood by nearly every dissenting Protestant in the land, that the non-conformists were only coupled with the Catholics for policy and expediency, and that the toleration of the Catholics was only intended as a preparatory step to the triumphant establishment of the church of Rome, which had never yet in any European kingdom tolerated the doctrines and practices of any other church whatsoever. The recent example set by Louis in the neighbouring kingdom had more power to alarm than James's declaration, promises, and professions had power to lull and console; and the character, the habits, the habitual conversation of the king and his chief favourites furnished arguments innumerable and unanswerable against the sincerity of any professions of kindness towards the Protestant Dissenters. James's con-

* Parker had passed through the phases of a fanatical puritan preacher during the Commonwealth, and a bigoted high-churchman at the Restoration, when he defended the persecution of his late brethren, and reviled the most virtuous men among them. As soon as he was made bishop of Oxford he was ready to transfer his services to James and the church of Rome. He was a drunkard and many things worse.

† Cartwright, bishop of Chester, was a pretty good parallel to his brother Parker of Oxford. He too had originally been a puritan and had become a flaming high-churchman at the Restoration. He drunk as much as Parker, but was not so witty in his cups.

* The declaration came out in the Gazette on the 4th of April, 1687. To prepare the way for it, a declaration of indulgence, expressed in much loftier and more absolute language, had been issued by proclamation at Edinburgh: "We, by our *sovereign authority, prerogative royal*, and *absolute power*, do hereby give and grant our royal toleration. We allow and tolerate the moderate Presbyterians to meet in their private houses, and to hear such ministers as have been or are willing to accept of our indulgence, but they are not to build meeting-houses, but to exercise in houses. We tolerate Quakers to meet in their form in any place or places appointed for their worship: and we, by our sovereign authority, &c., suspend, stop, and disable, all laws or acts of parliament made or executed against any of our Roman Catholic subjects, so that they shall be free to exercise their religion and to enjoy all; but they are to exercise in houses or chapels: and we cass, annul, and discharge all oaths by which our subjects are disabled from holding offices." The proprietors of church lands were confirmed in their possession, which seemed to be unnecessary so long as the Protestant establishment endured.

duct in Scotland could not be forgotten; and Jeffreys's loud denunciations of all the Presbyterians and non-conformists as king-haters, rebels, and republicans were still ringing in the ears of the nation. With remarkably few exceptions the large but disunited body of Dissenters rejected the boon as a snare, and prepared to stand by the lately persecuting but now threatened episcopal church; and not only the result, in which, as in all human affairs, there was much that was accidental or unforeseen, but also the coolest reasoning on all the circumstances of the case, will justify their preference, and prove that they acted wisely and politically. When the declaration was published James told the pope's nuncio that he had struck a blow which would make a great noise;—that in a general liberty of conscience the Anglican religion would be the first to decline; and the nuncio informed his court that the established church was mortified at the proceeding; that the Anglicans were "a ridiculous sect, who affected a sort of moderation in heresy, by a compost and jumble of all other persuasions; and who, notwithstanding the attachment which they boast of having maintained to the monarchy and the royal family, have proved on this occasion the most insolent and contumacious of men." In other directions James manifested an increasing and an emboldened hatred, not merely of high-churchmen, but of all Protestants whatsoever, except such as were timid and wavering and ready to do his will. The Dissenters opened their long-closed places of worship, grudging in their intolerance the same boon to the papists; the Presbyterians, the most numerous and influential of all the sects, resisted the solicitations of the court to sanction the dispensing power in the king by sending him addresses of thanks for the benefit allowed them; and many of the minor sects confined themselves to thanks for toleration, and assurances that they would not abuse it.

On the 3rd of July James obliged the timid and more than half unwilling ambassador of the pope to go through the honours and ceremonies of a public introduction at Windsor. Crewe, bishop of Durham, and Cartwright, bishop of Chester, were ready instruments in this parade; but the Duke of Somerset, the second peer of the kingdom, who was selected to introduce D'Adda, besought his majesty to excuse him from the performance of an act which by the laws of the land was still considered an overt act of treason. "Do you not know," said James, "that I am above the law?" The duke replied, "Your majesty is so, but I am not." The Duke of Grafton, however, did what Somerset would not, and introduced the nuncio. On the day before this public reception the parliament, which had been kept from meeting by repeated prorogations, was absolutely dissolved, notwithstanding the opinion of Sunderland that this step would prevent James's taking part in foreign affairs and lead to the ruin of the monarchy. Nothing was to be hoped from the enslaved law, from the corrupt and time-serving judges, who had given their sanction to the dispensing and suspending power of the prerogative: the liberty of the press was completely extinguished by the revival (by the late parliament) of an act originally passed for two years in 1662, and afterwards extended for seven years in 1664: the bishops and the church, who would have assisted the king in establishing a despotism if he had not trenched upon their own rights, were left to head the war against him. Nor can it be fairly said that they took up arms upon slight provocation. Four popish bishops were publicly consecrated in the chapel royal; were sent to their dioceses with the title of vicars apostolical; and their pastoral letters were licensed, printed, and dispersed through the kingdom. The regular clergy of Rome, in the habits of their order, constantly crowded the court and its purlieus; and these priests too soon forgot their recent danger and distress, and became in many instances over-confident and insolent in their sudden prosperity. Some of them laid claim to public buildings, which they intended to convert into monasteries, seminaries, and chapels. The members of the French Protestant church in the Savoy carried their complaints to Halifax, who was now in strenuous opposition to his late master. "Let the priests turn you out," said the nephew of Shaftesbury, "for that will the sooner do your business and that of the nation." Even in those days there were Catholic Spaniards that were no bigots. Ronquillo, the Spanish ambassador, ventured to represent to James the danger of these proceedings; and when asked whether it was not the custom of his country for the king to consult his priests and confessors, he replied "Yes; and for that reason our affairs succeed so ill."

But James had by this time most fully proved his arbitrary temper and despotic principles in civil affairs as well as in spiritual. His project was to reduce all the business of the state under his own immediate control, and to make both executive and legislative power centre in the sovereign. When he dismissed Rochester and put the Treasury into commission, he declared that he did so because too much power was committed to the lord high treasurer; and at the same time he proclaimed his intention of taking also into his own keeping the offices of high admiral and commander-in-chief of the land forces. He even stretched his prerogative across the Atlantic ocean, and directed *quo warrantos* against the charters of the proprietors and corporations in the Anglo-American colonies.* At home he commissioned a set of "regulators" to interfere still farther with the corporations, and he attempted, through the lords lieutenants of counties, to exact engagements from the freeholders not to oppose the repeal of the penal laws and Test Act, but to support all his majesty's measures.

Mary of Este had had repeated miscarriages,

* Books of Privy Council, as cited by Dalrymple.

but had never borne a living child to continue and complete the great work of Catholic conversion. The papists, who could not do otherwise than look with sad misgivings to a Protestant successor in the person of Mary, the wife of the Prince of Orange, the real head of the Protestant interests, had long been offering prayers, and vows to heaven; but at last the pilgrimage made by James during this summer to St. Winifred's Well in Wales, and the votive gifts of the queen and her mother to the shrine of Loretto, were supposed to have had their effect; and at the end of the year, on the 23rd of December, the queen's pregnancy was announced in the Gazette, together with an order for a day of thanksgiving for the same. Everything which the king had been doing had tended to alarm and irritate the Prince of Orange and his wife; but this prospect of a Catholic heir male vastly increased their discontent, and gave a new energy to the intrigues of the cautious but resolute William. But not merely their partisans, but nearly every Protestant in England, declared from the beginning that a trick was planned to defraud the Princess Mary of her rights; and the proclamation in the Gazette was treated with ribaldry and indecent wit, which gave a fresh bitterness to the temper of the king.*

A.D. 1688.—At a moment when the nation was filled with doubt and dread as to the king's extreme intentions, and when it was universally admitted that he who had invaded, or was invading, the constitution in its most vital parts, was not to be trusted in anything, James, upon the 27th of April, not only published a new declaration of indulgence, but also commanded all the clergy to read it in their churches. This was the spark that set fire to the train which had been accumulating for many months. "By this," says the Princess Anne, writing to her sister in Holland, "one may easily guess what one is to hope for henceforward, since the priests have so much power with the king as to make him do things so directly against the laws of the land, and, indeed, contrary to his own promises. It is a melancholy prospect that all we of the Church of England have. All the sectaries may now do what they please. Every one has the free exercise of their religion, on purpose, no doubt to ruin us, which, I think, to all impartial judges is very plain. For my part, I expect every minute to be spoke to about my religion, and wonder very much I have heard nothing of it yet." Many churchmen would have obeyed even this mandate, and coloured their obedience with the dogma of non-resistance, but the majority were resolved not to read the declaration. Six of the bishops, and no more, Lloyd of St. Asaph, Ken of Bath and Wells, Turner of Ely, Lake of Chichester, White of Peterborough, and Trelawney of Bristol, met the primate Sancroft at his palace at Lambeth; and there, on the 18th of May, with the assent of the ex-minister Lord Clarendon, and of Tillotson, Stillingfleet, Patrick, Tennyson, Grove, and Sherlock, esteemed the best preachers and writers in the church, it was privately resolved that a petition prepared and written by Sancroft, the primate, should be forthwith presented to his majesty. The six bishops (Archbishop Sancroft being sick) undertook to deliver the petition in person, and at about ten o'clock in the evening they knelt before the monarch at Whitehall. "This," said James, "is my lord of Canterbury's hand-writing." The petition humbly showed that the great aversion of the clergy to distribute and publish in their churches the late declaration for liberty of conscience proceeded neither from any want of duty and obedience to his majesty, nor yet from any want of tenderness to dissenters, in relation to whom they were willing to come to such a temper as should be thought fit, when the matter should be considered and settled in *parliament and convocation*; but that, among many other considerations, they demurred because that declaration was founded upon a dispensing power which had been often declared illegal in parliament; and because in a matter of so great moment and consequence they could not in prudence, honour, or conscience, make themselves parties to it in the manner required by the king, but must most humbly and earnestly beseech his majesty not to insist upon their distributing and reading the said declaration. When he had read and coolly folded up this paper, James said, with disdain and anger, "This is a

* Early in December surmises of imposture had begun to circulate at court: and in the middle of the same month the queen's symptoms were represented by the physicians as still ambiguous, in letters which (in the cautious words of Sir James Mackintosh) the careful balance of facts on both sides, and the cautious abstinence from a decisive opinion, seemed to exempt from the suspicion of bad faith. The statements were signed by Sir Charles Scarborough, and another physician whose name Mackintosh is unable to decipher. On the 15th of January Lord Clarendon remarked "that it was strange to see how the queen's pregnancy was everywhere ridiculed, as it scarce any body believed it to be true." But Clarendon, of course, would not very willingly believe in its truth, for he was one of the chiefs of the high-church party, and, what was more, uncle to the two Protestant princesses Mary and Anne. Nor could the latter lady, though present at court, be altogether a dispassionate observer. In the month of March Anne wrote to her sister Mary—"I cannot help thinking Mansell's wife's (*id est*, the queen's) great belly is a little suspicious. It is true, indeed, she is very big, but she looks better than ever she did, which is not usual; for people when they are so far gone, for the most part, look very ill. . . (there are several things in the correspondence of this royal lady that would shock modern decency). Her being so positive it will be a son, and the principles of that religion being such that they will stick at nothing, be it never so wicked, if it will promote their interest, give some cause to fear there may be foul play intended. I will do all I can to find it out if it be so." A few days after, Anne asks her sister to let her know what she would have her friends in England to do "if any alteration should come by a son being produced." "Methinks," she continues, "if it were not a feigned pregnancy, there having been so many stories and jests made about it, she should, to convince the world, make either me or some of my friends feel her belly; but, quite contrary, whenever one talks of her being with child, she looks as if she were afraid one should touch her: and whenever I have happened to be in the room as she has been undressing, she has always gone in the next room to put on her smock. These things give me so much cause of suspicion, that I believe when she is brought to bed nobody will be convinced 'tis her child except it prove a daughter. For my part I declare I shall not except I see the child and she parted." Copies of these curious letters, taken from the originals by Dr. Birch, were given to Sir John Dalrymple by the Earl of Hardwick, and were published by Dalrymple in his Appendix. The pope's nuncio expressed to his court his satisfaction at the pregnancy, as likely to tend "to the re-establishment of the Catholic religion in these kingdoms;" and in the month of February, he had pronounced to her majesty the solemn benediction of the pontiff upon an occasion so auspicious to the church. Barillon, the French Ambassador, on the other hand, had reported to Louis "that the pregnancy was not believed to be true in London; and that, in the country, those who spread the intelligence were laughed at." With the Protestant English time did not decrease, but increase, the foul suspicion; and even the loyal Evelyn more than intimates his doubts.

great surprise to me. Here are strange words. I did not expect this from *you*. This is a standard of rebellion." Lloyd of St. Asaph, who was the boldest of the bishops, and who had handed the paper to the king, replied, "We have adventured our lives for your majesty, and would lose the last drop of our blood rather than lift up a finger against you." "I tell you," rejoined James, "this is a standard of rebellion. I never saw such an address." Then Trelawney of Bristol fell upon his knees and said, "Rebellion, Sir! I beseech your majesty not to say anything so hard of us. For God's sake do not believe we are or can be guilty of rebellion!" ("It deserves remark," says Mackintosh, in his mild manner, "that the two bishops who uttered these loud and vehement protestations were the only prelates present who were conscious of having harboured projects of more decisive resistance.") The bishops of Chichester and Ely professed their unshaken loyalty, and were afterwards true to their profession. Ken of Bath and Wells said, pathetically, "Sir, I hope you will give that liberty to us, which you allow to all mankind." James kept muttering, "Is this what I have deserved from the Church of England? I will remember you who have signed this paper; I will keep this paper; I will not part with it; I did not expect this; I will be obeyed." "God's will be done!" ejaculated Ken in a low voice. "What's that?" exclaimed the enraged king. Ken and his brethren only repeated "God's will be done!" James then dismissed them with violent and incoherent language. "If I think fit to alter my mind," said he, "I will send to you. I tell you God has given me this dispensing power, and I will maintain it. I tell you there are seven thousand men, and of the Church of England too, that have not bowed the knee to Baal." On the morrow, as he was on his way to mass, he met the bishop of St. David's. "My lord," cried he, "your brethren have presented the most seditious paper that ever was penned. It is a trumpet of rebellion." And he frequently repeated a saying of Lord Halifax, that his father, Charles the First, had suffered for the church, and not the church for him. Before this time the bishops' petition was before the world; by means not clearly explained it had been printed and circulated in the night. In the course of a few days six more bishops, London, Norwich, Gloucester, Salisbury, Winchester, and Exeter, publicly declared their concurrence with the petitioners; and the bishop of Carlisle lamented that his not being in the province of Canterbury, prevented his subscribing. On Sunday, the 20th of May, the day appointed for the first reading of the declaration in London, only seven out of a hundred clergymen obeyed the order; and those who obeyed did so with fear and trembling, being groaned at by the people. On the following Sunday there were not more signs of obedience in this respect: a newly appointed reader at the chapel royal was so much agitated that he could not read the declaration so as to be heard. None were bold on the king's side except bishops Sprat, Cartwright, Crewe, and Watson. In the provinces the mass of the clergy were quite as disobedient as in London; and it is said that of the entire number in the kingdom, being more than ten thousand, not more than two hundred in all complied with the royal will. The nuncio clearly saw the danger. "The whole church," says he, "espouses the cause of the bishops. There is no reasonable expectation of a division among the Anglicans, and our hopes from the nonconformists are vanished."

To advance or retract was now about equally dangerous. James resolved to advance, notwithstanding the misgivings of Jeffreys, who spoke of moderate counsels, and declared that some men would drive the king to destruction.* After some anxious deliberation, in which Sunderland wavered, it was resolved to prosecute the bishops in the court of King's Bench. Previously, on the 8th of June, they were summoned before the Privy Council, to answer a charge of high misdemeanor. The prelates attended at Whitehall, and were received by the king with a show of graciousness. The chancellor (Jeffreys) asked the archbishop whether the petition which was shown to him was not written by him. Sancroft, turning to the king, answered, "Sir, I am called hither as a criminal, which I never was before; since I have that unhappiness, I hope your Majesty will not be offended if I am cautious of answering questions which may tend to accuse myself." "This is chicanery," said James; "I hope you will not deny your own handwriting." Sancroft rejoined, that he knew the only reason for putting the question was to draw an answer which might be made a ground of accusation: and Lloyd of St. Asaph added, that all divines were agreed that no man in their situation was obliged to answer such questions. Yet still James impatiently pressed the archbishop to acknowledge his writing. "Sir," said Sancroft, "though not obliged to answer, yet, if your Majesty commands it, we are willing to obey, trusting to your justice and generosity that we shall not suffer for our obedience." James said he would not command. Jeffreys told them to withdraw for a while. On being called back to the council-chamber they were *commanded* by the king to answer; and then they owned the petition. They were again sent out of the room, and on their third return they were told by Jeffreys that they would be proceeded against, not by the ecclesiastical commission (which had become as impotent as it was odious), but "with all fairness in Westminster Hall." Jeffreys then desired them to enter a recognizance to appear. The bishops said they would appear without a recognizance, and insisted on their privilege as peers not to be bound by recognizance in misdemeanor. The dispute on this point ended in a warrant committing them to the Tower, which was signed by all the privy counsel-

* Jeffreys was clearly in a fright. He even made offers of service to the bishops through Lord Clarendon.

MEDAL STRUCK IN HONOUR OF THE PETITIONING BISHOPS.
From a Specimen in the British Museum.

lors present except Lord Berkeley and Father Petre. Never since the first introduction of the mitre was episcopacy so popular as on that day. "The concern of the people," says Evelyn, an eye-witness, "was wonderful; infinite crowds on their knees begging their blessing and praying for them as they passed." They were conveyed from Whitehall by water. As they took boat they were followed by the tears and prayers of thousands, and some persons ran into the river to implore a blessing on the captives. Both banks of the Thames were lined with multitudes, who fell on their knees beseeching Heaven to protect the sufferers for religion and liberty. The very soldiers in the Tower acted as mourners; nay, even the nonconformists, who had felt all the bitterness of episcopal persecution, sent a deputation of ten of their ministers to wait upon and condole with the prisoners. The king was so incensed at this last proceeding that he personally reprimanded the ten nonconformist ministers, who boldly told him that they could not but adhere to the bishops, as men constant to the Protestant religion. Nor was there wanting other comfort to the captives in the Tower: twenty-eight peers were ready to bail them if they should require bail; messages were brought over from Holland, assuring them that the Prince and Princess of Orange took a lively interest in their fate, and approved of their firmness; and one or two of the bishops (Lloyd of St. Asaph, and perhaps Trelawney of Bristol) were not without expectations that the *Prince of Orange* would take them out of the Tower.

On the other side, James was buoyed up by encouragements, and promises of assistance in arms, men, and money, from Louis XIV.; and, unmindful of the energetic character of the people who had brought his father to the block, he persevered in his fatal course, and assumed language more haughty and insolent than ever. On the 15th of June the bishops were brought before the court of King's Bench by a writ of habeas corpus. As they were going out of their prison, Sir Edward Hales, the lieutenant of the Tower, demanded fees. He would not have had that place in those times if he had been a man of humane and gentle feelings: he had treated his prisoners churlishly; and when they refused to give him the money, he said in his passion that the fees were a compensation for the irons with which he might have loaded them, and the naked dungeon into which he might have thrown them. The bishops answered, "We lament the king's displeasure, but every other man loses his breath that attempts to intimidate us." They proceeded up the river and landed near Westminster Hall. "Of the immense concourse of people," says the nuncio, "who received them on the bank, and followed them to the Hall, the greater part fell upon their knees, wishing them happiness, and asking their blessing; and the Archbishop of Canterbury laid his hands on those that were nearest, telling them to be firm in their faith: and the people cried aloud that all should kneel; and tears were seen to flow from the eyes of many." * Within the court the bishops found the peers who offered to be their sureties, and a crowd of gentlemen attached to their interests, or to the cause of liberty, which could hardly fail of being benefited by their resistance. The attorney-general moved, that the information against them, charging them with a seditious libel, should be read, and that the bishops should plead forthwith. The counsel for the prelates, among whom was John Somers, objected to reading the information, because the prisoners were not legally before the court; because the warrant, though signed by privy councillors, was not stated to be issued by them

* Estratti delle lettere, etc. (in Mackintosh, Appendix). "In the next paragraph of this letter the nuncio says, "His Majesty told me the other day that they wrote to him from Holland, that there were strong signs of the Prince of Orange's meditating to put into execution his perverse designs, under the pretext of religion, aiming particularly at this country (havendo in mira questa parte) I answered, that I hoped that, when the news of the birth of a Prince of Wales should arrive there, it would make the Prince of Orange change his language, and dissipate the machinations of his Majesty's enemies abroad as well as those of his enemies at home."

in that capacity; and, thirdly, because the bishops, as peers of parliament, could not be committed for a libel. But, after long debate, the court overruled these objections, and the bishops pleaded. Their plea was, "Not guilty:" the court offered to take bail for their appearance to take their trial in a fortnight, but this they refused, and they were at last enlarged on their own recognizances, of 200*l.* for the archbishop, and 100*l.* for each of the bishops. As the prelates left the court they were again surrounded by multitudes who begged their blessing; and this was accompanied and followed by loud huzzas, the joyful ringing of the Abbey bells, and execrations against Sprat and Cartwright, and all false bishops. In the evening bonfires were lit in the streets, and some outrages committed upon Roman catholics.

On the 29th of June the bishops again entered Westminster Hall, surrounded by lords and gentlemen, and followed by blessings and prayers. The king made no doubt of getting a verdict—for he thought all the judges were his slaves, and, by means of Sir Samuel Astrey, he fancied he had made sure of a subservient jury. But "how secure soever the king and chancellor thought themselves of the judges, and though Sir Robert Wright, chief justice, and Sir Richard Allibone, a known papist, were two of them, yet they were not all of a piece; for Mr. Justice Powell both learnedly and stoutly defended the bishops' cause."* Holloway, who had been placed on the bench purposely to betray the law, backed out of his engagement to the king, and spoke also in favour of the bishops. The attorney-general disclaimed all attack on the prelates in their episcopal character, and artfully left out their disobedience in refusing to read the declaration. "The bishops," said he, "are accused of censuring the government, and *giving their opinion about affairs of state*." This was a strange crime to be imputed to Englishmen—to peers of England. But the court-lawyer went on to show that it was really a heinous offence. "No man," said he, "may say of the great officers of the kingdom, far less of the king, that they act unreasonably, for that may beget a desire of reformation, and the last age will abundantly show whither such a desire doth tend." But now the doctrines of the divine right of kings and of passive obedience were in abeyance; and the attorney-general's sentiment found no echo in that crowded court. Witnesses, though secured by the crown, would scarcely open their lips against the prisoners; and at every check sustained by the chief justice or by the counsel for the crown the audience shouted for joy or laughed. At a certain stage of the proceedings the minister Sunderland was unexpectedly called upon to give his evidence. He was so alarmed that he caused himself to be carried through Westminster in a sedan-chair, the head of which was down; but he was recognised by the mob, who hooted, hissed, and cried out "Popish dog!" He entered the court pale and trembling, and, with eyes bent on the ground, deposed that the bishops came to him with a petition to the king, which he declined to read, and that he introduced them immediately to his majesty, and nothing more. While this was doing, the counsel for the bishops resolved to take their stand on the illegality of the king's dispensing power, and on the lawful right of the subjects to petition. The chief justice, speaking aside with his brethren on the bench, said, "I must not suffer them to dispute the king's power of suspending laws;" but Judge Powell answered, "They must touch that point; for, if the king hath no such power—as clearly he hath not—the petition is no attack on the king's legal power, and therefore no libel." And the bishops' counsel, continuing their argument, tore this new assumption of the prerogative into tatters; and, in the end, Powell, regardless of the menaces of his superiors on the bench, laid it down as a maxim, that, "if such a dispensing power be allowed, there will need no parliament; all the legislature will be in the king." The trial had begun at nine o'clock in the morning, and it was seven in the evening when the jury retired to consider their verdict. As they remained long absent the court was adjourned to nine the next morning, and the jurymen were locked up all that time. At six o'clock in the morning the single but obstinate opposition of one Arnold, who was brewer to the king, was subdued; and at nine o'clock, when the court opened, Sir Robert Langley, the foreman, pronounced the verdict—"Not guilty." Then there arose a loud huzza from the noblemen, gentlemen, and people within the court, which anon was echoed back by a louder huzza from those without, which sounded like a crack of the ancient roof of Westminster Hall, and which was passed on from group to group to Temple Bar and unto the heart of the city. There was a lane of people to the waterside, all on their knees as the bishops passed and repassed, to beg their blessing. The delivered prelates bade them fear God and honour the king. As the obnoxious Cartwright went from the hall to his carriage the people shouted, A wolf in sheep's clothing! and, as he was very fat, some of them, inclined to be witty, cried out, Room! room for the man with a pope in his belly! No fewer than sixty earls and lords were among those who rejoiced with heart and voice at this acquittal: money was thrown among the mob to drink the healths of the king, the bishops, and the jury, to which toasts the people spontaneously joined, Confusion to the papists! At night London was again lighted from one end to the other with blazing bonfires, and, to the ringing of all the church bells, the pope was burned in effigy before the windows of the king's palace. There were insults

* Roger Coke. This observer of the trial was struck by some very dramatic mutations. "If we down to the bar," says he, "we shall see as strange a mixture as on the bench; for the late Attorney-General Sawyer, and Solicitor Finch, who were so zealous to find my Lord Russell, Colonel Sidney, Mr Cornish, &c., guilty of high treason, and for surrender of charters, now they are turned out, are as zealous for the acquittal of the bishops; and the then solicitor-general, of a most zealous prosecutor of abhorrers, and searcher into the bottom of the Popish plot, now as zealous for finding the misdemeanor."

and gross ribaldry and threats used towards some of the most noted papists; but no blood was shed except that of a parish-beadle, and he was shot by the servants of Lord Salisbury, a recent convert to the church of Rome, who at their master's commands went out to quench a bonfire opposite his house. On the critical morning James was at Hounslow Heath reviewing his army. That "very rebellion in noise," which arose from the vast capital, soon ran to the very camp, where it was echoed back by what seemed a universal shout. James, it is said, was startled, and asked Lord Feversham the meaning of that noise. The general replied that it was nothing but the soldiers shouting for the acquittal of the bishops. "And call you that nothing?" said James,—"but so much the worse for them."

In the midst of these stormy transactions "the son of prayer" was brought into the world. On the 10th of June, two days after the sending of the bishops to the Tower, upon *Trinity Sunday*, between the hours of nine and ten in the morning, the queen was delivered, in presence of the queen-dowager, several ladies of quality—among whom, however, the vigilant Princess Anne was not present—and of most of the privy council, the usual witnesses on such occasions; but the Archbishop of Canterbury was absent. Some of these actual witnesses were Protestants, some papists; and Dr. Chamberlain, the eminent obstetrical practitioner, who was sent for, was not only a Protestant, but a noted Whig, who had experienced the persecuting humour of the king. The parturition was a fine healthy boy. Instantly the cannons of the Tower were set firing; a general thanksgiving was ordered, and the lord mayor was enjoined to provide bonfires and other public rejoicings. But there were no bonfires now except for the bishops; and at once the whole affair was pronounced to be a gross imposture and a verification of all the suspicions which had been entertained since the first announcement of Mary d' Este's pregnancy, and the first boast of the papists that a Catholic heir-male was assuredly coming. The indisputable presence in the bed of a promising child was accounted for in a variety of ways; the story most generally received was, that it had been adroitly conveyed thither in the interior of a warming-pan.* By order of council a solemn day of thanksgiving was appointed, and a form of prayer was set forth to be used on the following Sunday in all churches and chapels within the cities of London and Westminster and ten miles round, and by the 1st of July next in all other places throughout the kingdom. Letters were sent to announce the birth to the lords-lieutenants of counties, signed by Jeffreys, Sunderland, and the Lords Bath, Powis, Middleton, Craven, Castlemain, Dover, and Dartmouth:* and on the 29th of June an order of council was issued for inserting the name of the Prince of Wales in the Common Prayer-book.† But still the Protestant unbelief continued unshaken; the pains taken to dissipate it increased it; and accidental circumstances were laid hold of by the national antipathy and credulity. On the night when fireworks were let off the sky was black and gloomy, except when vivid lightning made the artificial fire ineffectual: this, according to the populace, was a clear sign of the wrath of the Almighty, at the imposture put upon the Protestant heirs to the throne. At the same time it was believed by many of the mob that, under the colour of rejoicing and *feux de joie*, it was intended to bombard the city of London for its lively demonstrations upon the deliverance of the bishops.

The eyes of the Protestants were now never turned from the Prince of Orange, and Tories as well as Whigs looked to William as their only hope. And if that prince were invited by friends and admirers on the one side, he was not less impelled into the course he took by enemies on the other. Louis XIV. had heaped every possible injury and insult upon him; and his father-in-law, James, from whom at one time he had expected countenance and assistance, had become the vassal of the overbearing monarch of France. The courts of Madrid and Vienna were equally exasperated against Louis, and, having failed in gaining over James, they were ready to favour any project against him; and it became a general axiom of state, that the downfall of this worst of the Stuarts was essential to the welfare and independence of Europe. We can touch but lightly on the intrigues and by-paths by which the great plan was pursued; but we may observe, generally, that on all sides there was a wonderful deficiency of honour, principle, and spirit. Count Zuleystein, who was sent ambassador by the States to felicitate James upon the birth of a son, returned in a few weeks with an invitation, in form, from a great number of noblemen and gentlemen, for the Prince of Orange to come over with an armed force to call the legitimacy of the child in question, and redress the grievances of the nation. Officers of the army and navy, men in high civil trusts and employments, even personal friends and favourites of the king, joined secretly in the prayer to William, and every secret of the court and government was betrayed to the prince and his emissaries. Even Sunderland, seeing the inevitable convulsion, prepared for his own safety by betraying his imbecile master. Admiral Russell, the cousin of the late Lord Russell, and Vice-Admiral Herbert, bold and experienced seamen, encouraged

* "My dear sister can't imagine the concern and vexation I have been in, that I should be so unfortunate to be out of town when the queen was brought to bed, for I shall never now be satisfied whether the child be true or false. It may be it is our brother, but God only knows, for she never took care to satisfy the world, or give people any demonstration of it. It is wonderful, if she had really been with child, that nobody was suffered to feel it stir but Madam Mazarine and Lady Sunderland, who are people that nobody will give credit to."—*Letter from Princess Anne to her sister, in Dalrymple, Appendix.*

* Ellis's Letters.

† Memorials on Both Sides, from the year 1687, to the death of King James II. With divers original papers never before published, useful for such as desire to be fully informed in the True State of the Revolution and the Birth of the Pretender. 1711.

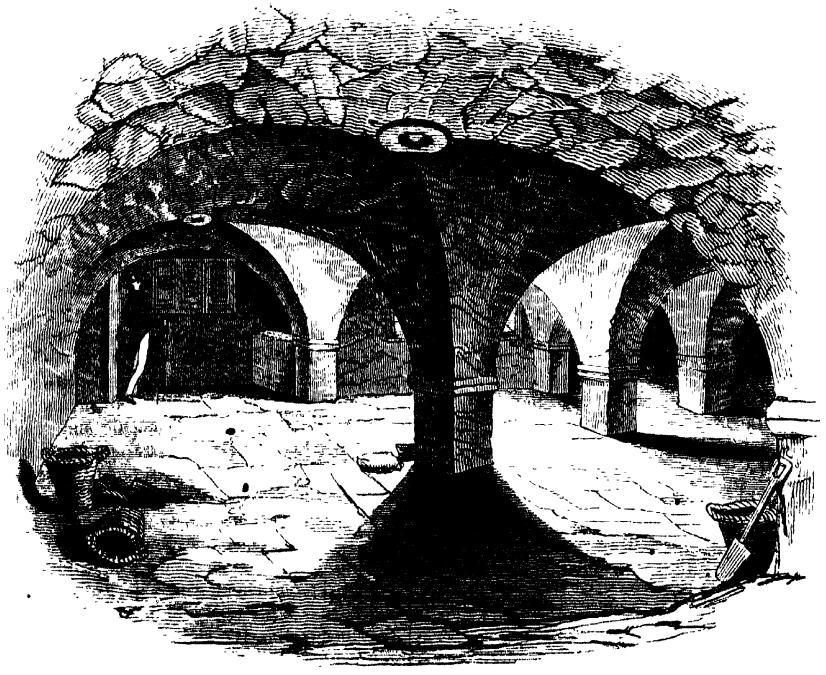
the discontents of the navy; and, after carrying on a furtive correspondence, going and coming between England and Holland, Herbert threw off the mask, and took refuge with the Prince of Orange, who, from that moment, forbade any mention of the young Prince of Wales in the prayers used in his chapel for the royal family of England. The vice-admiral was soon followed by the brave and indefatigable Lord Mordaunt, who pressed William to an immediate expedition into England; by the Earl of Shrewsbury, who threw up his regiment, mortgaged his estate for 40,000*l.*, and offered his sword and his money to the prince; and by other men of name and influence from Scotland as well as from England.

Fletcher of Saltoun, who since the unfortunate affair at Lyme had been serving as a volunteer in Hungary, hastened to Holland to be ready with his sword and his counsels; and, generally, the Protestant lords and gentlemen who had been obliged to fly to the continent flocked to William with reviving hopes that through his means they might recover their property and their homes, and restore liberty and Protestantism to their country. A regular intercourse was established between London, Edinburgh, Dublin, and the Hague. In England this was chiefly managed by Lord Danby, the Earl of Manchester, and the friend of the unfortunate Russell, Lord Cavendish, now Earl of Devonshire; in Scotland by Lord Stair, his son, Sir John Dalrymple, the Lord Drumlanrig, son to the Duke of Queensberry, and General Douglas, that duke's brother. But to few was William more indebted than to the Lord and Lady Churchill, who had tasted, to an unusual degree, of James's favour and bounty. Henry Sidney, brother to the republican Algernon, Hampden, and others who had felt like him the weight of the perverted laws, determined to run one more risk, and were active and eager like men that knew this must be their last cast. Secret meetings were held in various places to mature the scheme. One of the most conspicuous was the old mansion called Lady Place, or Hurley House, which is situated on one of the most picturesque windings of the Thames between Maidenhead and Henley. According to tradition, there, in a gloomy Norman vault, which had once been the burying-place of the Benedictine friars, to whom the house belonged, the great movers of the Revolution held their secret consultations,* and signed the papers transmitted to the Prince of Orange.

Favoured not less by events and circumstances on the continent, which completely covered his design till it was ripe for execution, than by the almost unanimous feeling of impatience at the tyranny of the government in England, William drove on his preparations for an actual invasion, and by the month of August he had collected 15,000 land troops, a fleet of 70 sail, a capital train of artillery, flat-bottomed boats for effecting a landing, and all other materials and provisions necessary. From the state of the continent it was easy for him to make it appear that these preparations were intended merely for the defence of Holland and her allies against France. The Elector of Brandenburg, the Elector of Saxony, the Landgrave of Hesse, other German princes confederating against Louis the Fourteenth and the governor of the Spanish Netherlands, all played into William's hands, and helped to conceal the real destination of the armament. With his usual silence and caution, William intrusted the particulars of his design to five or six persons at most. The king of France sometimes thought that William meant to attack his ally, the king of Denmark, sometimes, that the blow was merely intended against the liberties of Holland; and the king of England believed that the fleet and army were intended against France. Attempts, however, were not wanting to warn James of his danger, but Sunderland, who had the command of the foreign correspondence, is said to have concealed these communications from his master. By every party recourse was had to a wholesale system of lying and deception, for in this "glorious revolution" nothing was glorious but the result. When James wrote to his daughter, the Princess of Orange, to complain of their no longer praying for the Prince of Wales, that lady answered that the omission had arisen out of a mistake or negligence, and she said other things to dispel her father's suspicions. Even Louis the Fourteenth, who had a game of his own to play, and who was ready enough to sacrifice the king of England, if by so doing he could gain more than by supporting him, shifted and changed his position and professions, and bewildered and deluded that woful blunderer, who never had head enough to govern a society of monks, much less a nation. But at last—about the middle of September—it suited Louis to impart by letter positive information about the intended invasion. The contemptible tyrant turned pale and stood motionless; the letter dropped from his hand and womanly tears from his eyes. At the same time Louis made an offer of French ships and French troops, but every body near James advised him to reject this perilous assistance, and he rejected it accordingly. Yet, as soon as he had done so, he repented; and clandestinely begged Louis to keep a fleet and army ready for him at Brest. A few days before this the Duke of Berwick, one of his illegitimate children, attempted to introduce a number of Irish Catholics into his regiment; and, because the lieutenant-colonel and the officers

* The circumstance is recorded in an inscription on the wall of the vault. After mentioning the foundation of the monastery of Lady Place at the Norman Conquest, it goes on: "Be it also remembered, that in this place six hundred years afterwards, the Revolution of 1688 was begun. This house was then in the possession of the family of Lord Lovelace; by whom private meetings of the nobility were assembled in the vault; and it is said that several consultations for calling in the Prince of Orange were held in this recess. On which account this vault was visited by that powerful prince after he had ascended the throne." Lord Lovelace was rewarded by King William with the post of Captain of the Band of Gentlemen Pensioners. He was probably not the less disposed to revolution from being in embarrassed circumstances. A short account of Lady Place, with correct views of the house and vaults, is given in the Penny Magazine, No. 377, for February, 1838. We copy these views on the opposite page.

LADY PLACE.



VAULTS OF LADY PLACE.

would not receive this illegal reinforcement, the king sent a troop of horse to bring them before him, and cashiered them all. This proceeding had the worst possible effect upon the army, among which vehement Protestant pamphlets and broadsheets had long been circulated in spite of all the precautions of the Catholic party. When too late James attempted to disarm the animosity of his people by concessions; he even condescended to consult the Protestant bishops whom he had so recently persecuted; he replaced the Protestant deputy-lieutenants and magistrates; he stopped the *quo warranto* war against municipal institutions; he gave back to the city of London its old charter; he restored Compton, the bishop of London, to his episcopal jurisdiction; and, though under present circumstances, he said that he was obliged to revoke the writs for the meeting of parliament in November, in his proclamation for that purpose, he spoke most respectfully of parliaments as the best means of settling all differences. On the 3rd of October, the Archbishop of Canterbury and eight bishops waited upon the king, presented him with their advice in writing, and sought to bring him back "to the religion in which he had been baptized and educated." But just at this critical moment the infant whose birth had hurried on the storm was baptized with great pomp according to the rites of the church of Rome, the pope, represented by his nuncio, being the godfather. The baptism of James Francis Edward, with the particulars of the ceremony, was madly published in the Gazette, and added fresh elements to the tempest. A few days after, when there was "a wonderful expectation of the Dutch fleet," and when the bastardy of the unlucky child was sung in scurrilous songs in the streets of London, James summoned an extraordinary council, at which were present the Archbishop of Canterbury, the judges, the lord mayor, the queen dowager, and all the lords and ladies who had been present at the queen consort's labour and delivery. "The procedure," says Evelyn, "was censured by some as below his majesty to condescend to on the talk of the people; and it was remarkable that, on this occasion, the archbishop, the Marquess of Halifax, and the Earls of Clarendon and Nottingham refused to sit at the Council table amongst Papists, and their bold telling his majesty that whatever was done whilst such sat amongst them was unlawful and incurred premunire—at least if what I heard be true."* "I have called you together," said James, "upon a very extraordinary occasion, but extraordinary diseases must have extraordinary remedies. The malicious endeavours of my enemies have so poisoned the minds of some of my subjects, that, by the reports I have from all hands, I have reason to believe, that many do think this son, which God has pleased to bless me with, to be none mine, but a supposed child. But, I may say that, by a particular Providence, scarce any Prince was born where there were so many persons present." He then caused to be examined upon oath upwards of 40 witnesses, including 22 females, some of them waiting women about the queen, some ladies of the highest rank, and 19 noblemen, gentlemen, and physicians. As far as evidence for such a case could go, their depositions, which were enrolled in Chancery, proved that the queen had been delivered of the child in the regular manner; but the nation would not be bound by the common rules of evidence. The Princess Anne, who seems never to have called the child Prince of Wales but once, when she fancied it was dying, avoided by a trick being present at this truly extraordinary council, to which she had been invited, though she had not witnessed the birth. By the king's orders some of the lords waited upon her with a copy of the evidence. "My lords," said Anne, "this was not necessary, the king's word is more to me than all these depositions:" and yet, according to her own uncle, the Protestant Clarendon, Anne continued to talk of the birth of the boy with bitter derision. "And the truth is," says the quick-sighted Barillon, "she favours the party of the Prince of Orange as much as she dares without openly declaring herself." At this moment Sunderland was suddenly dismissed. "It is conceived," says Evelyn, "that he had of late grown remiss in pursuing the interests of the Jesuitical counsels; some reported one thing, some another; but there was doubtless some secret betrayed which time may discover." The fallen minister told Barillon that his sole offence was seeing things as they were—in extremity; but James told the adroit Frenchman, from whom he had just received a hundred thousand crowns, that Sunderland "was afraid;" that he thwarted and offended his majesty's most faithful servants, and that his services were no longer satisfactory. Sunderland soon went over to Holland and carried all his state secrets with him.

Before this selfish politician got to the Hague, the Prince of Orange was safe in England, the game was up, and Sunderland's treachery no longer worth the purchase. Yet the first move seemed inauspicious. On Friday, October the 16th, William embarked with Count Solmes, Count Stourm, Marshal Schomberg, Bentinck, Overkirk, and many British noblemen and gentlemen. His ship bore the flag of England and his own arms, with this motto—"I will maintain the Protestant religion and the liberties of England. The whole fleet weighed anchor during the night, and stood over for the English coast; but the winds, which had been so long contrary, veered round to the old quarter, and blew such a hurricane, that the immense fleet was driven from its course, scattered, and materially injured. William put back into Helvoet, and employed his scouts in

* Diary, 29th October. On the preceding day there had been a tumult in the city, where the rabble demolished a popish chapel which had been recently set up. The same diarist notices that, on the 14th of October, the king's birthday, no guns were fired from the Tower as usual, that the sun was eclipsed at its rising. "This day," he says, "was signalised for the victory of William the Conqueror, near Battle, in Sussex." It appears that people were expecting upon that anniversary the landing of William Prince of Orange

EMBARKATION OF THE PRINCE OF ORANGE AT HELVOETSLUYS.

collecting the scattered transports. News of this check was soon carried to James, who devoutly said, it was no wonder since the Host had been exposed for several days. But he was deluded as much by Dutch gazettes as by his own superstition. Those papers exaggerated the damage done, so as to make him believe that the expedition would be deferred till the following spring. A declaration from William was already circulated through the country, and a man was taken prisoner in London with various papers and a printed manifesto, and, after an examination before the cabinet council, he was committed to Newgate. There were expressions as if the lords, both spiritual and temporal, had invited him over. "This," says Evelyn, "made his majesty convene my Lord of Canterbury and the other bishops now in town, to give an account of what was in the manifesto, and to enjoin them to clear themselves by some public writing of this disloyal charge." Sancroft, with the Bishops of Durham, Chester, and St. David's, expressly denied any such invitation, of which, indeed, *they* had known nothing; but Compton, the Bishop of London, who had subscribed the invitation to the Prince of Orange, said evasively, "I am confident the rest of the bishops will as readily answer in the negative as myself." James, dreading the men whom he had attempted to crush, mildly requested to have their denial in writing, together with an "abhorrence" of the designs of traitors and of the Prince of Orange, and he dismissed them with an order to draw up such a paper as he might publish to the nation. The prelates were in no hurry to obey, for they expected every day that the landing of the prince would rescue them from the penalties of disobedience and from all fear of James. He urged them on by impatient messages. The prelates at last returned to court and again protested their innocence of treasonable plots. "But," said James," where is the paper?" The primate replied, that they had brought no paper, and that they did not think any was necessary, for since his majesty had been pleased to say that he thought them guiltless, they despised what all the world besides might say. "But," continued James, "I expected a paper;—I take it you promised me one." "We assure your majesty," said the bishops, "that scarce one in five hundred believes the manifesto to be the prince's true declaration." "But five hundred," said James, "would bring in the Prince of Orange upon my throat." "God forbid," ejaculated the bishops," who, after some more urging, said, "Truly, Sir, this is a business of state which does not properly belong to us:" and Sancroft reminded him of the recent imprisonment of the bishops for touching on matters of state. At this he was exceedingly irritated, and told the archbishop that he was making a mad quarrel.* But nothing would move the bishops, great abhorrers as they had been whenever the church was not concerned, to express their abhorrence of the present scheme; and the conference ended in their affirming that, as bishops, they could only pray, but that, as peers, they might serve the king in parliament.†

But by this time the lawn sleeves were safe, for the Dutch fleet had passed the straits of Dover, and was steering for the western coast. On the

* Querelle d'Allemand.

† Archdeacon D'Oyley's Life of Sancroft.—Apology, published afterwards by the bishops.—Sprat's Letters.

1st of November William set sail a second time, and with a fair wind and a brisk gale. He steered for about twelve hours to the northward, in order to create a belief that he intended to land in the north of England. But, as soon as the light English vessels which watched his progress had disappeared, to convey this erroneous information, he tacked about. On the second morning the people on the Kentish coast discovered his fleet, which stretched as far as the eye could see. The English fleet, which had suffered in a recent storm, was lying in the Downs with their yards and topmasts struck, and, from the nature of the wind and other circumstances, they were unable to get to sea or molest the prince with a single shot. James had entrusted the important command to Lord Dartmouth, who was true to him; but more than half the captains had secret engagements with Admiral Herbert; and it is extremely doubtful whether the men would have fought their ships. About noon the Dutch fleet, amounting in all, in ships of war, transports, and sloops, to nearly seven hundred sail, was off Dover, saluting with their great guns, and gladdening the ears of the spectators with the distant sounds of music. And of the many thousands of English that gathered on the coast to watch its progress, there were but few that did not regard it with joy and gratitude. It bore away under light and favourable breezes to the westward; and on the 4th of November came safe to anchor at Torbay. William was anxious to land immediately, because that day was the anniversary of his birth and also of his marriage with the Princess Mary of England; but the English rejoiced that the landing could not be effected until the 5th, which was the anniversary of the discovery of the gunpowder treason. William immediately marched with his army to Exeter. He had about fifteen thousand men, of whom some two thousand were English, Scotch, and Irish Protestants, who had been serving on the continent. The recent butcheries of Jeffreys had left such a dread and horror, that few of the people joined the invaders; and the city of Exeter, though it could not resist, did not at first seem to welcome the invaders. The clergy would not attend a sermon preached in the cathedral church by Burnet, who had come over with William; and even the dissenters refused to admit the Scottish preacher, Ferguson, into their meeting-house. This veteran revolutionist called for a hammer, and, saying "I will take the kingdom of heaven by storm," broke open the door. William's intention had been to march at once into the heart of the kingdom, but he was embarrassed, if not discouraged, by the appearance of lukewarmness and timidity, and he continued more than a week at Exeter close to his shipping, which still lay unmolested by the English fleet. It is stated that he more than once thought of re-embarking, and

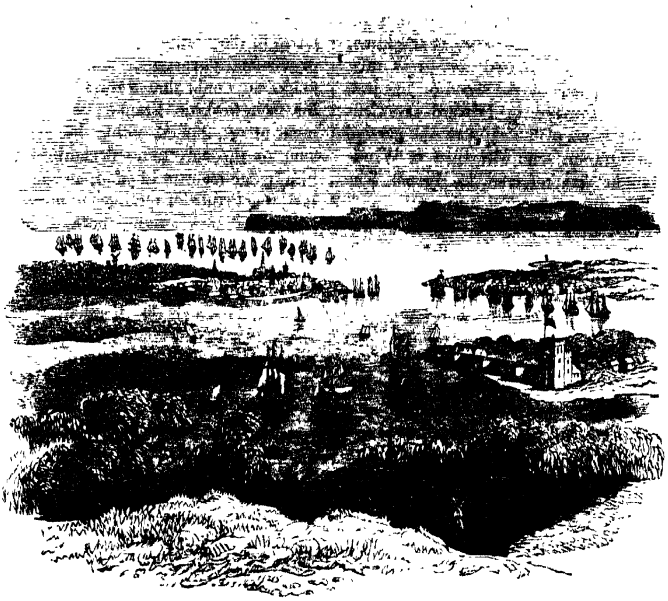
Landing of William III. at Torbay. From a Print after Stodhardt.

that he threatened to publish the names of all those who had invited him over, as a proper reward for their treachery, folly, and cowardice.* But, though it might have suited him to make some such threat, we doubt very much whether he ever really entertained any such intention, or despaired of his success.

Meanwhile, James was trembling and wavering, and touching people in London for the king's evil, being assisted therein, not by a Protestant priest, as the law prescribed in those miracles, but by Piten, a jesuit. If he could have counted on the men he was not without the means of defence. Besides the regular army which had been so long encamped at Hounslow, he had 3000 Irish troops in Chester, nearly 3000 Scottish troops in Carlisle, and the militia of several counties were under arms. But all the common soldiers that were not papists were disaffected, and some of the principal officers were in league with the Prince of Orange and his friends. Lord Colchester, a friend of the late Duke of Monmouth, was the first that openly deserted. He carried with him a few of his men; but Lord Cornbury, son of the Earl of Clarendon, who was lying at Salisbury with three regiments of horse, attempted to go over with all that force. He found unexpected obstacles in the military honour of his subalterns, and was obliged to fly to the prince almost alone; but he was soon followed by most of the men, and the rest were scattered and rendered useless to James. The City of London, meanwhile, was in disorder, and the mob pulled down a nunnery recently opened at St. John's, Clerkenwell. A council of war was called at Whitehall on the 16th of November. The members of it were assured that a parliament would be called as early as possible, and they recommended his majesty to put himself at the head of his *faithful* army. The little Prince of Wales was sent for safety to Portsmouth, and there was a sudden and great flight of the priests and monks who had occasioned all this calamity. On the morning of the 18th the king set out for the army, but he returned and received an address from the Archbishop of Canterbury, the Archbishop of York, some of the bishops, and such of the peers as were in London, who all prayed for the calling of parliament. On the following morning he set out for head-quarters, now at Salisbury, with Barillon, the French ambassador; but, wherever he advanced, he found unequivocal symptoms of disaffection; and, fearing (probably not without reason) to be betrayed into the hands of his son-in-law by his favourite Churchill, he in five days began to retrace his steps towards the capital. Churchill and the Duke of Grafton, one of Charles the Second's illegitimates, went over to the Prince of Orange, who by this time had no cause to complain of lukewarmness, and who, encouraged by risings in his favour in Cheshire, in Derbyshire, in the North, had advanced from Exeter to Wincanton. Captain Churchill, brother to Lord Churchill, had joined the Dutch fleet with his ship. The king, in the midst of these difficulties, was visited by a violent bleeding of the nose, and, if he had ever had any courage, he was now wholly deserted by it. As he was retreating from his own army he stopped on the evening of the 24th at Andover, where he invited his son-in-law, Prince George of Denmark, and the young Duke of Ormond, whom he had recently gratified with the Order of the Garter, to sup with him. The very next morning both the prince and the duke were missing; they had gone straight from the royal table to horse, and had ridden to the Prince of Orange with Lord Drumlanrig and Mr. Boyle. The illustrious Dane had been wont to say, when he heard of the desertion of any of those whom James had delighted to honour, "Est il possible?" (Is it possible?) The king now said, "Est il possible gone too?" But when, on the morrow, he arrived at Whitehall, and found that his daughter Anne had imitated her husband's example, he exclaimed, in an agony and with tears, "God help me! my very children have forsaken me." Anne had absconded from the palace in the night with the fascinating Lady Churchill, who is generally accused of inducing the princess to make up her mind.* The two ladies slept in the city at the house of Compton, the Bishop of London, who, the next morning, with the Earl of Dorset, escorted them to Lord Dorset's mansion at Copt Hall, whence they repaired to the Earl of Northampton's. They afterwards went to Nottingham, where a small army of volunteers gathered round the orthodox but unfeeling daughter of James. Compton, the Bishop of London, who had been a soldier in his youth, put on his harness again, and rode before the princess with a drawn sword in his hand and with pistols at his saddle-bow. It was considered that the decencies were preserved by Anne's not going directly after her husband to the enemy's camp;

* Rapin.—Lord Dartmouth.

* This is the account given, many years after, by Lady Churchill, then Duchess of Marlborough:—"Upon the landing of the Prince of Orange, in 1688, the king went down to Salisbury to his army, and the Prince of Denmark with him; but the news quickly came from thence that the Prince of Denmark had left the king, and was gone over to the Prince of Orange, and that the king was coming back to London. This put the princess into a great fright. She sent for me, told me her distress, and declared, *that rather than see her father, she would out at window.* This was her expression. A little before a note had been left with me, to inform me where I might find the Bishop of London (who in that critical time absconded) if her royal highness should have occasion for a friend. The princess, on this alarm, immediately sent me to the bishop. I acquainted him with her resolution to leave the court, and to put herself under his care. It was hereupon agreed that, when he had advised with his friends in the city, he should come about midnight, in a hackney-coach, to the neighbourhood of the Cockpit, in order to convey the princess to some place where she might be private and safe. The princess went to bed at the usual time, to prevent suspicion. I came to her soon after; and by the back-stairs which went down from her closet, her royal highness, my Lady Fitzharding, and I, with one servant, walked to the coach, where we found the bishop and the Earl of Dorset. They conducted us that night to the bishop's house in the city, and the next day to my Lord Dorset's, at Copt Hall.....As this flight of the princess to Nottingham has by some been ignorantly, not to say maliciously, imputed to my policy and premeditated contrivance, I thought it necessary to give this short, but exact relation of it. It was a thing sudden and unconcerted; nor had I any share in it farther than obeying my mistress's orders in the particulars I have mentioned; though, indeed, I had reason enough on my own account to get out of the way, Lord Churchill having likewise, at that time, left the king, and gone over to the other party."



Portsmouth.

but the companion of her flight assures us that the princess did not think herself safe till she saw that she was surounded by the Prince of Orange's friends. By this time Plymouth had declared for the prince, and so had Bath and Bristol, York and Hull; and all the chief nobility and gentry were flocking to his standard, and aiding in the composition or publication of manifestos and declarations. The Dutch army was joyfully expected in the ultra-loyal city of Oxford; and the university, to complete their recantation, sent to make William an offer of all their plate. There was a fresh flight of priests, and jesuits, and court favourites; among whom was the obnoxious Father Petre. All that remained of the council in London were distracted and panic-struck; and Chancellor Jeffreys saw the gallows or a worse death before him. Unmeaning proclamations were issued, and negotiations were set on foot with the Prince of Orange; a general pardon to offenders was passed under the great seal, and promises and professions were lavished to an incredulous and now triumphant people. "Addresses," says Evelyn on the 2nd of December, "come up from the fleet not grateful to his majesty; the papists in office lay down their commissions and fly; universal consternation is amongst them; *it looks like a revolution!*"

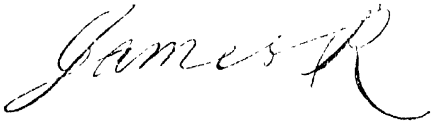
But by this time James himself was convinced that nothing was left to him but flight. The officers of the navy prevented the embarkation of the little Prince of Wales at Portsmouth. The child was brought back to London, and, on the night of the 10th of December, the queen, disguised as an Italian lady, fled with it across the river to Lambeth, lighted on her doleful way by the flames of burning popish chapels. From Lambeth the queen and prince were conveyed in a coach to Gravesend, where they embarked in a yacht, which landed them at Calais. Within twenty-four hours the stupified king followed them. He cancelled the patents for the new sheriffs, with the writs issued for calling a parliament, and, taking away the great seal with him, he fled with Sir Edward Hales across the Thames to Lambeth, throwing the seal into the river as he passed. Relays of horses had been provided by Sheldon, one of the equerries, and they rode with all speed to Feversham, where they embarked in a custom-house hoy. But it blew a strong gale, and the master of the little vessel, seeing that he wanted more ballast, ran into the western end of the Isle of Sheppey, where the people seized the disguised king as a fugitive jesuit, treated him with proportionable rudeness, and carried him back a prisoner to Feversham. Then he made himself known; told the rabble, who had been calling him "a hatchet-faced jesuit," that he was their king, procured pen, ink, and paper, wrote a note to Lord Winchelsea, the lieutenant of the county, who hastened to him to rescue him out of the rude hands of that rabble rout of fishermen, sailors, and smugglers, who took his money but refused to let him go. Never, perhaps, did a fallen despot present so miserable a spectacle. His mind was a complete wreck: he alternately implored and threatened; he told the mob that the Prince of Orange was seeking his life, and he

screamed for a boat! a boat! that he might escape. When he was conducted by Lord Winchelsea from the public house to a private house in the town, he fell a weeping, and deplored his great misfortune in losing a piece of the wood of the true cross, which had belonged to Edward the Confessor. When the news of his capture was carried to the Prince of Orange, who was then at Windsor, the messenger was referred to Burnet, who exclaimed, "Why did you not let him go?"

As soon as the king's flight from his palace was known in the city, the populace proceeded to very violent extremities, being excited and maddened by all kinds of reports, some if not all of which were invented by those who were managing or favouring this revolution. It was reported, for example, that the Irish part of the now disbanded army had begun a massacre of the Protestants; and this was sufficient to set the bells a-ringing and beacon-fires blazing in all directions. In this frenzy they destroyed more popish chapels, broke open the houses of some of the foreign ambassadors, and made search for Father Petre and his jesuits. Petre was safe in France; but the pope's nuncio was fain to disguise himself as a footman. In the midst of this search a wretch fell into their hands, whose life would not have been safe for an instant with any other people in Europe in a similar state of excitement. This was Lord Chancellor Jeffreys, who was found in Wapping disguised as a sailor. They cudgelled him, it is true, but they drew no knife or mortal weapon against the butcher. With a rare reverence for the forms of justice, they carried him before the lord mayor, who committed him for safety, and at his own request, to the Tower. In the midst of these tumults a provisional government was formed in a council of about thirty of the bishops and peers that were in London; the governor of the Tower was changed; and the Prince of Orange was invited into the capital. This council also ordered Lord Feversham to repair to his helpless master with two hundred of the life-guards and no more, and to leave it to his majesty either to return to his good city of London or to retire to the continent, as he should think fit. The provisional government and the Prince of Orange made no doubt that James would instantly turn his face towards France; but, to the astonishment of all, James, either by choice or compulsion, or through some deceptions practised upon him, came back to London, and invited his son-in-law, the Prince of Orange, to meet him at Whitehall, that they might there amicably settle the distractions of the nation. But William had certainly no wish for any such interview, and he and his friends were probably alarmed by the commiseration which the Londoners had testified for the fallen sovereign on his passage through the city. What William and his party wanted was the immediate expatriation of the king, which could be converted into a virtual abdication; and to this end they drove, being assisted by some whom James still considered as his personal friends. And, as if to revive that intolerance of all popery to which, immeasurably more than to any other cause, he owed his ruin, he, on the day of his arrival at Whitehall, went to mass, and then, dining in public, had a jesuit to say grace.* He, however, resumed some of the functions of royalty, and showed no inclination to be gone. To quicken him, four battalions of the Dutch guards and a squadron of horse were marched into Westminster; and James's ex-minister Halifax, and the Lords Shrewsbury and Delamere waited upon him with a peremptory message. Lord Craven, who was at Whitehall with a few of the guards, declared that the Dutch should not enter there as long as he had breath in his body; but James had none of the spirit of this octogenarian noble, and resistance was clearly worse than useless. The English guards were withdrawn, and the Dutchmen surrounded the palace. Then Halifax waited upon James, who was in his bed, and coolly told him that he must go to Ham, a

* Evelyn, who was present.

From Original in Harleian Library.



From Original in Harleian Library.

house belonging to the Dowager Duchess of Lauderdale, as the Prince of Orange intended to enter London on the following morning. James merely said that Ham was cold and damp, and that he should prefer going to Rochester. As this was a step towards France, he was soon informed that his son-in-law agreed; and about noon on the following day James embarked in the royal barge for Gravesend. He was attended by the Lords Arran, Dunbarton, Lichfield, Aylesbury, and Dundee, and followed and watched by a number of Dutch troops in other boats.* The people of London almost forgot the past, and many of them were so much affected as to shed tears, and implore blessings on his dishonoured head. That night he slept at Gravesend, and on the morrow he proceeded to Rochester, where he spent four days, still watched by Dutch troops, who of course favoured rather than obstructed that flight which his fears and everything he saw and heard urged him to. On the night of the 23rd of December he rose from his bed, dressed himself, walked through the garden of the house down to the Medway, and put off in a boat with his natural son the Duke of Berwick, two ex-captains of the navy, and a groom of the chambers. On the following morning he reached a fishing smack, which had been hired for the voyage, and, passing the guardships at the Nore without molestation or challenge, he landed on the morning of the 25th at the small town of Ambleteuse. And thus was Britain happily delivered from the perverse and incurable dynasty of the Stuarts; and (in the words of a true though, in some respects, mistaken patriot, who lived in his exile to rejoice at this revolution) "freed from those pestilential vapours which poisoned it in the late reigns."*

* "17th December. This night was a council: his majesty refuses to assent to all the proposals, and goes away again to Rochester.
"18th. I saw him take barge. A sad sight!"—*Evelyn.*

* Ludlow.

CHAPTER II.

THE HISTORY OF RELIGION.

ARCHBISHOP LEIGHTON. From an Anonymous Print.
BISHOP HALL. From the Picture in the Gallery of Emanuel College, Cambridge.
BISHOP BURNET. From a Picture by Sir Godfrey Kneller.
BUNYAN. From a Print engraved by Sharp, after an Anonymous Picture.
BARROW. From a Picture by Isaac Whood, in Trinity College, Cambridge.
DR. JOHN OWEN. From a Print by Vertue.

THE four terms, Absolutism,—Constitutionalism,—Republicanism,— Democratism, may serve, with a little explanation, to designate the successive stages in the growth of opinion upon the subject of civil government, or the successive forms which Civil Government naturally assumes in a revolution directed by opinion. 1. By Absolutism we understand every form of government in which the whole power of the state is placed in the hands, whether of one person or of a body of persons, not responsible to the rest of the community: its most perfect form may be that of a monarchy, but its principle and essence may equally subsist in an aristocracy or government of nobles, in a theocracy or government of priests, or in any other oligarchy or government by a particular class. And although, again, the absolutism is most perfect when the governing power does not even derive its authority in the first instance from the will of the people, but perpetuates itself

either by natural descent or by its own independent nomination or election of its successors, even this is not necessary to constitute its essential character: the Roman dictatorship, for instance, so long as it lasted, was a species of absolutism, although the dictator derived all his power originally from the appointment of the senate; and so is the papal power in modern Rome, although each successive pope owes his elevation to his election by the college of cardinals. The most absolute of despotisms, indeed, might be erected by the widest popular suffrage, either exercised once for all at the first institution of the government, or periodically, or as the necessity recurred of making a new delegation of the supreme power. In most long established absolutisms, however, the government is renewed and continued without any reference to the popular will in that any more than in its other acts; it is an autocracy, or self-instituted, at least self-maintained, power, as well as an absolutism, or uncontrolled and irresponsible power. 2. When an absolute government breaks up, the form into which it always resolves itself in the first stage of the revolution is that which we have called Constitutionalism, and which may be described as an intermixture of the elements of absolutism and of popular control. The absolutism is not extinguished, it is only mitigated or checked. Men do not at once leap forth from those bonds of custom and authority by which they have been held up as well as restrained, but, influenced partly by affection, partly by fear or prudence, partly by mere use and wont, strive to retain as much as they can of the ancient system even while venturing upon a new one. The idea upon which they set to work is, that that system requires to be reformed or liberalised, not that it must be destroyed. They do not attempt to remove the absolutism, but only to balance it—to introduce a new force of an opposite kind which, acting in combination with that, shall, as with opposite forces in mechanics, produce what may be called a diagonal or intermediate resultant, or shall correct and guide it, even as the spirit of the horse is not quenched, but only tamed and directed, by the bit that is put in his mouth. As contrasted with the simplicity and headlong, unresisted course of absolutism, this system of government may be styled organized or constitutional; and it may also be so designated with nearly equal propriety as contrasted with the simplicity of the other forms to be presently mentioned: but its distinguishing characteristic is, as we have explained, the intermixture of the two elements or principles of absolutism and popular control. 3. In Republicanism, the next phasis which the revolution assumes, there is no such intermixture; here the principle of absolutism is wholly abandoned and exploded; and the single mainspring of the government is the will of the people, as expressed by the majority. The people are in this form of government what the crown is in an absolute monarchy, or the nobility in an aristocracy. In so far as the moving force is concerned, it is equally simple with any of the forms of absolutism. 4. The last aspect which the revolution turns up we have called, for want of a better word, Democratism, or, as it may be translated, the sovereignty of the rabble. Properly speaking, this is not a form of government at all, but only the morbid exaggeration and abuse of the last-mentioned form, from which it is distinguished by signs of the same kind that distinguish a healthy from a diseased activity in the human mind or frame. As republicanism wholly rejects the absolute principle, so democratism, or rabble sovereignty, renounces even the established regularities of republicanism—those institutions and rules of procedure which tend, even with the widest and most equal and indiscriminate diffusion of political rights, both to maintain the ascendency of worth and intelligence, and to give steadiness to the movement of the vessel of the state. In a republic the popular will is theoretically and ultimately the regulator of public affairs; but it is in fact itself regulated by certain fixed principles which have at all times been the loadstones of the national policy, and is drawn along, as it were, in channels hollowed out for its currents to flow in. But a democratism, wanting all these guiding and restraining influences, is all incoherency, instability, disorder, and violence;—in short, is merely republicanism gone mad, and not a government, but an explosive anarchy.

The parallelism is very striking that subsists between these successive developments of the principle of liberalization in Civil Government and the successive developments of the same principle in Religion. Absolutism, Constitutionalism, Republicanism, and Democratism have their respective representatives in Popery,—Protestant National-Churchism,—Independency, — Fanaticism. We are now speaking, it will be observed, not of forms of church government, but of modes of doctrinal belief. 1. With the Papist the authority of the church, whether it be considered to reside in the pope or in general councils, is of the same absolute character with that of the governing power in any political absolutism: it may, when it chooses, profess to found its decrees upon scripture, or tradition, or custom, or reason, or any other ground it may think most creditable or convenient; but it claims, nevertheless, to stand above even the highest of these things; for the fundamental pretension of the Romish church is nothing less than that it is in the department of theological opinion the one permanent organ or interpreter of the Deity,—the power to which is committed the function of declaring his will to men without the liability of being called to account, questioned, or contradicted by any other authority whatsoever. This is the essential and distinguishing character of Romanism. 2. What we have called Protestant National-Churchism differs from Romanism simply in this, that, still maintaining the supreme and absolute authority of the church, it limits the range

or jurisdiction of the authority to the interpretation of the written word of God or the canonical scriptures. Within this narrower field it attributes the same infallibility to the church that is claimed for it by Romanism itself. It has merely set up a barrier to restrain the absolutism of the church within certain bounds, as constitutionalism in civil government does with absolutism there. In neither case is the absolutism destroyed; it is only subjected to a check or counterpoise. Here the check or antagonist principle is, that all theological truth necessary to be believed is contained in the holy scriptures, and that the church, therefore, must ground all its decrees upon that authority. This is, as it were, the consent of the House of Commons, which is made necessary in constitutional governments to enable a law to be passed by the sovereign. But still the church remains the sole interpreter of the language of scripture; and in that act of interpretation its authority is uncontrolled and supreme. This principle both the Church of England and the Church of Scotland hold against Independency, as stoutly as they do the other principle of the sufficiency of the scriptures against Popery. 3. The distinguishing principle of Independency, again, under which term may be comprehended the chief descriptions of Protestant Dissent, is the right of the private interpretation of the scriptures. In this scheme the element of absolutism is wholly extinguished, in the same manner as it is in the form of civil government to which we have given the name of Republicanism. The authority of the church, that is, of the clergy, goes here for nothing. Independency, indeed, recognises no church, in the sense in which that term is understood and used both by Popery and by Protestant National-Churchism. Advancing from the ground taken up by the latter to a still higher station in the ascent of liberalism, it proclaims not only the sufficiency of scripture as interpreted by the church, but its sufficiency as interpreted by the private judgment of every individual. It makes every Christian man in this sense a church to himself. 4. But Fanaticism, which we do not here use at all as a term of obloquy or disparagement, goes a stage still beyond Independency, discarding even the principle of confining itself to the interpretation of scripture, and asserting the right of each individual to make up his creed not only from that, but also from such visions or private inspirations as he may suppose himself to have been specially favoured with from heaven. It thus resembles the most transcendental liberalism in civil government, or that which we have called Democratism, in rejecting all restraint or guidance whatsoever, and reducing matters to such a state that the chances are against so many as even any two individuals being of the same religion. It is Independency, as that is Republicanism, run wild in the fulness of freedom and power.

One thing is well worth noting in regard to this course which the spirit both of civil and of religious liberalism is destined to run when it is once set a going. How strongly does that in which it ends resemble that from which it began! After all, one kind of Absolutism has only been exchanged for another—that of the monarch, or the aristocracy, or the priesthood, for that of each individual's own will and fancy. As Democratism makes each man a king to himself, so Fanaticism makes each man a pope to himself. No sort of government has ever been found long practicable under the former, even with the aid of the indispensable contrivance by which, in coming to a decision, the majority is held to represent the whole; as little, probably, could religion long subsist in the form of mere fanaticism in any community. The tendency of both these anarchies is alike to fall back into the first form of absolutism, not only because the advantages of that form are exaggerated, and its evils diminished, to the imagination, by experience of the opposite extremes, but also from a real sympathy there is between the spirit of anarchy and that of absolutism, notwithstanding the opposition between their outward manifestations. The one as well as the other, in truth, is, as we have said, a spirit of absolutism, that is, of unqualified unity of essence, and unbalanced, unlimited wilfulness. Both, accordingly, are equally one-sided and egotistical; equally exclusive and intolerant; equally vain, insolent, fierce, and unreasoning: so that the temper generated in the one state of things becomes the most natural preparative for the other.

This short exposition of general principles may help us to detect, under deceptive external appearances, the real characters of the several religious parties that appear upon the scene in the last and the present periods of our history, and to understand some of their movements that might otherwise seem inconsistent and unaccountable. It will be found that, notwithstanding any tacking and winding which may have been enforced by the pressure of circumstances, the main course and ultimate objects of each were what the chart we have given would indicate.

The most remarkable phenomenon connected with the history of religion in England in the seventeenth century is the appearance of the numerous brood of minor varieties of dissenters styled the Sectaries. These were the natural progeny of Independency, and some of them, indeed, as, for instance, the Baptists, or Anabaptists, as they were then commonly called, were simply Independents, distinguished only from the general body bearing that name by some peculiar tenets not affecting either the essential principle of belief upon which the above classification is founded, or even the superficial characteristic of church polity. The greater number, however, range under the more advanced principle which we have called Fanaticism, and were only the offspring of Independency, inasmuch as the latter phasis of religious liberalism was that which immediately preceded and may be said to have led the way to the former.

The Sectaries began to make their appearance immediately after the assembling of the Long Parliament in November, 1640, serving for the same diagnostic, or performing the same functions, with the political societies which sprung up in the French Revolution on the opening of the Constituent Assembly. At this date the parliament itself was almost to a man episcopal. One of the earliest votes of the Commons was a resolution that none should sit in their House but such as would receive the communion according to the usage of the Church of England; nor had any other kind of dissent taken root till now even in the country, except that sort of primitive puritanism which consisted chiefly in an aversion to some of the rites and ceremonies of the established worship. Presbyterianism, whose quarrel with episcopacy, fiercely as it had been carried on, was merely about the external matters of church government and forms of worship, was as yet confined to Scotland: it does not appear that even those of the English puritans who were most dissatisfied with some things in the constitution of the established church, and would have gone farthest in restraining and curtailing the power of the bishops, had generally made up their minds to the entire abolition of the order. Circumstances, indeed, had been for some time preparing the way for a union between the puritanical party in England and the Scotch presbyterians, even before the course of political events threw them into each other's arms; in particular, the prevalent doctrinal theology of the puritans tended to alienate them from the growing Arminianism of the English church, and to turn their regards and sympathies to their brethren of the same Calvinistic faith in Scotland. But it was the visit of the Scotch commissioners to London, about the same time with the assembling of the Long Parliament, that properly planted Presbyterianism in England. "The king retires to London," writes Sir Philip Warwick, "and Scotch commissioners are sent up thither, and they, both by the parliament and city, are looked upon as angels of light: and they frequent the congregations of the chief dissenting presbyters, who from all quarters of the kingdom flow up to this city, as if they were to convert an unsanctified, heathen nation; and Timothy and Titus are upon all occasions proved not to have been bishops, as a distinct order from presbyters; and the rites of the church of no better appellation than superstitions; and the bowing at the name of Jesus hath a book written against it with no less title than *Jesus-worship Confuted;* so as, if a Mahometan had heard it cried in the streets, as it was, as I heard a gentleman say passing by, surely he might justly have thought this nation at that time was denying its Saviour."* Thus furiously blown upon, the flame of the new religion spread with wonderful rapidity; the City of London very soon became generally presbyterian; a large section of the House of Commons caught the same spirit; the Assembly of Divines began their deliberations in the summer of 1643, and there presbyterianism speedily acquired so complete an ascendancy as to be enabled, from that stronghold, to force the recognition of itself by the parliament and the country as the national profession of faith. By this time, however, both Independency and the many-headed strength of Sectarianism had also arisen out of the great deep sea of opinion which the storm was now tossing; and their united mass formed a gathering wave close behind presbytery, which already felt no little uneasiness at being so pursued and pressed upon. In 1646 the Reverend Thomas Edwards, a zealous presbyterian minister of London, published a strange work under the title of "Gangræna, or a Catalogue and Discovery of many of the Errors, Heresies, Blasphemies, and pernicious practices of the Sectaries of this time, vented and acted in England in these last four years,"—the three parts making a thick little quarto of above six hundred pages,—in which he enumerates no fewer than sixteen distinct species of heretical sects then flourishing in England; namely, Independents, Brownists, Millenaries, Antinomians, Anabaptists, Arminians, Libertines, Familists, Enthusiasts, Seekers, Perfectists, Socinians, Arians, Anti-Trinitarians, Anti-Scripturists, and Sceptics.* The Independents and Sectaries not only had now many congregations in London and other towns in all parts of the kingdom, but, besides maintaining an active, obstinate, tormenting opposition in the assembly of divines itself, were fast advancing to become the dominant party in the parliament, and in the army were already omnipotent. This last result had been chiefly brought about by the remodelling which the army had undergone the preceding year after the breaking up of the negotiations at Uxbridge. "When the old regiments were broken," to quote the account of the modern Historian of Puritanism, "the chaplains, being discharged of course, returned to their cures; and, as new ones were formed, the officers applied to the parliament and assembly for a fresh recruit; but the presbyterian ministers, being possessed of warm benefices, were unwilling to undergo the fatigues of another campaign, or, it may be, to serve with men of such desperate measures. This fatal accident proved the ruin of the cause in which the parliament were engaged; for, the army being destitute of chaplains, who might have restrained the irregularities of their zeal, the officers set up for preachers in their several regiments, depending upon a kind of miraculous assistance of the divine Spirit, without any study or preparation; and, when their imaginations were heated, they gave vent to the most crude and undigested absurdities. Nor did the evil rest there; for, from preaching at the head of their regiments, they took possession of

* Memoirs, 153.

* To this work and its author Milton alludes in his Sonnet "On the New Forcers of Conscience under the Long Parliament:"—

Men whose life, learning, faith, and pure intent,
Would have been held in high esteem with Paul,
Must now be named and printed heretics
By *shallow Edwards* and Scotch what d'ye call.

the country pulpits were they were quartered, till at length they spread the infection over the whole nation, and brought the regular ministry into contempt."* "It was the ministers that lost all by forsaking the army," says Baxter, himself a presbyterian, "and betaking themselves to an easier and quieter way of life. When the Earl of Essex's army went out each regiment had an able chaplain; but after Edgehill fight most of them went home, and left the army to their own conduct."† The victory at Naseby, and the other successes which immediately followed "the new model," raised the fame and influence of the army to the highest pitch: in part by moral, in part by material force, the Independents and Sectaries, with Cromwell at their head, carried everything before them, in parliament and elsewhere; the presbyterian members were thrust out from the House of Commons—the presbyterian ministers were forced to forego the exclusive possession of the church livings—Presbytery, erst pursued and pressed upon, was now overwhelmed and swallowed up by Independency. The collision of the two forces may be dated from the impeachment of the eleven members by the army and their secession from the House in June, 1647, and the catastrophe from the execution of the king about eighteen months afterwards.

Then commenced the reign of a general, and, practically, almost universal toleration, which subsisted till the Restoration, a space of nearly eleven years. The principle of religious liberty could hardly have suggested itself to any speculators before the Reformation; but it was taken up and maintained with more or less reservation by various writers not long after that event. Upon the burning of Servetus at Geneva, in 1553, a controversy arose on the expediency of attempting to repress heresy by the arm of the civil power, which was strenuously denied in a work published in Latin at Basil the following year, under the fictitious name of Martinus Bellius, and which was attributed by Beza, who answered it, to the celebrated Sebastian Castalio. The author, a French translation of whose work was soon after published at Lyons, cites several preceding writers as having promulgated the same opinions. A more famous defence of the same or similar views appeared also at Basil in 1565, the treatise of James Acontius, or Aconzio, entitled *De Stratagematibus Satanæ*, of which an English translation by John Goodwin, the Independent minister, was published at London in 1648, with the title of "Satan's Stratagems, or the Devil's Cabinet Council Opened;" and reissued in 1651, with that of "Darkness Discovered, or the Devil's Secret Stratagems Laid Open." Acontius, however, excepts atheists and apostates from the toleration which he would accord to mere heretics; and even these latter he does not deny the abstract right of the magistrate to punish, but only endeavours to show that it is much the wiser as well as the safer course—more reasonable as well as more in accordance with the spirit of Christianity—to leave them alone. But the earliest vindication of the principle of religious freedom, in its widest extent, that appeared in the English language, seems to have been a tract entitled "Religious Peace, or a Plea for Liberty of Conscience, long since presented to King James and his High Court of Parliament, by Leonard Busher," which was first printed in 1614, and again in 1646. Busher would extend the most perfect toleration not only to all forms of Christianity, in other words, to all diversities of heresy, but also to every other religion as well as to the Christian; nor would he have any punishment or restraint applied even to persons of no religion at all.* But this and the other schemes that have been noticed were nothing more than the speculations of individual writers; the honour of having founded the first church or sect that made universal toleration one of the articles of its creed and practice has been claimed for the Reverend Roger Williams, who was born of a reputable family in Wales in 1598, and was educated at the University of Oxford; but, after having been ordained in the established church, embraced the principles of the puritans, and emigrated in 1631 to the young colony of Massachusetts in New England, from whence, however, he was banished, three or four years afterwards, "as a disturber of the peace of the church and commonwealth," and driven to take refuge with a few followers among the Indians of what is now called Rhode Island, where he founded the settlement of Providence on a tract of territory purchased from the native inhabitants. The settlers were afterwards joined by other exiles from Massachusetts; and in 1643 Williams proceeded to England, and, principally it is said by the aid of the younger Sir Henry Vane, obtained from the Earl of Warwick, then governor and admiral of all the plantations, a charter of incorporation for the new colony, under the name of "the Incorporation of Providence Plantations in Narragansett Bay." In 1662 a second charter was obtained from Charles II., in which the incorporation was styled "the English Colony of Rhode Island and Providence Plantations in New England;" and by this more especially the most ample and unrestricted religious freedom was made a fundamental principle of the constitution. It was declared that religion should be wholly and for ever free from all jurisdiction of the civil power; so that not only were all varieties of sects tolerated, but no dominant or favoured sect was established. Of this latter peculiarity the state founded by Roger Williams probably afforded the first exemplification in Christendom; and he may be considered to have thus planted the germ of the subsequent entire and universal religious liberty of the American States. In Rhode Island itself, however,

* Neal, Hist. Pur. ii. 356. † Life, p. 51.

* An account of the treatises of Acontius and Busher, with extracts, may be found in an interesting and most suggestive paper, entitled "Thoughts on Freedom in Matters of Opinion," published in the Monthly Repository for August, 1821 (Vol. xvi. No. 188, pp. 452—463).

the results have been described as not altogether satisfactory in some respects. One writer in the beginning of the last century briefly characterises the country by the words *bona terra, mala gens* (the land good, but the people bad), and affirms that the colony was "a colluvies of Antinomians, Familists, Anabaptists, Antisabbatarians, Arminians, Socinians, Quakers, Ranters, and everything but Roman Catholics and true Christians."* "So little," says Dr. Morse, "has the civil authority to do with religion here, that no contract beteen a minister and a society (unless incorporated for that purpose) is of any force. It is probably for these reasons that so many different sects have ever been found here, and that the Sabbath and all religious institutions have been more neglected in this than any other of the New England States."† The same writer observes that, besides the numerous religious sects in Rhode Island, "there is a considerable number of the people who can be reduced to no particular denomination, and are, as to religion, strictly *Nothingarians*;" and that, although in some parts "public worship is attended with punctuality and propriety, in others they make the Sabbath a day of visiting and festivity, and in others they esteem every day alike, having no place of meeting for the purpose of religious worship." He admits, however, that, although the clergy are dependent wholly on the integrity of the people for their support, their salaries not being recoverable by law, yet they "are in general liberally maintained, and none who merit it have reason to complain for want of support."‡ A later writer informs us that the favourite tenet of the first clergymen of the state, "that human learning is no way necessary to a gospel preacher," appears to have operated with an unfortunate effect on the diffusion of literary knowledge among the people; so that "only a small part of the people have a Bible in their houses, and a very great proportion of them are unable to read or write."§ Morse, in like manner, had long before stated that, with the exception of the inhabitants of the towns of Newport and Providence, the bulk of the people were "involved in greater ignorance perhaps than in any other part of New England."‖ Williams himself is said to have become a Baptist a few years after his settling at Providence, and to have founded there a church of that persuasion, which remained united till 1653, when a dispute about some rite or doctrine divided the congregation into two. The same fate also befel a Baptist church established at Newport by Williams's chief coadjutor in all his proceedings, a Mr. or Dr. John Clarke, who was at once preacher, physician, and politician. Williams himself survived till 1683, by which time his colony, which is said to have originally consisted of only forty individuals besides himself, had grown to a population of several thousands: in 1730 the number of souls in the State, according to Morse, was 17,935 (including 985 Indians and 1648 negroes), produced "chiefly by the natural increase of the first settlers." Williams is the author of two publications in support of his favourite principle; the first entitled "Bloody Tenent of Persecution for Cause of Conscience, discussed between Truth and Peace," Lon. 1644; the second, a vindication of the former against an attempted refutation by a Mr. Cotton, a Boston clergyman, Lon. 1652.*

At the time when the patriarch of Rhode Island made his stand in this bold manner for the widest religious liberty, intolerance, bigotry, and superstition nowhere held more potent sway than among the puritan colonists of New England—themselves fugitives from the ecclesiastical tyranny of their native land. Williams, as we have seen, had been driven from Massachusetts in 1634 for his dissent from the religion of the dominant party; but his expulsion procured the colony only a very brief respite from such troubles and distractions. In 1633 there had arrived from England, along with some other ministers, the Mr. Cotton who has just been mentioned as many years afterwards the opponent of Williams in the controversy about toleration; and in his company a Mrs. Hutchinson, a lady possessed by some very singular and enthusiastic notions, which she soon began to publish abroad with great zeal and activity. Among other crotchets she is said to have maintained that the Holy Ghost dwelt personally in every justified man or woman. This and above eighty other peculiar opinions of hers were at length, after three weeks' debating, condemned as erroneous and heretical in a synod or general meeting of the clergy of the colony held at Cambridge in August, 1637, her friend Mr. Cotton alone dissenting; and she and some of her principal followers were thereupon sentenced to banishment. Mrs. Hutchinson, with her husband and family, took refuge in the first instance with Roger Williams in Rhode Island, and there they remained for five or six years; but a disagreement then took place, upon which she removed to the Dutch country beyond Newhaven, and there she and all her family, amounting to sixteen persons, were the year following massacred by the Indians, with the exception of one daughter, whom they carried away with them into the woods. This was in 1643, and that same year either Mrs. Hutchinson's religion, or some kindred species of Antinomianism, again sprung up in Massachusetts under a leader of the name of Gorton, and threw the colony once more into a ferment. Gorton and many of his followers were sentenced to imprisonment, with hard labour

* Dr. Mather's Magnalia, or History of New England, Book vii. chap 3, as quoted in Warden's Account of the United States, vol. i. p. 470.

† Morse's American Geography, 1789; p. 210.

‡ Ibid. p. 206.

§ Warden's Statistical, Political, and Historical Account of the United States of North America, 1819, vol. i. p. 471.

‖ Amer. Geog. p. 206.

* Much information respecting Roger Williams is to be found in the notes to a poem entitled "What Cheer? or Roger Williams in Banishment," by the Hon. Job Durfee, Chief Judge of Rhode Island; and in the fourth volume of the "Transactions of the Rhode Island Historical Society." See also Backus's History of New England, Boston, 1777; i. 297.

in irons, a severer punishment being threatened in case of a repetition of the crime. Meanwhile the orthodox puritanism of the colony was every day becoming more fierce and rampant; the despotic majority, which imposed all its own whims and prejudices upon the whole community, now came to hold that the wearing of uncropped hair was an offence against the word of God, and that to put a pipe of tobacco to the lips was nothing less than to inhale the smoke of the bottomless pit. Upon this latter piece of daring profanity a penalty was actually imposed by the government. There were, besides, laws by which whosoever should not communicate with the State church, which was a species of Independency, was deprived of all civil franchises; by which the worship of images was made punishable with death; and by which banishment was proclaimed against heretics of every description. Under the last-mentioned law a hot persecution of the new sect of the Quakers was begun in 1656, in the summer of which year the first of them that made their appearance in the colony are said to have arrived, some from England, some from the neighbouring island of Barbadoes. They were immediately brought before the authorities, committed to prison, and some books they had brought with them seized and burned; and in the end they were banished from the colony in terms of the law. Afterwards some additional laws were made specially directed against Quakerism. It was enacted that any Quaker, after the first conviction, if a man, should lose one of his ears,—if a woman, should be severely whipped; for the second offence should, if a man, have his other ear cut off,—if a woman, should receive another severe whipping; for the third, whether man or woman, should have the tongue bored through with a red-hot iron. Even these severities, however, being found insufficient to eradicate the obnoxious sect, it was at last enacted that every Quaker returning to the country after banishment should be put to death; and several persons were actually executed under this monstrous law. The persecution of the Quakers in Massachusetts continued with no abatement till after the Restoration, when it was at last put a stop to by an order obtained by their friends in England from the king, in September, 1661, prohibiting the infliction upon them either of death or of any other corporal punishment on account of their opinions. The spirit of intolerance had nowhere else been carried to the same height of sanguinary fury; but in a more mitigated degree it had pervaded others of the New England settlements as well as Massachusetts. In Connecticut, for instance, it was also the law that none but church members should vote at elections; and in 1658 the general court of Newhaven, the presiding authority in that State, passed an act or ordinance declaring that, "whereas there is a cursed sect of heretics lately sprung up in the world, commonly called Quakers, who take upon them that they are immediately sent from God, and infallibly assisted by the Spirit, who yet speak and write blasphemous opinions, despise government and the order of God in church and commonwealth, speaking evil of dignities, &c.;"—therefore, whosoever should bring or cause to be brought into the colony any known Quaker or other blasphemous heretic should forfeit the sum of fifty pounds; if a Quaker should come into the colony on civil business, he should be bound, as soon as he arrived, to make his appearence before a magistrate, from whom he should obtain licence to pass on his business for a certain limited time, having one or more persons to attend upon and watch his proceedings at his own charge; if he disregarded this requirement, he should be punishable with whipping, hard labour, and solitary confinement, for the first offence; for the second, should be branded in the hand, as well as imprisoned and put to labour; for the the third, should, along with a new consignment to solitary imprisonment and hard work, be branded in the other hand; for the fourth should have the tongue bored through with a red-hot iron, imprisoned and kept to labour again, and at last sent out of the colony at his own cost.

It ought not to be overlooked, however, that even in England at this time, where, under the government of the Protector, a practical toleration was extended, as we have stated, to all sorts of religionists, so long as they refrained from disturbing the government or the peace of the community, the Quakers exposed themselves, by the excess of their zeal, to a good deal of suffering. The founder of this sect was George Fox, who was born at Drayton, in Lancashire, in 1624. His father followed the trade of a weaver, and he himself, when he reached the proper age, was put apprentice to a shoemaker, who also dealt in wool and sold cattle, so that a good deal of money passed through Fox's hands. "While I was with him," says Fox, "he was blessed; but after I left him he broke, and came to nothing. . . . . While I was in that service I used in my dealings the word 'verily;' and it was a common saying among people that knew me, If George says 'verily,' there is no altering him. When boys and rude people would laugh at me, I let them alone and went my way; but people had generally a love to me for my innocency and honesty."* The following is his own account of the incident by which his first strong impressions of religion were awakened:—"When I came towards nineteen years of age, being upon business at a fair, one of my cousins, whose name was Bradford, a professor, and having another professor with him, came to me, and asked me to drink part of a jug of beer with them, and I, being thirsty, went in with them; for I loved any that had a sense of good, or that did seek after the Lord. When we had drunk a glass apiece, they began to drink healths, and called for more drink, agreeing together that he that would not drink should pay all.

* A Journal of the Life, &c., of that Ancient, Eminent, and Faithful Servant of Jesus Christ, George Fox. 4th Edit. Leeds, 1836, i. 84.

I was grieved that any that made profession of religion should do so. They grieved me very much, having never had such a thing put to me before by any sort of people; wherefore I rose up to go, and, putting my hand into my pocket, I took out a groat and laid it upon the table before them, and said, If it be so, I will leave you. So I went away, and when I had done what business I had to do I returned home, but did not go to bed that night, nor could I sleep, but sometimes walked up and down, and sometimes prayed and cried to the Lord, who said unto me, Thou seest how young people go together into vanity, and old people into the earth; thou must forsake all, both young and old, and keep out of all, and be as a stranger unto all."* In obedience to this supposed voice from heaven, he made himself a dress all of leather, as the most durable material he could procure, and commenced a wandering life, reading the Scriptures as he went about from place to place, and extracting from them many new and true meanings, as he imagined, by the illuminating aid of the Holy Spirit. He also saw many visions, prophetic, as he believed, of things that were to come to pass. Having at last reached London, after residing there for a short time he determined to return home to his friends; this was in 1645; but, after a few months, he again set out on his travels more fixed in his peculiar notions than ever. It seems to have been now that he began to put in practice most of those singularities of outward demeanour by which his followers still continue to be distinguished. "When the Lord sent me forth into the world," he says in his Journal, "he forbade me to put off my hat to any, high or low; and I was required to *thee* and *thou* all men and women, without any respect to rich or poor, great or small. And, as I travelled up and down, I was not to bid people Good morrow or Good evening; neither might I bow or scrape with my leg to any one; and this made the sects and professions to rage."† He now also gave up all attendance upon the services of religion in the public churches. He began to preach in 1647 at Duckenfield, near Manchester; and soon after several of his disciples, both men and women, followed his example, according as they conceived themselves to be moved by the Spirit. In 1649 Fox got into his first trouble with the constituted authorities by his conduct in interrupting the public service in a church at Nottingham, where, upon the clergyman telling the people in the course of his sermon that they were to try all doctrines by the Holy Scriptures, he stood up in the middle of the congregation, and exclaimed, "Oh, no! it is not the Scripture, but it is the Holy Spirit, by which opinions and religions are to be tried; for it was the Spirit that led people into all truth, and gave them the knowledge of it." As he persisted in continuing his speech, the officers removed him from the church, and carried him away to the gaol, from which he was brought the same evening before the mayor, aldermen, and sheriffs. The result was a short imprisonment. On some subsequent occasions on which he conducted himself in the same way he was put in the stocks; and at last the magistrates of Derby sent him to prison for six months. These punishments, however, instead of putting down the new sect, or checking their zeal, had the very opposite effect. "By this time," to quote the summary of a modern ecclesiastical historian, "there began to appear some other visionaries, of the same make and complexion with George Fox, who spoke in places of public resort, being moved, as they said, by the Holy Ghost; and even some women, contrary to the modesty of their sex, went about streets, and entered into churches, crying down the teaching of men, and exhorting people to attend to the light within themselves."* The name Quakers was first given to Fox and his followers, as he himself informs us in his Journal, in October, 1650, by Gervas Bennet, Esq., a justice of Derby, before whom he had been brought, on his bidding the justice and those about him "tremble at the word of the Lord." Being considered to be descriptive of the emotion with which they were wont to pronounce their public addresses, it was eagerly caught up and spread among the people. "At length," continues Neal, "they disturbed the public worship by appearing in ridiculous habits, with emblematical or typical representations of some impending calamity; they also took the liberty of giving ministers the reproachful names of hirelings, deceivers of the people, false prophets, &c. Some of them went through divers towns and villages naked, denouncing judgments and calamities upon the nation."† It does not follow, however, that, although these extravagancies may have been committed by persons calling themselves Fox's disciples, they were approved either by him or by the generality of his followers. It was a tenet of the new sect, that no one day, any more than one house or building, was more sacred than another; but, although thus disowning any particular sanctity in the Christian Sabbath, they early began, on grounds of expediency, to make that their principal day of meeting for religious worship. Quaker meeting-houses were first established in Lancashire and other parts of the North in 1652, and soon after in the City of London; but it was not till some years subsequent to the Restoration that the congregations were all organized into one body. Meanwhile the members of the sect suffered a world of tribulation, partly from the hostility of the populace, partly from the oppressive conduct of the government and the magistrates, which, whether or not provoked in some degree by their own indiscretion, they generally endured both with fortitude and meekness. "A Christian exhortation to an assembly, after the priest had done and the worship was over," says one of their

* A Journal of the Life, &c., of that Ancient, Eminent, and Faithful Servant of Jesus Christ, George Fox. 6th Edit. Leeds, 1836, i. 84.
† Ibid. 114.

* Neal, Hist. Pur. ii. 576.
† Ibid. 577.

historians, "was denominated interrupting public worship, and disturbing the priest in his office; an honest testimony against sin in the streets or markets was styled a breach of the peace; and their appearing before the magistrates covered, a contempt of authority: hence proceeded fines, imprisonments, and spoiling of goods. Nay, so hot for persecution were some magistrates, that, by an unparalleled misconstruction of the law against vagrants, they tortured with cruel whippings the bodies of both men and women of good reputation, merely because they went under the denomination of Quakers."* Fox himself was repeatedly subjected to imprisonment and other ill usage, sometimes on the charge of merely disturbing the peace, sometimes on that of uttering heresy and blasphemy. Even the tolerant and liberal government of Cromwell, under which most other sects enjoyed tranquillity and protection, did not, as we have intimated, put a period to the persecution of the Quakers. In 1656 Fox and two of his friends were taken up at St. Ives on the charge of distributing papers tending to the disturbance of the public peace (the papers consisted merely of an exhortation to the people to fear God and learn the light from Christ, which Fox had written); and, having been brought to their trial after nine weeks' confinement, although nothing illegal could be proved against them, were fined twenty marks a-piece for coming into court with their hats on, and, on refusing to pay their fines, were committed to a loathsome dungeon, where they remained thirty weeks until released by an order from Cromwell, obtained only after repeated applications. The Protector, however much disposed to interfere sooner, appears to have been deterred from doing so by the fear of offending the popular feeling. The same year two other Quakers, respectable tradesmen, having been apprehended as vagrants at Exeter, and afterwards brought to trial at the assizes, were, although nothing was proved against them, fined forty pounds each for contempt of court because they did not take off their hats, and detained above a year in prison for non-payment of their fines. Many others, both men and women, about the same time, were fined, imprisoned, whipped, or set in the stocks, generally for being found wandering about as vagrants, or for being found travelling to their places of worship on the first day of the week, which was called breaking the Sabbath. It appeared, by an account presented to parliament in 1657, that there were then one hundred and forty Quakers in prison in different parts of England, and that one thousand nine hundred had been apprehended and punished in the preceding six years, of whom twenty-one had died in confinement. Still, it does not appear that any of them were punished at this time on account of any peculiar opinions they held, so long at least as they refrained from publicly attacking certain points of the common belief, their doing which, indeed, sometimes exposed them to the charge of being guilty of the crime of blasphemy. On the contrary, it was now, as has been stated, that they began to assemble openly for religious worship in meeting-houses of their own. Their first place of meeting in London is said to have been the dwelling-house of Robert Dring, in Watling-street; it began to be made use of for that purpose in 1654. Soon after, on their numbers becoming too large to be accommodated in a private house, they hired the Bull and Mouth inn, in St. Martin's le Grand, "where," says Neal, "women as well as men spoke as they were moved; and when none were moved there was no speaking at all. The novelty of this assembly drew great numbers of people thither out of curiosity; nor did any give them disturbance as long as they continued quiet within themselves. But in several places, where they had no business, the extravagance of their speakers was insufferable. One of them interrupted the minister in Whitechapel Church, and disturbed the whole assembly. A female came into Whitehall Chapel stark naked, in the midst of public worship, the lord-protector himself being present.* Another came into the parliament-house with a trenchard in her hand, which she broke in pieces, saying, 'Thus shall ye be broke in pieces.' Thomas Aldam, having complained to the protector of the imprisonment of some friends in the country, and not finding redress, took off his cap, and tore it in pieces, saying, 'So shall thy government be torn from thee and thy house.' Several, pretending an extraordinary message from heaven, went about the streets of London, denouncing the judgments of God against the protector and his council. One came to the door of the parliament-house with a drawn sword, and wounded several who were present, saying he was inspired by the Holy Spirit to kill every man that sat in the House. Others, in their prophetic raptures, denounced judgments on the whole nation, and frequently disturbed the public assemblies where the chief magistrate himself was present. Many opened their shops on

* Gough's History of the Quakers, i. 140.

* Neal, however, has quoted no authority for this story, and his editor, Dr. Toulmin, has been unable to discover where he got it. It is not to be found either in Sewel's History of Quakerism or Gough's History of the Quakers. But there are other instances in which primitive Quakerism is asserted to have made this extraordinary exhibition of itself. Dr. Morse mentions the following facts as having taken place in New England about the time we are now treating of: "Thomas Newhouse went into a meeting-house at Boston with a couple of glass bottles, and broke them before the congregation, and threatened *Thus will the Lord break you in pieces*. Another time M. Brewster came in with her face smeared as black as a coal. Deborah Wilson went through the streets of Salem as naked as she was born." (Amer. Geog. p. 189.) The passage is apparently given as a quotation from some other work, the title of which, however, is not mentioned. Fox himself, in his Journal, has the following entries:—"1660. A Friend went naked through the town (of Skipton), declaring truth, and he was much beaten." (i. 511.)—"William Sympson was moved of the Lord to go, at several times, for three years, naked and barefoot before them, as a sign unto them, in markets, courts, towns, cities, to priests' houses, and to great men's houses, telling them, So shall they all be stripped naked, as he was stripped naked. And sometimes he was moved to put on hair sackcloth, and to besmear his face, and to tell them, so would the Lord besmear all their religion as he was besmeared. Great sufferings did that poor man undergo, sore whippings with horse-whips and coach-whips on his bare body, grievous stonings and imprisonments in three years' time before the king came in, that they might have taken warning, but they would not: they rewarded his love with cruel usage. Only the mayor of Cambridge did nobly to him, for he put his gown about him, and took him into his house." (i. 543.)

the Lord's-day, in defiance of the laws, and were so very obstinate and intractable that it was impossible to keep the peace without some marks of severity."*

The famous case of James Naylor furnishes the most remarkable example that has been recorded at once of the occasional extravagance of the first Quakers, and of the sanguinary bigotry of those times. Naylor, having been apprehended at Bristol, about the beginning of December, 1656, was sent up by the magistrates of that city to the parliament, then sitting, which immediately appointed a committee to investigate the case. He told the committee that he was a native of the parish of Ardisloe, near Wakefield, in Yorkshire, and that he had lived there till he was married, "according to the world," when two or three and twenty. When the war began he entered the army, and became a quartermaster in Major-General Lambert's troop. In the course of the debate to which the report of the committee gave rise, Lambert afterwards bore strong testimony to the correctness of Naylor's conduct and the worth of his character at this time. "He was," said he, "two years my quartermaster, and a very useful person. We parted with him with great regret. He was a man of very unblameable life and conversation."† He left the army in consequence of being disabled by illness, and returned home; "about which time," continues the report, "he was a member of an Independent church at Horbery, in Yorkshire, of which church Mr. Christopher Marshall was pastor; and by the same church since cast out, as himself confesseth he hath heard; by which church he was charged as guilty of blasphemy, and uncivil and wanton carriage with one Mrs. Roper, a married woman, as that she should sit on his knee, and kiss him, before divers other persons." With regard to the blasphemy for which he was apprehended at Bristol, it was clearly enough proved, by the admissions of the parties themselves, that as he rode from Exeter to that city, while some women led his horse, others spread their scarfs and handkerchiefs before him, singing the words "Holy! Holy! Holy!" and other ejaculations of praise appropriated in Scripture to the Saviour. The committee found "that the said James Naylor assumed the name and the incommunicable attributes and titles of our blessed Saviour, as the Fairest of Ten Thousand,—the Only begotten Son of God,—the Prophet of the Most High God,—the King of Israel,—the Everlasting Son of Righteousness,—the Prince of Peace,—the One sent to judge and try the cause of Israel,—Jesus,—He in whom the hope of Israel standeth." As far as anything can be made of the somewhat evasive and unintelligible answers of Naylor himself, it should seem that he considered these epithets and laudatory exclamations to be addressed not exactly to himself, but to Christ dwelling in him; he earnestly disclaimed any intention of assuming to himself the honour due to the Creator; but, although he admitted that he did not check the adoration of his female admirers, he professed to have paid very little attention to it, and to have no distinct recollection of what the words were that they used in their letters and oral addresses. "One thing also," say the committee in their report, "being part of the matter of fact, we think worthy your knowledge, though much stress will not be laid on it; and that is, that the description of our Saviour by Publius Lentulus to the Senate of Rome in writing (which is also imprinted) was taken upon one of James Naylor's attendants. . . . . And for Naylor's hair, both colour and manner of wearing it, as also the fashion of his beard, and feature and person, did much agree with that description; which also was taken notice of by many of the committee, how much he resembled (as they apprehended, with some affectation) the picture usually drawn for our Saviour." One ardent devotee, Dorcas Erbury, who had particularly distinguished herself in singing hosannahs to the prophet, and spreading her garments before him in his progress through Somersetshire, affirmed that she had lain dead in Exeter gaol for two whole days, and that Naylor had restored her to life by laying his hand upon her! Naylor himself, when questioned touching this transaction, was more than usually ambiguous and obscure; he was rather disinclined to say anything on the subject, but, upon being pressed, admitted that he conceived there was a power in him from above; "and it is the same power," he continued, "whereof you read in the Scriptures, that hath raised the dead." He appears to have believed that he possessed the power of recalling the dead to life, but to have had doubts as to its having been actually exercised on this occasion. One of the most curious passages of the evidence taken by the committee is the following:—"John Baynham, deputy to the serjeant of the House, to whose custody Naylor and his company are committed, informed, That the usual posture of James Naylor is sitting in a chair, and his company, both men and women, do sometimes kneel; and when they are weary of kneeling they sit upon the ground before him, singing these and divers other words to the like purpose,—namely, Holy, Holy, to the Almighty, to the true God, and great God! and glory to the Almighty, &c. And thus they do usually all the day long; but the informer never heard Naylor sing as aforesaid. And saith, there is great resort to the said Naylor by divers persons, who, most of them, do kneel before him in the manner aforesaid. And Martha Simmons (one of the Bristol worshippers), in the posture aforesaid, sung, This is the joyful day! Behold, the King of Righteousness is come! And further, the informer saith, that he never knew the said Naylor show any dislike, either by reproof or otherwise, of that honour or worship which John Stranger and his wife, Martha Simmons,

* Hist. Pur. ii. 662.

† Diary of Thomas Burton, Member of the Parliaments of Oliver and Richard Cromwell, from 1656 to 1659; 4 vols. 8vo. Lon. 1828. Vol. i. p. 33.

and Dorcas Erbury, and the rest gave him as aforesaid. And a member of the House, being lately at the place where Naylor is now a prisoner, informs the committee that he saw Naylor and his company in the posture aforesaid, and heard John Stranger and one of the women sing, Holy, holy, holy, Lord God! and Holy, holy, to thee, thee, thee, Lord God! And whilst John Stranger sung these words he did sometimes look upwards, and sometimes upon James Naylor. Another member informed us, as upon his own view, to the same purpose. And at Naylor's last examination before the committee, being Wednesday the 3rd instant (December), one William Piggot did inform that, Naylor sitting in a chair where he is now a prisoner, one Sarah Blackbury came to him, and took him by the hand, and said, Rise up, my love, my dove, my fair one, and come away: why sittest thou among the pots? and presently put her mouth upon his hand, and sunk down upon the ground before him." Naylor denied that the woman had either bowed down, as thus stated, or touched his hand with her mouth; she had only, he said, taken his hand in hers. It is very plain, however, that, owing perhaps in great part to his imposing presence, Naylor exercised a wonderful influence over the imaginations of the female enthusiasts with whom he came in contact; the few male followers he had seem to have been mostly led after him by their wives: he was emphatically a ladies' prophet. By the House of Commons, however, he was regarded as a personage of the first national importance; his case kept them in hot debate from morning to night from the 5th till the 17th of December inclusive, and called forth an absolute inundation of the learning and eloquence both of theology and of law, much of it foaming with a fury and rancour of fanatic zeal, compared to which the worst extravagances imputed to the poor half-crazy Quaker were decent and respectable.* First, after three days' wrangling, it was voted "That James Naylor, upon the whole matter of fact, is guilty of horrid blasphemy;" and "That James Naylor is a grand impostor and seducer of the people." Then came the question of the punishment to be inflicted, when it was actually moved that he should be put to death, and that a bill should be prepared and brought in for that purpose! The debate upon this question lasted above a week, at the end of which the atrocious proposition was only defeated by a majority of fourteen, the numbers being 82 for, and 96 against it. Among other speeches delivered against the motion was a most elaborate one by the Lord Commissioner Whitelock, overflowing not only with law and Latin, but still more with theology and Hebrew, in which, among other things, it was solemnly put and discussed whether it was "necessary for the being and preservation of the people and commonwealth of England that James Naylor should be put to death!" Finally, it was resolved, on Wednesday, the 17th, "That James Naylor be set on the pillory, with his head in the pillory, in the Palace Yard, Westminster, during the space of two hours on Thursday next; and shall be whipped by the hangman through the streets, from Westminster to the Old Exchange, London; and there likewise be set on the pillory, with his head in the pillory, for the space of two hours, between the hours of eleven and one, on Saturday next; in each place wearing a paper, containing an inscription of his crimes; and that at the Old Exchange his tongue be bored through with a hot iron; and that he be there also stigmatized in the forehead with the letter B; and that he be afterwards sent to Bristol, and be conveyed into and through the said city on horseback, bare-ridged, with his face backward, and there also publicly whipped the next market-day after he come thither; and that from thence he be committed to prison in Bridewell, London, and there restrained from the society of all people, and there to labour hard till he shall be released by parliament; and during that time to be debarred the use of pen, ink, and paper, and shall have no relief but what he earns by his daily labours." This sentence was executed in all its parts; and Naylor endured his sufferings with the courage of a martyr. "This day," says Burton, under date of 27th December, "B. and I went to see Naylor's tongue bored through, and him marked in the forehead. He put out his tongue very willingly, but shrinked a little when the iron came upon his forehead. He was pale when he came out of the pillory, but high-coloured after tongue-boring. He was bound with a cord by both arms to the pillory. Rich, the mad merchant, sat bare at Naylor's feet all the time. Sometimes he sang and cried, and stroked his hair and face, and kissed his hand, and sucked the fire out of his forehead. Naylor embraced his executioner, and behaved himself very handsomely and patiently. A great crowd of people there; the sheriff present, *cum multis*, at the Old Exchange, near the conduit."* According to the account in the State Trials, "some of his followers were so prodigiously impious and silly as to lick his wounds, kiss his feet, lean in his bosom," &c. At first, when he was consigned to Bridewell, he refused to work, and of course, in terms of his inhuman sentence, was left to starve; but, after fasting for three days, he submitted to the only means by which he could procure a little food. He lay in prison for two years, when his enthusiasm at last cooled so far as to induce him to admit that he had done wrong in receiving the honours that were paid to him in his progress to Bristol. "All those ranting, wild spirits," he says, in one of the papers written by him in prison, and published after his death, "which gathered about me at that time of darkness, with all their wild arts and wicked works against the honour of God and his pure spirit and people, I renounce: and

* Burton's report of the debates on Naylor's case occupies nearly 150 pages.

* Diary, i. 266.

whereas I gave advantage, through want of judgment, to that evil spirit, I take shame to myself." On this, the Rump parliament that assembled after Oliver Cromwell's death allowed him to go at large; and he afterwards published some tracts or papers in defence of the Quakers, who still acknowledged him as one of their body. He survived his restoration to liberty, however, only a few months. In the latter end of the year 1660 he was found in a dying state in a field in Huntingdonshire, and, being carried home, soon afterwards expired, being, it is supposed, in the forty-fourth year of his age. His last hours were breathed away in the expression of a mild, benevolent, and humble piety; and we are told that, after his fall, Naylor was a man of great self-denial, and very diffident and jealous of himself.*

The leading principle of Quakerism, the paramount authority attributed to the suggestions of what is assumed to be the divine spirit, or a voice from heaven speaking within the heart, being in fact the distinguishing characteristic of what we have called the last of the four modes of religious belief, was adopted in this time of teeming sectarianism by several other denominations besides the Quakers, each holding it in combination with some other peculiar tenet, by which it was modified into a new system of faith and practice. The Millenarians, or Fifth Monarchy-men, for example, united it with the belief in the immediate coming of Christ to reign personally for a thousand years upon the earth, with the saints for his ministers and local vicegerents. The Ranters added to it the persuasion that a main part of religion consisted in vociferation and violence of bodily excitement. The Behmenists, or disciples of Jacob Behmen (properly Böhme), styled the Teutonic Philosopher, who had preached the doctrine of the inward light even in England long before Fox, held it of course along with the other parts of their master's complicated system of theological metaphysics. The Vanists, or followers of the younger Sir Harry Vane, otherwise called the Seekers, seem to have conjoined with it the notion that an essential attribute of religious truth was a certain mistiness or vagueness, eluding distinct apprehension, and rather to be groped after in a sort of continual half-scepticism than ever properly found out and embraced by the mind as a solid and satisfying conviction. And another sect called the Muggletonians, who professed to be believers in "the two last prophets and messengers of God, John Reeve and Ludowick Muggleton," found in the great Quaker principle an assurance of the incarnation of the Prince of Darkness as well as of the Divinity, and of many other peculiar crotchets. These last were among the fiercest antagonists both of the Quakers and the Behmenists, apparently for no other reason so much as on account of the contiguity of their respective creeds, or what they all three had in common. "Knowledge of the true God and the right devil," writes Muggleton, in 1661, in a letter to one of his female devotees (they seem like those of Naylor to have been mostly of that sex), "with the knowledge of the place and nature of heaven, and the place and nature of hell, with the persons and nature of angels, and the mortality of the soul; upon the knowledge of these six principles dependeth the eternal happiness of man, in which Jacob Bemon was utterly ignorant; yet he doth talk of a God, and a devil, and of angels; but knows nothing of the person and nature of them. Yet his philosophical light was above all men that doth profess religion, until this commission of the Spirit came forth, which hath brought Jacob Bemon's light, and many other high lights, down very low within these ten years."* "I make no question," he writes to another disciple, also a woman, "but that you shall increase in faith, light, and life, to the opposing of all those blind and dark lights, the Quakers, that have no God but what is within them, and that light within them will be found in the end to be but darkness; and then how great will that darkness be! For their God and their light within themselves will perish to eternity; for, though they seem to be the best of all the seven churches in righteousness of life, and do suffer more by the powers of the nation than any other, yet they are the worst of all the seven churches in point of doctrine; for they are absolutely the spirit of Antichrist, which denieth both the Father and the Son."† His letters and other works are full of passages to the same effect; but the most extraordinary of his effusions in this strain is his "Sentence of Damnation" upon twenty-six Quakers of Cork, who, at a quarterly meeting held there in July, 1673, had thought it necessary to vindicate themselves from the imputation, which it seems had got abroad, that they had gone over to the Muggletonians, as a good many of their brethren had done, by publishing what they called their testimony against the errors of that sect. The testimony is a short and comparatively mild protestation; Muggleton's reply extends to thirteen quarto pages, and in scorn and arrogance, though not perhaps in dignity, might match any fulmination of Hildebrand himself. One paragraph of it is curious, as entering with some minuteness into the history both of Muggletonianism and of Quakerism:—"Whereas you say, this spirit, meaning Reeve and Muggleton, hath been lurking in secret places for a season; to this I say it hath been almost as openly declared as the Quakers' spirit hath, and almost as long it hath appeared in this last age of the world, for matter of time, as the Quakers' anti-christian spirit hath appeared. It is almost twenty-two years since this commission of the Spirit hath appeared; and the spirit of Antichrist in the Quakers hath ap-

* An account of the evidence taken by the parliamentary committee in the case of Naylor, in some parts considerably fuller than that given in the State Trials, from which our extracts are taken, is given in a pamphlet preserved in the Harleian Miscellany, vol vi. pp. 424—468 (8vo. edit. of 1810), entitled The Grand Impostor Examined, &c. 4to. Lon. 1656.

* Muggleton's Spiritual Epistles, 4to. 1755; p. 12.
† Ibid, p. 24. Letter dated 14 July, 1662.

peared but few years more. And when Reeve and Muggleton [the repetition of this mercantile-firm-looking designation for the new religion has an odd effect] did appear at the first, this declaration and doctrine was far more public than the appearance of the Quakers; why? because we wrote our faith, doctrine, and commission, and printed it to the world, whereby the people took more public notice of us than of the Quakers; for at that time there were but few Quakers of note: neither did they print anything of their faith and doctrine, what they would have people to believe; and I suppose that, if the first book the Quakers wrote to vindicate the principles of the Quakers' doctrine could be produced, it would not bear so long a time as Reeve's and Muggleton's commission-book doth. But, however, the Quakers at that time had witchcraft fits, which did rather fright the beholders of them than inform their judgments. But since that, Muggleton hath cast out that devil out of many of them, by the sentence of damnation upon the chief of them; so that it hath eased the whole body of the Quakers of those witchcraft fits, that were formerly very rife in the Quakers' people; so that now there is hardly a witchcraft fit can be procured amongst them. I do believe that we have written and printed, if it were possible to gather them all together, in public, more than most of the Quakers in England have written; however, our books trouble the world more than any Quakers' books do whatsoever. Likewise, we were public enough twenty years ago with you Quakers, when we gave sentence of damnation upon four of your chief leaders, if not the first broachers of the Quakers' anti-christian doctrine: viz., George Fox, the elder and younger both, Francis Howgell and Edward Burroughes: these four, as I remember, were the first Quakers that were damned, for denying that God hath a body of his own, distinct from man and all other creatures.....So that you Quakers, of all people in the world, have the least cause to say this spirit hath lain lurking in secret places. Indeed, we have not followed the practice of you Quakers, to compass sea and land to gain proselytes, as many of you have.....The anti-christian spirit in the Quakers hath enlarged itself very much within these fifteen years, which hath been the cause that the spirit of the true Christ in us hath enlarged itself, in opposition to the spirit of Antichrist in the Quakers, and more especially since John Reeve's death; for in his time there were but few Quakers in comparison to what are now, and little notice taken of them in his time; but since they have increased and multiplied exceedingly. But, since Muggleton began to oppose them, by writing against their bodiless God within them, it hath put a great stop to them; and not only so, but this doctrine of Reeve and Muggleton hath delivered many innocent souls out of the snares of the Quakers. Besides, the spirit did not lurk in any secret place when I wrote to Edward Bourne, Samuel Hooton, William Smith, Thomas Taylor, and several others, which is near twelve years ago, wherein they were damned to eternity for despising that doctrine you call erroneous; and ever since that letter to Samuel Hooton and William Smith, I have not been suffered to lurk in secret places. For you Quakers have caused me to be the publickest man in the world.....I am not only hated of you Quakers, but am hated of all the speakers and ministers of all the seven churches of Europe, besides thousands of their hearers; so that it is an impossible thing that I should have lain in any secret place." He afterwards boasts that it had never been his custom to compel people to enter the kingdom of heaven, whether they would or no, as the Quakers, he asserts, were in the habit of doing. "You Quakers," he goes on, "keep a great bustle to keep your disciples to you, for fear of losing them, I never did endeavour to get your disciples from you, yet there are many of them that are come to the life of this doctrine of Reeve and Muggleton, which you call erroneous. And if they could not have found rest in this doctrine and commission, they had liberty to return to you again. And can you Quakers tell the reason why so many of your disciples, that were absolute of you, should come to me and never return to you again? And it is a more admirable thing that there should not be one of Muggleton's disciples, or true believers of him, to fall from him to the Quakers, not this fifteen years; I know not one; neither do they stumble or startle any more, if they truly believe Reeve and Muggleton's doctrine." These ten years, and better, he adds, had he been engaged against the whole host of Quakers, they being many, and he but one man; yet he had broken the jawbone of their strength to pieces, and shattered them in confusion. Many of their mightiest men of valour had come against him, but he had overcome them all, and scattered their followers, as David did Goliath and the Philistines. William Penn, indeed, he admits, still survived, and "hath been more zealous for the spirit of Antichrist than the former that went before him." But "for this," exclaims the prophet, "he is damned, body and soul, to eternity; and it will not be long before he shall possess the reward of his blasphemy; which is this:—his soul, which he saith cannot die, it shall die two deaths; it shall pass through this first death, which is natural and appointed unto all men once to die, and enter into the second death, which is eternal, in utter darkness, where he shall never die, nor never live in comfort, even a living death and dying life; this is the second death, which God hath prepared for the seed of the serpent, such as Penn and others that despise such a God as hath a body, form, and shape like man; and he shall remember that he was told so by me." The virulence and fury of fanaticism have probably never outdone this coarse and daring effusion; but it is scarcely possible to believe that Muggleton was a genuine fanatic. He appears rather to have been, in the greater part, if not altogether, an unprincipled impostor, who, by dint of sheer impudence and assumption, succeeded in deceiving others without deceiving him-

self, and, by considerable sagacity and tact in the art of managing vulgar minds, and the most inordinate self-reliance, contrived to turn the folly and fanaticism of others to good account in the gratification of his own ambition and worldly interests. The most intense love of power breathes, or rather snorts, in every sentence he utters; and his letters furnish also abundance of evidence that his trade of a prophet was by no means an unproductive one in a worldly sense. He has frequently occasion to acknowledge remittances of money and other presents from his admirers and followers. Of all prophets, popes, or oracles, great or small, pagan or Christian, Roman, Protestant, or sectarian, Muggleton has certainly the readiest knack of consigning his adversaries to perdition. The unceremonious way in which he launches his edicts to that effect is at once horrible and ludicrous. We have already seen some specimens of his performances in this line; he concludes his letter to the Quakers of Cork, after quoting their denunciation of his doctrine as erroneous, in the following fashion:—"These words are the sin against the Holy Ghost; and, inasmuch as God hath chosen me on earth to be the judge of blasphemy against the Holy Ghost, therefore, in obedience to my commission from the true God, I do pronounce all those twenty-six persons, whose names are above-written, cursed and damned in their souls and bodies, from the presence of God, elect men, and angels, to eternity." And the same summary mode of proceeding is resorted to, with bodies of persons and particular individuals, in numbers of other instances.*

The Restoration was on the face of it a victory over both the Independents and the general swarm of the Sectaries; and that catastrophe had accordingly been resisted to the last by the united efforts of almost the whole of these two great bodies. The Quakers alone, of the crowd of minor sects, prepared to welcome, or at least to acquiesce in, the coming change, influenced not only by their distinguishing principle of passive obedience in all such cases, but also by the sufferings they had endured under the republican government, while all other denominations of religionists remained unmolested. George Fox and his followers, indeed, seem to have been generally looking for the return of the king some years before it happened. He tells us himself that it was a common surmise among the republicans, before the death of Oliver Cromwell, that the Quakers held meetings to consult about bringing in King Charles.* "I had," he adds, "a sight and sense of the king's return a good while before, and so had some others. I wrote to Oliver several times, and let him know that, while he was persecuting God's people, they whom he accounted his enemies were preparing to come upon him. When some forward spirits that came amongst us would have bought Somerset House, that we might have meetings in it, I forbade them to do so; for I then foresaw the king's coming in again." He then tells a story of a woman who came to him in the Strand with a prophecy concerning King Charles's coming in three years before he came: "I saw," he says, "her prophecy was true, and that a great stroke must come upon them in power; for they that had then got possession were so exceedingly high, and such great persecution was acted by them who called themselves saints, that. . . . . , in my great suffer-

* Thus, having a dispute with one John Hyde, a bookseller, about the binding of some books, he concludes a long letter to him on the subject with the same solemn curse, and adds, "You may now shake hands with Mr. Colebrooke, for your portions will be both alike. Only, I would advise you to take the money for binding the books; there is 7*s.* 6*d* enclosed in your letter; you had as good receive it as not, for God hath rejected it, and I have rejected it" (Epistles, p. 212.) Hyde, he maintains, had originally agreed to take payment for his work in books. Another very long letter is addressed to Mr. Edward Delamain, a Baptist preacher, living in Marlborough a brother of Alexander Delamain, one of Muggleton's most zealous disciples. Among other "blasphemies" which this Baptist is accused of having spoken are these:—1. That the letter of the Scriptures ought to be credited as if God did speak himself. 2. That he preferred the words of Peter and Paul, being dead so many hundred years, as of more consequence now than the voice of God's word spoken to John Reeve. "These things considered," concludes Muggleton, "in obedience to my commission from God, I do, for these your wicked speeches afore written, pronounce Edward Delamain, Baptist preacher, cursed and damned, both in soul and body, from the presence of God, elect men, and angels, to all eternity. And it will be a marvellous thing if you do escape a very mean, low, even almost a vagabond condition in this life, besides your damnation hereafter: for this I must tell you, that sins of this nature seldom escape a double curse. *But now you may go see if you can preach and pray this curse off you again; and, if your will had any power in it, now you had best bestir yourself.*" (Ibid. p. 239.) Muggleton had evidently a real, hearty enjoyment in dooming his fellow-creatures to eternal torment. On the other hand, his theory of the felicity of a future state is probably the grossest ever propounded. "All of us," he says, in one of his letters, "that have eat of the flesh of God, and drank his blood by faith here in the state of mortality, we shall be gathered together in the resurrection, as the fowls, to fly in the midst of heaven, and, being immortalized, shall come to the supper of the great God, that we may eat of the same flesh that he eateth of, which is the flesh of persecuting kings, and the flesh of captains, and the flesh of mighty men, even of judges, and the flesh of horses, and of them that sit on them, and the flesh of all freemen and bondmen, and of small and great, that is, all wicked reprobate men, that have persecuted and hated the Lord's prophets, apostles, and messengers, which he sent in this world. O! how blessed are we that shall sup with the great God of heaven, in the destruction of our enemies; for, as God was hated when he was on earth, so are we for his sake; and as God is pleased to make his supper with the destruction of the souls and bodies of the seed of the serpent to eternity, and he hath invited us, the fowls of heaven, to sup with the great God, why should not we rejoice in this supper which the great God hath made, even in the destruction of this wicked world; for this earth is a habitation of devils while the world doth endure. And for my part I could willingly sup with the great God of heaven, that hath redeemed my soul in the destruction of this world, that I might eat the flesh of mighty men—mayors, judges, juries, small and great devils, that have hated me without a cause, &c. &c." (Letter to Colonel Phaue and the rest of the Believers, dated London, 16th Feb. 1680, in *A Stream from the Tree of Life, or The Third Record Vindicated*, 4to. 1758, p. 28.) Muggleton, it appears, had smarted more than once under the lash of the laws; he speaks in various places both of having been imprisoned and of having stood in the pillory. He and his friend Reeve, it seems, were originally two tailors. One of the charges made against Muggleton by his enemies was, that he contradicted in some things the doctrine of his deceased associate, Reeve. "To this I say," he writes in one of his letters, "I have power so to do, and I had power so to do when he was alive, and did contradict him in some things when he was alive; and John Reeve wrote some things that was error to me, and error in itself, which I did oppose him in to his face, and he would not deny it. And yet, notwithstanding, John Reeve was infallible, and did write by an unerring spirit." This last assertion he explains by the distinction, that, the things in which Reeve's judgment and experience were in error "being of no consequence as to eternal happiness, they were let pass." "Besides," he adds, "none can judge of a prophet's writing or judgment, but he that is equal in power and judgment with him. Being chosen of God, I had power to contradict him in his judgment; and, though it was error, it would have been rebellion in any believer to do as I did. And now, I being the last liver, it is rebellion in you to call anything lies or error that I do justify to be true; for none is to call me to an account, or to resist my judgment in spiritual things or matters, but God only." (Ibid. p. 14.) We do not know whether this coarse impostor has still any believers or disciples; but the Muggletonians, it should appear, were still a sect among us within the latter half of the last century, when some of the prophet's writings were reprinted, and others published for the first time from his manuscripts.

* Journal, i. 490.

ing and travail of spirit for the nation, being grievously burthened with their hypocrisy, treachery, and falsehood, I saw God would bring that a-top of them which they had been a-top of." * "There had been tenderness," he says elsewhere, "in many of them formerly, when they were low; but when they were got up, had killed and taken possession, they came to be as bad as others; so that we had much to do with them about our hats, and saying Thou and Thee to them. They turned their profession of patience and moderation into rage and madness; and many of them were like distracted men for this hat honour." † He particularly mentions Sir Harry Vane, as insisting, in his character of chairman of the parliamentary committee appointed for the trial of Quakers, upon their putting off their hats. "Many of us," adds Fox, "having been imprisoned upon contempts (as they called them) for not pulling off our hats, it was not a likely thing that Friends, who had suffered so long for it from others, should put off their hats to him." ‡ And, if we may believe Fox, the Independent ministers, after getting possession of the benefices of the national church, inconsistent as such proceedings should seem to be with the fundamental principle of Independency, were not behind their Presbyterian brethren in compelling those who belonged to other persuasions to contribute to their support. "Great spoiling also," he writes, under date of 1655, "there was of Friends' goods for tithes, by the Independent and Presbyterian priests, and some Baptist priests, that had got the steeple-houses." § For Cromwell, who, although himself as little inclined to persecute the Quakers as any other sect, was annoyed by their unnecessary pertinacity, as he deemed it, in small matters of form, and did not care to risk much in protecting them, generally professing to disbelieve the accounts of their sufferings that were laid before him, Fox felt manifestly very little real regard, though the humble Quaker and the lord protector always kept outwardly on good terms. One day in 1656 Fox and two or three of his friends, having rode from Kingston, were approaching London: "When we came near Hyde Park," says Fox, "we saw a great concourse of people, and, looking towards them, we espied the protector coming in his coach. Whereupon I rode to his coach-side; and some of his life-guard would have put me away, but he forbade them. So I rode by his coach-side with him, declaring what the Lord gave me to say unto him of his condition, and of the sufferings of Friends in the nation; showing him how contrary this persecution was to Christ and his apostles, and to Christianity. When we were come to James's Park gate I left him, and at parting he desired me to come to his house." What follows affords an interesting glimpse of Cromwell's familiar domestic habits:—"The next day, one of his wife's maids, whose name was Mary Sanders, came to me at my lodging, and told me her master came to her and said he would tell her some good news. When she asked him what it was, he told her George Fox was come to town. She replied, that was good news indeed (for she had received truth); but she said she could hardly believe him till he told her how I met him, and rode from Hyde Park to James's Park with him." * Soon after, Fox, accompanied by a friend, went to Whitehall, where they found Dr. Owen, vice-chancellor of Oxford, with the protector. They spoke to him of their inward light, which he said was a natural light: "but we," says Fox, "showed him the contrary....The power of the Lord God arose in me, and I was moved in it to bid him lay down his crown at the feet of Jesus. Several times I spoke to him to the same effect. Now I was standing by the table, and he came and sat upon the table's side by me, and said he would be as high as I was; and so continued speaking against the light of Christ Jesus; and went away in a light manner." Fox adds, that nevertheless the Lord's power came over Cromwell, so that when he came to his wife and other company he observed that he had never parted so from them before: but this finish of the story, or at least the interpretation put upon the words said to have dropped from the protector, may be fairly set down to the account of the narrator's power of self-delusion, or what in ordinary cases would be called vanity, a quality which is legible on every page of the good man's journal, often peering out, very amusingly, from the midst of his pious gravity and earnestness. Two years after, and very shortly before Cromwell's death, Fox had another interview with him, having come from Kingston to Hampton Court to speak with him about the sufferings of the sect. "I met him," he writes, "riding into Hampton Court Park, and before I came to him, as he rode at the head of his life-guard, I saw and felt a waft (or apparition) of death go forth against him; and when I came to him, he looked like a dead man. After I had laid the sufferings of Friends before him, and had warned him, according as I was moved to speak to him, he bid me come to his house. So I returned to Kingston, and the next day went up to Hampton Court, to speak further with him. But when I came he was sick; and —— Harvey, who was one that waited on him, told me the doctors were not willing I should speak with him. So I passed away, and I never saw him more." † He was very indignant at the honours paid to the protector's remains; and the terms in which he expresses himself upon this occasion may lead us to suspect that a dislike to the man, as well as to the ceremony, had some share in provoking his wrath:—"Now was there a great pother made about the image or effigies of Oliver Cromwell lying in state; men standing and sounding with trumpets over his image after he was dead. At this my spirit was greatly grieved; and the Lord, I found, was highly offended." ‡ In the plotting and counter-

* Journal, i. 491. † Ibid. p. 489.
Ibid. p. 488. § Ibid. p. 304.

* Journal, i. 281. † Ibid. p. 486 ‡ Ibid. p. 491.

plotting of the various factions which immediately followed the departure of the great moderator and controller, Fox thought it necessary to indite a general epistle to his followers, warning them against taking any part on the one side or the other. Soon after, when the royalist insurrection, headed by Sir George Booth, broke out in Cheshire, some foolish, rash spirits, he tells us, that came sometimes among them, were ready to take up arms; but he was moved of the Lord to warn and forbid them, and they were quiet. "In the time of the Committee of Safety (so called)," he adds, "we were invited by them to take up arms, and great places and commands were offered some of us; but we denied them all, and declared against it both by word and writing."* The historians of Quakerism inform us that the society generally considered the Restoration as a signal instance of the interposition of Providence to restore peace and order to a distracted nation; and in this light it is viewed by Fox in a paper which he wrote, some time after it took place, from Lancaster gaol. Referring to his having been charged with being an enemy to the king, he declares this to be false: "and I can say," he adds, "it is of the Lord that he is come in, to bring down many unrighteously set up; of which I had a sight three years before he came in.....I have been often imprisoned and persecuted these eleven or twelve years by them that have been against both the king and his father; .... but not by them that were for the king."† Indeed, in the knowledge of this friendly disposition of the Quakers, Charles II., very soon after his return, at an audience which he granted to Richard Hubberthorn, an eminent member of their society, had given his royal assurance, in the strongest terms, that they should not be molested for their religious opinions so long as they lived peaceably. "Some Friends also," Fox tells us, "were admitted into the House of Lords, and had liberty to declare their reasons why they could not pay tithes, swear, nor go to the steeple-house worship, or join with others in worship: and they heard them moderately. And there being about seven hundred Friends in prison in the nation, who had been committed under Oliver's and Richard's government, upon contempts (as they call them), when the king came in he set them all at liberty. There seemed at that time an inclination and intention in the government to grant Friends liberty, because they were sensible that we had suffered as well as they under the former powers."‡ The mad attempt of Venner and the Fifth Monarchy-men, however, drew down, very undeservedly, the violence of the government upon the Quakers; who, in the confused and altogether erroneous notions that were entertained of their principles, were supposed to be at the bottom of that wild project for overturning the new government, and substituting the dominion of the saints; and they were immediately in great numbers thrown into prison. "Upon this insurrection of the Fifth Monarchy-men," says Fox, "great havoc was made both in city and country, so that it was dangerous for sober people to stir abroad for several weeks after; and hardly could either man or woman go up and down the streets to buy provisions for their families without being abused. In the country they dragged men and women out of their houses, and some sick men out of their beds by the legs.... Now were the prisons everywhere filled with Friends and others, in the city and country; and the posts were so laid for the searching of letters that none could pass unsearched. We heard of several thousands of our Friends that were cast into prison in several parts of the nation; and Margaret Fell (the widow of Judge Fell, whom Fox afterwards married) carried an account of them to the king and council. The next week we had an account of several thousands more that were cast into prison; and she went and laid them also before the king and council. They wondered how we could have such intelligence, seeing they had given such strict charge for the intercepting of all letters: but the Lord did so order it that we had an account, notwithstanding all their stoppings."* It is stated that there were imprisoned in Bristol nearly 190 Quakers; in Lancaster, 270; in Westmoreland, 116; in the West Riding of Yorkshire, 229; and in the North Riding, 126.† It was soon discovered that these unfortunate persons had had nothing to do with the outbreak of the few insane enthusiasts in the city of London, which had thrown the government, and indeed the whole nation, into such needless alarm; and upon this they were all discharged, an order being issued that they should be set at liberty, without payment of fees; but other pretences were soon found for gratifying the popular feeling by the persecution of the Quakers, who more than any other of the numerous rival sects of the day seem to have had their hand against every man, and every man's hand against them. The old laws against the non-payment of tithes and non-attendance at the parish churches on Sundays and holidays were revived and enforced against them at the will of every bigoted magistrate or interested informer; and the tendering to them of the oaths of allegiance and supremacy, which of course they refused to take, was always a ready way of procuring their consignment to durance, on the statutes enacted in the reigns of Elizabeth and James. In 1662 Fox and his friend Hubberthorn drew up "a list of some of the sufferings of the people of God, in scorn called Quakers," which they forwarded to the king, along with a letter beginning, "Friend, who art the chief ruler of these dominions;" and from which it appeared that there had been imprisoned in the time of the Commonwealth, for Quakerism, 3173 persons, of whom 32 had died in their dungeons, and 73 still remained in confinement; and that since the Restoration there had been imprisoned 3068 more. Fox himself was soon after added to the number.

* Journal, i. 494. † Ibid, p. 518. ‡ Ibid p. 530.

* Journal, i. 533. † Gough, i. 446, &c.

Meanwhile the other bodies of religionists had also all had their hopes and fears from the restored government set at rest. It was clear from the first, as we have observed above, that the return of the king must prove fatal to the ascendancy of the Independents and the general mob of the minor sectaries; and equally clear that, some form of episcopacy would now be the established form of church government. The Independents and Sectaries, with the exception of the Quakers, had in fact resisted the restoration of the monarchical constitution to the utmost of their power and to the last moment; and, when it was brought about in spite of them, they could lay their account with nothing else than to be treated as the beaten party. They, who, in their instrument of government, in the year 1653, had expressly excepted popery and *prelacy* from the toleration which was then established for all other forms of Christianity, could not expect that prelacy, now that it had gotten the upper hand, should allow them to retain any place in the national church. The utmost they could look for was such a toleration in their character of dissenters as they had themselves in their day of power denied to even the most modest profession of episcopacy. But, although this was the situation of the Independents, the Presbyterians might very naturally seem to themselves to be differently circumstanced, and to have a reasonable claim not only to toleration, but to a participation with the Episcopalians in the remodelled establishment. It is true they also, as well as the Independents, had, in their hour of triumph, hurled against episcopacy their edicts of fiercest excommunication; they had turned the episcopalian clergy out of every living in the church, and had done what they could to drive popery and prelacy out of the land,—proclaiming the persecution of both to be one of the most sacred duties of true religion. True, likewise, prelacy and presbytery had in these kingdoms been engaged in an almost incessant contest for each other's extirpation ever since the Reformation; the strife between them had raged in Scotland for sixty years before it had begun in England; and the longer it had lasted it had only grown the more furious and deadly. All this might seem, at first sight, to make any union between them a thing not to be thought of. On the other hand, however, it was to be remembered that the opposition between them in past times had after all arisen rather out of circumstances than from any hostility inherent in their natures, and that it had been exasperated to the pitch to which it had gone by long habits of contention from a comparatively moderate beginning. They had not at first either denounced each other as absolutely unscriptural and intolerable, nor had either asserted any exclusive divine right in its own favour. These were late pretensions, into which both parties had been hurried by the mere ardour of conflict. Originally, all that either claimed was a preference over the other in certain circumstances, on grounds, not of absolute right or principle, but only of expediency. In fact, the differences between them, coolly considered, could hardly in any view be called differences of principle. Long opposition and controversy had led gradually to some divergence of doctrinal profession; but, according to their ancient and admitted standards of faith, English episcopacy and Scottish presbytery were nearly at one in all the fundamental points of doctrine. At least, if Calvinism was the avowed creed of the latter, it was also the not disavowed creed of the former. Both likewise belonged to what we have called the second class of the forms of religious opinion, occupying the same midway ground of Protestant Established-Churchism, by which they were separated from the Romanists on the one hand and the Independents on the other. They agreed in the cardinal point of neither holding the authority of the church to be absolute with the former, nor of rejecting it altogether with the latter. The motto of the one as well as of the other was, neither the infallibility of the church with the Romanists, nor the right of private judgment in the interpretation of the Scriptures with the Independents, but the Scriptures as interpreted by the Church,—the determination of the Church as avowedly and exclusively founded on the warrant of the Scriptures. Holding this great distinguishing principle in common, they might be divided and set against each other by their clashing interests at particular emergencies, and might fight all the more fiercely when they had once begun, by reason of their very affinity, as is the wont of nations and of private individuals, as well as of religious sects; but in circumstances favourable to their reconcilement and union their agreement upon so fundamental a matter would tend to draw them closer together, and to fit them the better for co-operation, and, if necessary, for mutual concession and compromise. Had not this been seen of late, when, after the lengths to which they had gone in concert with the Independents and the Sectaries in pursuit of their first object,—the overthrow of episcopacy,—the Presbyterians, both in England and in Scotland, had cordially and eagerly united with the episcopalians against their former allies for the attainment of their next object—the bringing back of the king? So that, on the whole, we may say the two churches, or systems of religious opinion, were really at one, or nearly at one, in regard to everything excepting merely the external forms of worship and the matter of ecclesiastical government; nor was there any apparent reason for concluding that either would refuse to forego, if necessary, part of its own views on these surely secondary and non-essential portions, if they were not to be considered rather accessories and outlying territories than integral portions of their common Christianity.

It was evident, however, as we have said, that, in so far at least as England was concerned, the restoration of monarchy would prove substantially the restoration of episcopacy also, and that all,

therefore, that the Presbyterians could hope for would be such a modification or relaxation of the ancient episcopalian polity as would obviate their more serious scruples, and enable them to conform to the government of bishops and a book of common prayer. It is admitted, indeed, by the Puritan historians themselves, that at this moment the national wish was decidedly for the re-establishment of episcopacy,—nay, that, as Calamy and the other Presbyterian ministers of London informed their brethren, when some of them talked absurdly of setting up or maintaining their own system, the general stream and current was for the old prelacy in its pomp and height.* In these circumstances the hottest of the Presbyterians very soon saw the necessity of making up their minds to be satisfied with such a scheme of comprehension, if they could get even that, as should suffer some few of the forms of presbytery to subsist in combination with the essence and power of episcopacy. The wisest among them saw from the first that even this was of very unlikely attainment. "These divines," writes Richard Baxter, speaking of the Dutch and French Protestant clergymen, who, immediately before the Restoration, had sent letters to their Calvinistic and Presbyterian brethren in England, advising them to unite with the royalist party,—"These divines knew nothing of the state of affairs in England. They knew not those men who were to be restored with the king. . . . . They pray for the success of my labours, when they are persuading me to put an end to my labours, by setting up those prelates who will silence me and many hundreds more. They persuade me to that which will separate me from my flock, and then pray that I may be a blessing to them!" "And yet," he adds, "I am for restoring the king, that, when we are silenced, and our ministry at an end, and some of us lie in prisons, we may there, and in that condition, have peace of conscience in the discharge of our duty, and the exercise of faith, patience, and charity in our sufferings."†

The mixed scheme which the Presbyterians now determined to support was that many years before propounded by Archbishop Usher, and commonly called his reduction of episcopacy. Its principle was the combination with the episcopal office and authority of a system of church courts composed of the body of the clergy, by which the affairs of the church should be chiefly regulated. It was proposed that, the primate or archbishop continuing to preside over each province as heretofore, and the bishops over their several dioceses, a number of new suffragans, or inferior bishops, should be created equal to the number of rural deaneries; that a synod of the clergy of each such subdivision should be assembled every month by the suffragan; a diocesan synod once or twice a year by the bishop; and a provincial synod, consisting of all the bishops and suffragans, and delegates from the clergy of each diocese, every third year by the archbishop: if the parliament should be sitting, the two provincial synods might join together and form a national synod, wherein all appeals from inferior synods might be received, their acts examined, and all ecclesiastical matters whatsoever finally determined. This was a close imitation of the Scottish system of presbyteries, synods, and general assemblies, with this difference only, that it made the suffragans, bishops, and archbishops constant moderators or presidents of these several church-courts, instead of leaving the members to elect their own president.

We have given, in the preceding Chapter, an account of the conference that was held on the 22nd of October, 1660, at the house of the Lord Chancellor Clarendon, in the presence of the king, between the bishops and the representatives of the Presbyterian clergy, which was followed, three days after, by the publication of "His Majesty's Declaration to all his loving subjects of his kingdom of England and dominion of Wales, concerning Ecclesiastical affairs," commonly called the "healing declaration."* The royal assurances contained in this paper, although they did not go so far as the Presbyterians could have wished, were yet so satisfactory to the generality of that party, that, if they had been fulfilled, presbytery and episcopacy in England might perhaps have embraced one another, and become united in one comprehensive national establishment. The Presbyterian clergy in and near London presented an address of thanks to his majesty for an announcement of his royal intentions which they found to be "so full of indulgence and gracious condescension;" and they assured him that, although all things in the proposed frame of ecclesiastical government were not exactly suited to their judgment, yet his majesty's moderation had so great an influence on them, that they would "to the utmost endeavour the healing of the breaches, and promoting the peace and union of the church." Soon after, Dr. Reynolds, one of the most distinguished of the Presbyterian ministers, accepted the bishopric of Norwich; and another of them, Dr. Manton, being presented to the living of Covent Garden by the Earl of Bedford, consented to receive episcopal institution from the hands of the Bishop of London. Others, however, were more suspicious or less ready for preferment; Calamy declined the bishopric of Lichfield and Coventry till the king's declaration should be passed into a law; Baxter retained his fears or his disinclination to the episcopal office, and refused the bishopric of Hereford; and Dr. Bates and two others, to whom deaneries were offered, after some hesitation, eventually followed his example. Even Manton, seeing how things were going at court, now refused the deanery of Rochester.

After a few months the bill which was brought into the House of Commons for giving legal effect to the "healing declaration" was defeated, as has been related in the last Chapter, not without strong reasons for believing that the court itself, at whose

* Neal, iii 30.

† Life, Part II. p. 216.

* See ante, pp. 668, 669.

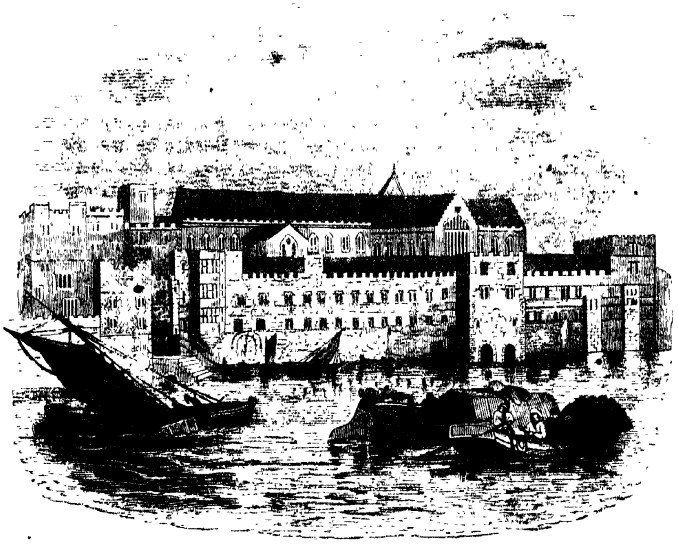
instance the measure had been professedly brought in, was at the bottom of the opposition which succeeded in throwing it out.* This was in November, 1660. Baxter, however, admits that at this time the general body of the people, as well as the parliament, were ripe for anything the court might propose;† and Burnet tells us that "the joy spread through the nation had got a parliament to be elected of men so high and hot, that, unless the court had restrained them, they would have carried things much farther than they did against all that had been concerned in the late wars."‡ After rejecting the Declaration Bill, this parliament, or convention, passed an act directing that every sequestrated minister who had not justified the late king's murder, or declared against infant baptism, should be restored to his living before the 25th of December following, the present incumbent quitting it, and being accountable for all dilapidations and all arrears of fifths not paid. This act at once dispossessed some hundreds of ministers brought into the church in the time of the Commonwealth. Among others, Baxter was obliged to resign his living of Kidderminster, where he had laboured for many years among a people that adored him, to the old vicar, who had been ejected in 1640.

In the concluding clause of the "healing declaration," it had been announced that the final determination of all matters appertaining to the establishment of "a perfect and entire unity and uniformity throughout the nation" should be left to the advice of a national synod, to be duly called after a little time should have cooled men's tempers down to the requisite calmness for such consultations.* Accordingly, royal letters patent were issued at Westminster on the 25th of March, 1661, appointing twelve bishops, with nine clergymen as assistants, on the side of the episcopal church, to meet with an equal number of presbyterian divines in the Savoy, at the lodgings of Dr. Sheldon, bishop of London and master of the Savoy, "to advise upon and review the book of Common Prayer, . . . and to take into their serious and grave consideration the several directions and rules, forms of prayer, and things in the said book of Common Prayer contained; and to advise and consult upon the same, and the several objections and exceptions which shall now be raised against the same; and, if occasion be, to make such reasonable and necessary alterations, corrections, and amendments as shall be agreed upon to be needful and expedient for the giving satisfaction to tender consciences, and the restoring and continuance of peace and unity in the churches under his majesty's government and protection; . . . . and to certify and present to his majesty in writing under their several hands the matters and things whereupon they shall so determine, to be by his majesty approved and established." Among the episcopalian commissioners were Frewen, archbishop of York, Sheldon, bishop of London, Cosins of Durham, Morley of Worcester, Walton of Chester, Gauden of Exeter, Reynolds of Norwich, &c.:† among their assist-

* See ante, p. 678. † Life, p. 287. ‡ Own Time, i. 179.

* See ante, p. 669.

† The names, however, are variously given. Neal, who rarely quotes any authority for his most questionable statements, and who mangles every document he professes to transcribe, places the name of Bishop Reynolds at the head of the list of *Presbyterian* divines.—(*Hist. Pur.*, iii. 85.) Reynolds appears certainly to have *acted* with the Presbyterian party.



THE SAVOY PALACE, in 1661. From Vertue's *London*.

ants, Dr. Peter Heylin, Dr. John Barwick, Dr. Peter Gunning, Dr. John Pearson, and Dr. Thomas Pierce. Their opponents were the most eminent of the Presbyterian clergy—William Spurstow, Edmund Calamy, and Matthew Newcomen, names famous ever since the Smectymnuus controversy;* the learned Richard Baxter, styled "Clerk, late of Kidderminster;" the great mathematician, Dr. John Wallis, then Savilian professor of geometry at Oxford, &c. The conference was to be brought to a termination within four months from the date of the commission.

The commissioners assembled for the first time on the 13th of April; when Sheldon opened the discussion with a short speech in which he observed that the episcopalian party, being perfectly satisfied with the established forms of worship, had nothing to propose; and would therefore expect any objections that might be entertained to the existing order of things, and any innovations that might be desired, to be stated by their opponents. He further suggested that the other party should bring forward all they had to offer at once; and also that, for greater clearness, their propositions should be presented in writing. The presbyterian commissioners, on the other hand, urged the expediency of proceeding by the method of oral debate, or what they called an amicable conference. At last it was agreed that the business should be begun by written papers, and that a debate might be allowed afterwards upon any points that seemed to require it. "Papers," says Burnet, "were upon this given in. The presbyterians moved that Bishop Usher's reduction should be laid down as a ground-work to treat on; that bishops should not govern their dioceses by their single authority, nor depute it to their lay officers in their courts, but should, in matters of ordination and jurisdiction, take along with them the counsel and concurrence of the presbyters. They did offer several exceptions to the liturgy, against the many responses by the people; and they desired all might be made one continued prayer. They desired that no lessons should be taken out of the apocryphal books; that the psalms used in the daily service should be according to the new translation. They excepted to many parts of the office of baptism, that import the inward regeneration of all that were baptized. . . . They insisted mainly against kneeling at the Sacrament of the Lord's Supper, chiefly against the imposing it; and moved that the posture might be left free, and that the use of the surplice, of the cross in baptism, of godfathers being the sponsors in baptism, and of the holydays might be abolished."† In answer, however, to the demand for the adoption of Archbishop Usher's scheme, it was pointed out to them that the king's commission gave them no authority even to take into consideration any questions relating to the government of the church. Struck dumb upon the main subject about which they were come to talk by this discovery, which they ought to have made sooner, the presbyterian divines were further embarrassed and disheartened by other circumstances in their position; they were neither at one among themselves, nor had they any authority to act for the general body which they were considered to represent. "Sheldon," continues Burnet, "saw well what the effect would be of putting them to make all their demands at once. The number of them raised a mighty outcry against them, as people that could never be satisfied. But nothing gave so great an advantage over them as their offering a new liturgy. In this they were divided among themselves. Some were for insisting on a few important things, reckoning that, if they were gained, and a union followed upon that, it would be easier to gain other things afterwards. But all this was overthrown by Mr. Baxter, who was a man of great piety, and, if he had not meddled in too many things, would have been esteemed one of the learned men of the age. He writ near two hundred books; of these three are large folios: he had a very moving and pathetical way of writing, and was his whole life long a man of great zeal and much simplicity; but was most unhappily subtle and metaphysical in everything. There was a great submission paid to him by the whole party. So he persuaded them that, from the words of the commission, they were bound to offer everything that they thought might conduce to the good or peace of the church, without considering what was like to be obtained, or what effect their demanding so much might have in irritating the minds of those who were then the superior body in strength and number." It was in this chivalrous spirit that the resolution was adopted of settling all questions about the alterations to be made in the Liturgy at once, by bringing forward an entire new one. Baxter took the task of preparing it upon himself; and his flying pen produced the finished work in a fortnight. It was composed entirely in the language of scripture, and entitled the Reformed Liturgy; and, after having been approved of by the other Presbyterian commissioners, it was presented to the bishops for their acceptance. "This," says the historian of Puritanism, "gave great offence, as presuming that a liturgy, drawn up by a single hand in fourteen days, was to be preferred, or stand in competition with one which had been received in the church for a whole century. Besides, it was inconsistent with the commission, and the bishops' declaration of varying no farther from the old standard than should appear to be necessary; and, therefore, the Reformed Liturgy, as it was called, was rejected at once without being examined." The Presbyterian brethren had recourse to remonstrances and expostulations; but their adversaries were inflexible. At last, when it was within ten days of the time fixed in the commission for the close of the conference, it was agreed that there should be a *vivâ voce* debate upon the single question of whether or not it was lawful to determine the certain use in the worship

* See ante, p. 609.

† Own Time, i. 180.

of God of forms and ceremonies to which some objected, even supposing them really and properly to belong to the class of things indifferent. Three champions of each side were appointed to manage the argument: Drs. Pearson, Gunning, and Sparrow, for the Episcopalians; Drs. Bates and Jacomb, and Mr. Baxter, for the Presbyterians. "The two men," continues Burnet, "that had the chief management of the debate were the most unfit to heal matters, and the fittest to widen them, that could have been found out. Baxter was the opponent; and Gunning was the respondent, who was afterwards advanced first to Chichester, and then to Ely: he was a man of great reading, and noted for a special subtilty of arguing: all the arts of sophistry were made use of by him on all occasions, in as confident a manner as if they had been sound reasoning: he was a man of an innocent life, unweariedly active, to very little purpose: he was much set on the reconciling us with popery in some points; and because the charge of idolatry seemed a bar to all thoughts of reconciliation with them, he set himself with very great zeal to clear the church of Rome of idolatry: this made many suspect him as inclining to go over to them; but he was far from it, and was a very honest, sincere man, but of no sound judgment, and of no prudence in affairs; he was for our conforming in all things to the rules of the primitive church, particularly in praying for the dead, in the use of oil, with many other rituals: he formed many in Cambridge upon his own notions, who have carried them perhaps farther than he intended. Baxter and he spent some days in much logical arguing, to the diversion of the town, who thought here were a couple of fencers engaged in disputes that could never be brought to an end, nor have any good effect." The battle of words, it is to be observed, was carried on in the presence of a numerous audience, which, however, is said to have consisted principally of the adherents of the episcopalian party—another circumstance that is complained of as having contributed to the discouragement of their opponents. In the end, the two parties separated, when their commission would not allow them to wrangle any longer, without having concluded or agreed upon anything. On the 20th of November following, however, the king sent a letter to the convocation, which was then sitting, commanding them to review the Book of Common Prayer, and to propose such additions and amendments as they might think necessary, to be afterwards "exhibited and presented for his majesty's further allowance and confirmation." The convocation was occupied a month in this review of the service-book, and it is said that their additions and alterations altogether amounted to about six hundred. Most of them, however, were extremely insignificant. Among the few that seem to have been more than mere amendments of style or grammar, the following may be noted:—the lessons were directed to be read, instead of being sung; some collects that had been objected to were omitted and others substituted; private baptism, which had been allowed to be performed, in cases of necessity, by midwives, was directed not to be administered except by a lawful minister; readiness or desire to be confirmed, as well as actual confirmation, was made a sufficient qualification for admission to the communion; in the order for visitation of the sick, absolution was only enjoined if it was the desire of the sick person; the minister was allowed to use his discretion as to the cases in which he should administer the communion to the sick; and it was directed that the burial service should not be used for any that died unbaptized, or that had laid violent hands on themselves. Additions were also made of a new office for the administration of baptism to grown-up persons, of forms of prayer to be used at sea, and of forms for the 30th of January and the 29th of May. At this time also were added the General Thanksgiving, the prayer for all conditions of men, and that for the High Court of Parliament, in which last the king was styled "most religious,"—an epithet which, according to Burnet, "gave great offence, and occasioned much indecent raillery." The number of holidays, instead of being diminished, was increased by the addition of one commemorative of St. Barnabas, and another of the conversion of St. Paul. Many new lessons also—among others, the story of Bel and the Dragon—were introduced from the Apocrypha; but it was arranged that no Apocryphal lessons should be read on Sundays. The Common Prayer Book, with these alterations, by which it was considered by the generality of the Presbyterians to have been made more objectionable than before, was unanimously adopted by both houses of convocation on the 20th of December, and, having been approved of by the king, was transmitted to the House of Peers on the 24th of February, 1662, along with a message from his majesty, recommending that the book so altered should be that "which in and by the intended Act of Uniformity shall be appointed to be used by all that officiate in all cathedrals and collegiate churches and chapels, &c., and in all parish churches of England and Wales, under such sanctions and penalties as the parliament shall think fit." The bill here alluded to had been read a first time in the Commons on the 14th of January, and, having been finally passed in that House after several debates by a majority of 186 to 180, was afterwards agreed to by the Lords, and received the royal assent, as has been related in the preceding chapter, on the 19th of May.* By this statute, the 14 Car. II. cap. 4, entitled "An Act for the Uniformity of Public Prayers and Administration of Sacraments and other Rites and Ceremonies, and for establishing the form of making, ordaining, and consecrating Bishops, Priests, and Deacons, in the Church of England," it was directed that all ministers should henceforth use the amended Book of Common Prayer, and that all persons en-

* See ante, p. 685.

joying any ecclesiastical benefice or promotion within the realm of England should publicly declare their assent to the use of the same, and their approval of everything contained in it, by reading before their congregations a certain formula to that effect, on some Lord's day before the Feast of St. Bartholomew, or 24th of August next, on pain of deprivation. It was further enacted by other clauses that no person should continue to hold any benefice in the church who either was not already in holy orders by episcopal ordination, or should not be episcopally ordained before the said day of St. Bartholomew; and, besides a declaration of unfeigned assent and consent to all and everything prescribed and contained in the Book of Common Prayer, and subscription to the oath of canonical obedience, the terms of conformity were now made to include the abjuration both of the solemn league and covenant, and of the lawfulness of taking up arms against the king, or any commissioned by him, on any pretence whatsoever, or, in other words, the taking of the new oath imposed in the Corporation Act passed in the preceding session.

The Act of Uniformity, comprehending as it did lecturers and all other descriptions of ministers as well as beneficed clergymen, and being withal so stringent and so incapable of being evaded in its conditions and requirements, at once winnowed the church of England of Presbyterianism and Puritanism to the last particle. "The Presbyterian ministers," says their own historian, "had only three months to consider what to do with themselves and their families. There were several consultations both in city and country, to know each other's sentiments; and it happened here, as it did afterwards about taking the oaths to King William and Queen Mary: some, who persuaded their brethren to dissent, complied themselves, and got the others' livings. It is not to be supposed they all had the same scruples. Bishop Kennet says that renouncing the covenant was the greatest obstacle of conformity to the Presbyterians. But his lordship is mistaken: for, if abjuring the covenant had been omitted, they could not have taken the corporation oath. Some could not in conscience comply with the very form of the hierarchy. Great numbers scrupled the business of re-ordination, which implied a renouncing the validity of their former ministrations. But that which the dissenters of all denominations refused, was giving their assent and consent to all and everything contained in the Book of Common Prayer. This they apprehended to be more than was due to any human composure."* Other accounts assert that the generality of them were long before they could make up their minds as to what course they should take. Echard, the episcopal church historian, states that a continual intercourse of letters passed between those in the city of London and the others in the country; and that, as he had been assured by the best authority, the leaders at one time were for compliance, and then, upon further consideration, changed their minds. "Besides their consciences," he adds, "they were much encouraged by the greatness of their numbers, and were made to believe that, if they unanimously stood out, the church must come to them, since the people would never bear so shocking a change. Besides, they had great expectations from several friends at court, and particularly the popish party, who gave them great encouragement, not only by a promise of pensions to some, but also by a toleration, and a suspension of the act itself, which not long after was partly made good." Burnet also tells us that "those who led the party took great pains to have them all stick together: they infused it into them, that, if great numbers stood out, they would show their strength, and produce new laws in their favour; whereas they would be despised, if, after so much noise made, the greater part of them should conform. So, it was thought that many went out in the crowd, to keep their friends company."* There can be little doubt, however, that the more zealous and distinguished Presbyterian ministers had taken their resolution from the first, as to how they themselves should act. Baxter, who, although ejected, as already mentioned, from the living of Kidderminster by the act for confirming and restoring of ministers, had been allowed to remain in the place as a lecturer on a small salary to be paid by the restored vicar, resigned that appointment some time before the day of St. Bartholomew; and others of his brethren followed his example, by way of making distinct proclamation to the rest of their body of the determination they had embraced. Most of the doomed ministers, however, both in London and in the country, preached their farewell sermons on the Sunday immediately preceding the 24th of August. It is asserted by their own historians, that on that fatal day about two thousand of them resigned their livings in the national establishment. "The numbers, however," as Burnet observes, "have been much controverted." "This," he adds, "raised a grievous outcry over the nation; though it was less considered at that time than it would have been at any other." Baxter, he says, told him, that if the terms of the king's declaration—that called the Healing Declaration seems to be meant—had been adhered to, he did not believe that above three hundred of the two thousand would have declined conforming.

No difference of opinion can be entertained as to either the inhumanity or the impolicy of this treatment of the Presbyterian clergy: admitting their ejection from the church to have been expedient or indispensable, it is impossible not to wish that a course of more lenity and indulgence had been pursued in regard to them. At the same time it must be confessed that the case was

* Neal, Hist. Pur. iii. 118.

* Own Time, i. 192.

one surrounded with difficulties. The different measure dealt out to the Episcopalian clergymen ejected in the time of the Commonwealth, to whom the parliament made a show of allowing a fifth part of their former livings for their support, has been often contrasted with the conduct of the opposite party at the Restoration; but not much can be founded upon that view of the matter. In the first place, the rights acquired by the Presbyterian clergy from a possession of a few years cannot in fairness be considered the same with those that had belonged to the ancient clergy: at the era of the Restoration, indeed, the former were naturally enough regarded by the dominant party as no rights at all,—as merely the temporary success of rebellion and robbery,—a view which never could have been taken of the latter. Then, it is admitted on all hands, that the allowances which the parliament had professed to make to the ejected Episcopalian ministers were in many, perhaps in most, cases rather nominal than real. Walker, the historian of Independency, asserts that scarcely one in ten ever had them without trouble, and to the full value; and nothing is better attested than the severe suffering and oppression which many of these sequestrated clergymen underwent. The commissioners of sequestration, in fact, were only *empowered*, not absolutely directed, to suffer them to retain a certain portion of their incomes, and that portion was not to be in all cases a fifth, as is commonly represented, but only never to exceed a fifth.* It was to be granted, too, not to themselves, but to their wives and children, a mode of dealing which, in other cases, has been justly characterised as one of the most infernal refinements of an intolerant and persecuting policy. But the chief difficulty in the present case was how to pension the ejected Presbyterian clergymen upon any terms or conditions to which they would themselves have submitted. Of course, common decency and common sense were not to be revolted by an arrangement which should have supported them out of the revenues of the church, and at the same time permitted them to declaim every Sunday from the pulpits of dissenting meeting-houses against the whole order of its worship and government. But would they have consented to forego the liberty of so lifting up a conscientious testimony in behalf of what they believed to be the cause of truth and pure religion? Would they have come under an engagement to cease from all exercise of their clerical functions for any pension? The Long Parliament made short work of this difficulty in the case of the Episcopalian clergy by absolutely prohibiting the ancient mode of worship: so long as the Presbyterians held sway, the open profession of Episcopacy, in the face of the Solemn League and Covenant, was as much out of the question as the open profession of royalism; and even after Cromwell and the Independents obtained the ascendancy, popery and prelacy, as we have seen, were specially exempted from the toleration granted to all other forms of Christianity.

On the whole, objectionable as was much in the spirit and manner of the proceeding, the complete extinction of Presbyterianism within the national church, which was the aim and effect of the Act of Uniformity, was probably in itself the wisest and most fortunate policy that could have been adopted in the circumstances. Had it not taken place the struggle between the two hostile factions would not only have kept up a rent in the edifice of the establishment extending from its summit to its base, and widening every day; but, after defeating for many years all the best purposes of a national church, would, there can hardly be a doubt, have resulted in a still more disastrous expulsion or subjugation of Presbyterianism than it now underwent. In truth, that religion appears to have no congeniality with the English mind and character. Extraordinary circumstances for a short time gave it a sort of feverish popularity; but, notwithstanding the learning, piety, and other high merits of many of the Presbyterian ministers who obtained possession of the church livings in the time of the Commonwealth, and even the strong attachment of their congregations to particular individuals among them, the country in general had evidently become disgusted with the dominion of the Directory and the Assembly of Divines long before the Restoration; and the tumultuous and universal joy which it showed when that event promised to put an end to the reign alike of Presbytery and of Independency sufficiently evinced how completely by that time it had got tired of both. When we think, too, of the ejection of the Presbyterian ministers in 1662 by the Act of Uniformity, we ought not to forget that, even if they themselves had had the framing of the act, they would most certainly have made it such as to exclude the Independents and the Sectaries,—nay, that they would only have forborne to attempt the exclusion of the Episcopalians, too, because they were not so strong as when they effected that object some years before. They could, in truth, expect little forbearance from those to whom they would have shown none in the same circumstances,—whom in other times they had denounced as unfit to be suffered to live in the land, and had refused to tolerate in the most modest public observance of their form of worship, although now so willing and anxious, if they could have done so without an utter abandonment of character and decency, to remain associated with them in the same national church establishment, and to divide with them its loaves and fishes.

As in England, so also in Scotland, Presbytery was put down at the Restoration, and the Episcopalian church re-established in more absolute supremacy than it had ever before enjoyed, in the manner that has been already fully detailed in the preceding chapter.* In that part of the island, however, Presbyterianism had a hold over the

* See the Ordinance in Scobell's Collection, part 1, p. 49.

* See ante, pp. 681, *et seq.*

popular mind which it never had acquired in England; and its extinction there, in consequence, instead of being carried by the national voice, was an act of mere force and violence done by the government against the almost unanimous wish of the country. It was an act which a native government, however anti-popular in its constitution and sympathies, never would have attempted: for, even with the nobility and higher classes in Scotland, the re-establishment of Episcopacy was the reverse of being generally an object of desire, jealous as they were of a church in which they apprehended they would find a rival political power, without being attached to it by any of those bonds of habit and a common interest which had so long in England connected the church with the aristocracy. At the same time Presbyterianism in Scotland had the whole field of popular display and excitement to itself: it continued to be almost the only form of Puritanism known there, notwithstanding the swarms of sectaries that overrun the neighbouring kingdom. But, in reality, Scotland was now become a mere province of England; and the government of the latter country was strong enough to bear down the opposition of all these adverse circumstances, and to set up Episcopacy for a time in the North as well as in the South.

In Ireland, also, in which Episcopacy had been abolished by the Long Parliament, it was now restored in the same manner as in England and Scotland. On the 17th of May, 1661, both Houses of the Irish parliament united in a declaration of their high esteem of episcopal government, and of the Book of Common Prayer, according to the use of the Church of England In that enslaved country, the change, which was indeed of little interest to the great body of the people, was managed, of course, without difficulty or opposition from any quarter.

The Presbyterians, Independents, and other sects conscientiously opposed to the Episcopal office and the ancient ritual were only placed in their proper position by being thus excluded from an establishment founded on principles to which, whatever outward conformity they might affect, they could give no cordial or genuine assent. Better for them, as well as for the national church, that both parties should stand out distinctly for what they were, and be openly divided, nay, if it must be, opposed, than that a formal, hollow union should have been patched up between them, which, after all, would have left the one only a lurking enemy or eating disease in the bosom of the other so long as it lasted, and which, that being the case, could hardly have lasted long. But although disqualified by the principles which they conscientiously held for any real comprehension within the pale of the national church, the opponents of Episcopacy and the Prayer Book were entitled to perfect freedom in the profession of their opinions, and the observance of their own modes of worship, out of that pale; and the policy of leaving them thus undisturbed would on the part of the government and the now triumphant hierarchy, have been as wise as just and humane. Another course unfortunately was adopted, under the influence of various co-operating causes. First, and chiefly, the great doctrine of religious toleration was not in that age generally received or understood by any of the great bodies into which the religious world was divided; on the contrary, even those which had suffered most from persecution themselves still held it to be a sacred duty to employ coercion, whenever they had the power, for putting down what they considered to be error or heresy,—that is, to persecute others. Juster views, indeed, had now made considerable progress among the Independents and some of the Sectaries, more especially the Quakers, disciplined as they had been by the struggle they had had to maintain, almost ever since their first appearance, for the liberty of worshipping God according to their conscience; but, however far the speculations of some individuals among them may have gone, it may be questioned if any of the more considerable even of these bodies had as yet adopted the principle of toleration in its full integrity and comprehensiveness: the enlightened and intrepid mind of Milton would still have had the law to denounce and punish what he deemed the idolatry of the Romanists; and in this notion, there is little doubt, ninety-nine out of every hundred of the Protestant dissenters or nonconformists of that day went along with him. The Independents, however, except for the few years during which they were placed in a false position by the admission of many of their clergymen under Cromwell to livings in the church, had had so far an advantage over the Presbyterians in learning this great lesson of toleration, inasmuch as they had never had their views upon the subject confused or biassed by looking to an establishment for themselves, the object for which the Presbyterians had all along struggled, as long as there was any hope of attaining it, as eagerly even as the Episcopalians. The utmost that the Independents had ever demanded, or that their principles allowed them to aspire after, was that there should be no established church at all. To such an arrangement as that the Presbyterians were wholly opposed, and would only have been driven reluctantly to acquiesce in it, in the most adverse circumstances, as still preferable to the establishment of any other sect than their own. It was a principle with them that the state was in duty bound to maintain the supremacy of the true church: this general principle they clung to at least as zealously as the Episcopalians; they only differed from the Episcopalians on the question of which *was* the true church. Both these great denominations, therefore, as we have observed, were embarrassed and impeded in their acquisition of correct views on the subject of toleration by certain interests or views that did not trouble the vision of the Independents or the generality of the Sectaries; —they had to acquire not merely the simple notion

of religious freedom for themselves and all others, but the comparatively complex idea of perfect toleration or religious freedom for others combined with an establishment for themselves. They, as well as the other descriptions of dissenters, with whom they were now driven by their common sufferings in some degree to make common cause, were most cruelly persecuted by the re-established episcopalian church throughout the reign of Charles II.; but there is no reason whatever to believe that, if the same power had been in their own hands that was then placed in that of their adversaries, they would have employed it at all more mildly. Persecution, or, as they designated it, the suppression and extirpation of error by force, if nothing else would do, was still their principle as much as it was that of the Episcopalians. It was, indeed, still the popular and national feeling: for, after all, nothing is more incontestable than that all the severe laws which were passed against nonconformity between the Restoration and the Revolution were in accordance with the sentiments of the great majority of all classes of the English population. These laws, and the sufferings to which they subjected Papists and Protestant Dissenters alike, have been necessarily detailed in the last Chapter, in the general history of the period, of which they constitute a principal part; and it is, therefore, unnecessary to go over them again here. But it will be found that, throughout the whole course of this legislation, the House of Commons, the representative of the general voice of the community, constantly outran the court and the government,—nay, repeatedly urged them forward, when they would have turned back, in the career of coercion and persecution. While the court, in fact, was inclined towards a tolerant policy by its secret regard for the Catholics, the parliament and the nation were hurried in the opposite direction, not only by their dread and hatred of popery, but also to a considerable degree by a dislike of Puritanism, Presbyterianism, Independency, sectarianism, and all kinds of Protestant dissent or non-conformity. The national hatred of popery was a feeling, that, having been first excited by the great religious struggle of the preceding century, and having been fostered and strengthened by the whole course of events throughout the reign of Elizabeth, till it was inflamed to fury by the affair of the gunpowder-plot in the beginning of that of James, had been since deepened and diffused by a succession of influencing causes, which, diverse and sometimes even contradictory as they may have been in their character and operation in other respects, had by means of this very diversity and contradiction co-operated here. First came the rise and spread of Puritanism; then the contest, at once religious and political, with the Arminianism and semi-popery of the established church in the time of Charles I. and Laud, followed as it was by the complete subjugation both of popery and prelacy under the Commonwealth; and then, last of all, the anti-puritanical re-action which took place at the Restoration, and its speedy combination, in consequence of the measures of the court, with what was at once a vehement anti-popish feeling and an almost equally strong enthusiasm in favour of the established church. For herein lay the great distinction between the state of things in the reign of Charles I. and their state in the reign of Charles II.: in the former the established church made common cause with the court; in the latter it more wisely took up a position of its own. And everything that fell out from the Restoration to the Revolution contributed to strengthen that position. The universal weariness and disgust with the gloom and severities of puritanism, and the extravagances of the rampant sects, had laid a broad foundation for the restored hierarchy in the affections of the people from the first, placed on which it was at least secure, for many years to come, from being again overthrown by either presbytery or independency. But the unpopularity of puritanism did not make popular its extreme opposite, popery: if there had been any tendency to that result, the alliance formed with popery by the court would have effectually checked it. That alliance made popery as unpopular as puritanism. Fortunately for the established church, it saw this, and took the course which interest, if not also principle, pointed out in the circumstances. Notwithstanding its habitual and characteristic gravitation towards the court, and even abundance of ultra-loyalty in the way of talk and profession, it kept steadily aloof from coalescing with or countenancing the popery of the court, taking part in this respect, not indeed noisily or violently, but yet substantially and firmly, with the most resolute section of the parliamentary and popular opposition. Dexterously availing itself of its peculiar facilities as a sort of midway or neutral religion, oscillating rather than fixed between the two extremes of popery and puritanism, it now took care to keep sufficiently before the public eye its non-identity with the one as well as with the other. By the attitude which it thus assumed as the opponent instead of the ally of popery, the established church gathered around it after the Restoration an extent and warmth of popular attachment such as it had never before enjoyed. It was the refuge and cherished palladium at once of all who hated puritanism and of all who dreaded popery; that is to say, of nearly the whole nation, including the great majority even of the puritans and papists themselves. For it was one of the main advantages of the position occupied by the established church, that, while standing dissociated from and opposed to each of these extreme parties, it yet secured to itself the support of both, each looking upon it as its strongest bulwark against the other. Had there been any apprehension of another inundation of presbytery or independency, the papists would undoubtedly have joined with the establishment in the endeavour to stem that torrent. As things actually went, the danger or fear

was not of the return of presbytery but of the return of popery; and we have seen what took place. The established church took up its station in the van of what was as much a battle for the civil as for the religious liberties of the nation; and the whole country rallied around it. Equally without as within the walls of the House of Commons, all the great denominations of the Protestant dissenters, and more especially the Presbyterians, the most considerable of them all, forgot everything but that aversion to popery which was common to them with the establishment,—their differences with it alike as to discipline and as to doctrine,—their old struggle with and triumph over it,—their recent persecutions and sufferings under it,—and willingly gave their consent to any laws, to any measures, by which the common foe might be crushed or cramped, nay, clamoured in some instances for disabling and coercive enactments against the papists, although they themselves, the Protestant non-conformists, should in some degree be disqualified along with them. All this, as we have said, placed the established church upon a rock of strength such as it had never stood upon since the Reformation. It was by far the most popular of the national institutions; the crown, the House of Lords, the House of Commons, would, any one of them, in an encounter with it, have gone to the wall; in regard to each and all of these other powers in the state, the tide of the popular favour ebbed and flowed during the whole of the reigns of the two last Stuarts as the established church stood affected or gave the signal. It is remarkable how much misgovernment in every other way, how long and various a course of despotism and oppression, the nation endured without being roused to any strenuous or general effort to right itself, till the church was attacked. The persecution of the Nonconformists, both in England and in Scotland, although in the latter country that was a war against the great body of the population, produced even there only some petty local revolts, the miserable efforts of utter bewilderment and despair, which the government crushed with a few squadrons of horse; the profligate and disgraceful misadministration of public affairs throughout the last twenty years of the reign of Charles, including the actual abrogation of the constitution by the extinction of parliamentary election, provoked nothing beyond some little temporary effervescence; the avowed Catholicism and arbitrary principles with which James began his reign called forth no general resistance, although two simultaneous foreign invasions gave the signal and led the way; even the atrocities of Judge Jeffreys, which made the land a shambles, and turned the law itself into the bloodiest of tyrannies, awoke only groans, and unuttered curses, and thoughts of revenge; but the imprisonment of the seven bishops at once brought about a revolution. Truly, the established church stood in a different position now from that which it occupied when the ten protesting bishops were sent to the Tower by the House of Lords in December, 1641, in the first scene of the long drama which was now arrived at its last.

Bothwell Bridge,—where the Scotch Covenanters were defeated, 22nd June, 1679. From an Original Drawing.
(See ante, p. 730.

CHAPTER III.

HISTORY OF THE CONSTITUTION, GOVERNMENT, AND LAWS.

THE restoration of the monarchy, in 1660, was held to be also the restoration of all the ancient laws down to the last act of parliament to which Charles I. had given his assent in the usual form immediately before his leaving London, in January, 1642.* All the legislation of the successive parliaments and governments that had subsisted since that date was considered to be annulled and swept away by the single fact of the return of the king. In truth, however, the republican legislation which was thus suddenly all repealed at once was much less considerable in amount and also in importance than would readily be suspected either from the number of years during which the ancient constitution of the supreme government had been in abeyance, or from the extent of the change that had been made in one or two leading particulars. One reason of this was, that many of the most important of the reforms or innovations urged by the Long Parliament had been carried by them before their final quarrel with the late king, and had been regularly established by statutes passed in the usual form. This was the case with the prevention of the intermission of parliaments for more than three years—with the regulation of the privy council, and the abolition of the Court of Star Chamber—with the extinction of the ecclesiastical commission—with the declaration of the illegality of ship-money—with the reform of the Stannary Courts—with the limitation of the forest laws—with the abrogation of the old law or custom compelling persons to receive knighthood—and with the ejection of the bishops from the House of Lords and the privy council, and of all churchmen whatever from offices of temporal authority or jurisdiction. After these changes, and the overthrow of the monarchy, the church, and the House of Lords, in which the Revolution mainly consisted, the few other changes that were made by the Long Parliament and its successors were extremely insignificant.

The successive "shiftings" of the supreme authority from the meeting of the Long Parliament till the termination of the protectorate have been stated by Hobbes, in a passage of his Behemoth, with his characteristic precision:—"First, from 1640 to 1648, when the king was murdered, the sovereignty was disputed between King Charles the First and the Presbyterian parliament.—Secondly, from 1648 to 1653 the power was in that part of the parliament which voted the trial of the king, and declared themselves, without king or House of Lords, to have the supreme authority of England and Ireland. For there were in the Long Parliament two factions, the Presbyterian and the Independent: the former whereof sought only the subjection of the king, not his destruction directly; the latter sought directly his destruction; and this part is that which was called the Rump.—Thirdly, from April the 20th to July the 4th, the supreme power was in the hands of a council of state constituted by Cromwell.—Fourthly, from July the 4th to December the 12th of the same year, it was in the hands of men called unto it by Cromwell, whom he termed men of fidelity and integrity, and made them a parliament, which was called, in contempt of one of the members, Barebone's Parliament.—Fifthly, from December the 12th, 1653, to September the 3rd, 1658, it was in the hands of Oliver Cromwell, with the title of Protector.—Sixthly, from September the 3rd, 1658, to April the 25th, 1659, Richard Cromwell had it as successor to his father.—Seventhly, from April the 25th, 1659, to May the 7th of the same year, it was nowhere.—Eighthly, from May the 7th, 1659, the Rump, which was turned out of doors in 1653, recovered it again, and shall lose it again to a committee of safety, and again recover it, and again lose it to the right owner." The Rump was turned out the second time by Lambert and the council of officers on the 13th of October; from which time the government was in the committee of safety till the restoration of the Rump on the 26th of December. The members excluded in 1648 were restored to their seats by Monk on the 21st of February, 1660. The Long Parliament, thus re-established, sat till the 16th of March; and the next parliament, which restored the king, commonly called the Convention Parliament, met on the 25th of April.

The laws made by these various governments, being, as we have observed, on the re-establish-

* See ante, p. 266.—The last act passed by Charles I. was the 16 Car. I. cap. 37, entitled, "For the further advancement of an effectual and speedy reduction of the Rebels in Ireland to the obedience of his Majesty and the Crown of England:" to which his assent was given 24th December, 1641. We do not know upon what principle the Record Commissioners, in their edition of the Statutes of the Realm, have, contrary to their uniform practice elsewhere, printed at full length among the *public* acts of this parliament the act for the attainder of the Earl of Strafford, the title of which they also afterwards give in their list of *private* acts. Nor does it appear why they have headed it "Chapter xxxxvii." It received the royal assent on the 10th of May, 1641.

Lord Clarendon. From a Picture in the Bodleian Library, Oxford.
Duke of Lauderdale. From a Picture by Sir Peter Lely.
Earl of Halifax. From an Anonymous Print.
Earl of Sunderland. From a Picture by Carlo Maratti.
Sir M. Hale. From a Picture in Lincoln's Inn.
Justice Croke. From a Print by Vaughan.

ment of the monarchy held to be no laws at all, do not appear among the collected statutes of the realm; and they have received very little attention from any of our legal historians. The royalists, indeed, have been accused of a design or a desire to suppress altogether the legal history of the commonwealth: Clarendon is said to have proposed at the council-table to destroy all the public documents connected with that period; but if the intention of concealing the proceedings of the republican parliaments from the knowledge of posterity was ever entertained, there was no danger of such an attempt being successfully made. If all the papers and parchments in the public offices had been given to the flames, the legislative as well as the other public transactions of the twenty years from 1640 to 1660 would have remained on record in many other forms. Besides the numerous histories, memoirs, diurnals or newspapers, and other contemporary productions of the press, which had already spread the knowledge of them over the world, laborious transcribers, like Rushworth and Thurloe, and pains-taking diarists, such as Whitelock and Burton, had already stored up the amplest details of everything material that had been done, written, and spoken, in parliament and out of it, by those concerned in public affairs during that period. The acts and ordinances of the legislature had all been printed and dispersed over the kingdom, by authority, at the time when they were passed; and all those of importance had been besides preserved in the two collections of Husband

and Scobell, both published in the time of the Commonwealth.

By far the larger portion even of Scobell's Collection, which professes to contain only such acts and ordinances as remained of importance at the time when it was published, all those of a merely temporary character being discarded,† consists either of legislation of the most objectionable or at least questionable kind, or of matter not involving anything that can properly be called a principle of legislation at all; acts for the raising of subsidies, contributions, loans, and other taxation and money acts; acts for the raising and provisioning of forces; acts for sequestrating the estates of delinquents, and for the sale of the property of the crown and of the church; acts for the regulation of printing, that is to say, for the establishment of a censorship of the press; acts for the pharisaical observance of the Sabbath, &c. &c. Mixed with these are a number of commercial regulations,—among the rest the first navigation act,—already noticed in our account of the national industry in the last Book.‡ The new impost of the excise also produced several voluminous acts.§ Of all that is of any value or permanent interest in what remains an account may be given in a very few sentences. It is impossible, after an examination of the legislative remains of the Long Parliament, to refuse assent to what has been affirmed by a distinguished modern historian of the constitution:—"It may be said, I think, with not greater severity than truth, that scarce two or three public acts of justice, humanity, or generosity, and very few of political wisdom or courage, are recorded of them from their quarrel with the king to their expulsion by Cromwell." ‖ In truth, the circumstances in which the several republican parliaments and governments were all placed were such as almost to preclude any attempt at legislation except for the moment. Till the execution of the king, the war or the work of fruitless negotiation left them scarcely any time for remoter cares. No sooner was the war of arms over than the war of factions commenced; and that was put an end to or suspended only by the despotism—the necessary despotism, we believe—of the protectorate. After that, all the genius and vigour even of Cromwell was required to enable him merely to keep his seat; till, at his death, the vessel of the state, amid universal confusion and uproar, began to fall to pieces, like a ship that had struck upon a rock.

It will be found, we believe, that the only real reforms of the law that were made in the time of the commonwealth were the following:—

By an act passed in November, 1650, it was directed that all Report Books of the Resolutions of Judges, and other books of the law of England, should be translated into the English tongue, and that all such books as should be printed after the 1st of January ensuing should be in the English tongue only. "And be it further enacted," continues the statute, "by the authority aforesaid, that from and after the first return of Easter Term, which shall be in the year 1651, all writs, process, and returns thereof, and all pleadings, rules, orders, indictments, inquisitions, certificates, and all patents, commissions, records, judgments, statutes, recognizances, rolls, entries, and proceedings of courts-leet, courts-baron, and customary courts, and all proceedings whatsoever in any courts of justice within this commonwealth, and which concern the law and administration of justice, shall be in the English tongue only, and not in Latin or French, or any other language than English, any law, custom, or usage heretofore to the contrary notwithstanding. And that the same and every of them shall be written in an ordinary, usual, and legible hand and character, and not in any hand commonly called court-hand."* The translation of the old report-books, though specially committed by a subsequent act to a board composed of the Speaker of the House of Commons, the lords commissioners of the great seal, &c.,† was never executed. The use of English, and of the common character, in law proceedings, after having been given up at the Restoration, was again enforced in 1730 by the statute 4 Geo. II. c. 26; but the innovation has not been universally approved of. Blackstone endeavours to make out that it has been attended with various inconveniences.‡

Another act of the year 1650 abolished the fee called damage cleer, or *damna clericorum*, which was originally a gratuity given to the prothonotaries of the Courts of King's Bench, Common Pleas, and Exchequer, and their clerks, for drawing special writs and pleadings, and which had become an assessment of a certain portion of all damages exceeding five marks recovered in any of those courts, which the plaintiff was obliged to pay to the chief officer of the court before he could have execution. This reform was also re-enacted in 1665 by the statute of 17 Car. II. c. 6.

* Collection of all the Public Orders and Declarations of both Houses of Parliament, from March 19, 1642, to December, 1646: by Edward Husband (Printer to the Parliament). Folio. Lon 1646.

Collection of Acts and Ordinances of General Use made in the Parliament begun and held at Westminster, the third day of November, 1640, and, since, unto the adjournment of the Parliament begun and holden the 17th of September, 1656, and formerly published in print; by Henry Scobell, Esq., Clerk of the Parliament: printed by special order of Parliament. Folio. Lon 1658

† Scobell tells us, in his Preface, that his first intention was to have collected all the acts and ordinances which had been made and published in print from the beginning of the Long Parliament; but, he adds, "upon the perusal of all those acts and ordinances, I found them very numerous, and the major part (especially from the year 1641 to 1648) occasioned by and having reference to the late troubles and the managing of the war; some of which had their determination as soon as they were put in execution; others of no long continuance, but for the present emergency; and, among the rest, many were temporary and long since expired, and not a few respecting only particular persons, places, or occasions, which, if printed, would have swelled this book, and have been of little or no use other than to preserve the memory of what was done in those times upon exigencies, the memorial whereof will be continued in a great measure by the books formerly printed, and yet extant in particular hands." He therefore "determined to lay aside all such acts and ordinances as had sole relation to the then present times, and particular occasions, and such as respected some one or a few counties, cities, towns, garrisons, or persons only, together with such as were for a limited time, and so expired without being continued or revived." Of all these he gives only a catalogue of the titles.

‡ See ante, pp 547—549.

§ See ante, p 525.

‖ Hallam, Const. Hist. ii. 2.

* Scobell, Part ii p. 148.

† Ibid. p. 154. The act was passed on the 9th of April, 1651.

‡ Com. iii. 322, 323.

In August, 1653, an important act was passed establishing in every parish a register of marriages, births, and burials, to be chosen by the inhabitant householders, and allowing marriages to be solemnized before justices of the peace, and by a mere declaration of the parties that they took each other for husband and wife. The act further declared that no marriage otherwise celebrated after the 29th of September ensuing should be held or accounted a marriage according to the laws of England; but this clause was repealed in 1656.* The Commonwealth law of marriage, therefore, in the state in which it was finally left, may be considered as the same in principle with that established by the act passed for the relief of dissenters in 1836. The machinery provided for the registration of births, deaths, and marriages, by the act of 1653, could have been of little or no use.

In March, 1654, an act was published by the lord protector and his council prohibiting cock-matches; and in June the same year, another, prohibiting challenges to fight duels, on pain of the offender being committed to prison for six months, and being bound in recognizances to be of good behaviour for a year thereafter. A clause of this latter act also prohibited the use of provoking words or gestures, directing that any person so offending might be indicted at the gaol delivery or general sessions of the peace; and, if found guilty, bound to good behaviour, fined, and, moreover, compelled to make reparation to the party wronged, as to the judge or justices should seem meet, "upon consideration had both of the quality of the person injured and the offence committed."† The principle of this enactment has been partially adopted in the late new police bill.

Among the last acts of the Long Parliament had been a vote (carried on the 19th of August, 1652, by 46 to 38 against Cromwell and his party) abolishing the Court of Chancery. No act, however, seems to have been founded upon this resolution.‡ But in August, 1654, Cromwell and his council promulgated an act for limiting the jurisdiction of the Court of Chancery, and regulating the proceedings therein. It consists of sixty-seven clauses, together with a table of fees. This act, in the framing of which he had not been consulted, so much offended Whitelock, the chief commissioner of the great seal, that he resigned his office.

An ordinance abolishing the court of wards and liveries had been passed by the Lords and Commons on the 24th of February, 1645, but it seems to have taken no effect; the government had still continued to collect the dues of wardship, &c., as had been done before the abolition of the monarchy.§ In the end of 1656, however, the Barebones Parliament, "for the further establishing and confirming" the former ordinance, enacted "that the court of wards and liveries, and all wardships, liveries, primer-seisins, and oustrelemains, and all other charges incident and arising for or by reason of any such tenure, wardship, livery, primer-seizin, or oustrelemains, be taken away" from the said 24th of February, 1645; "and that all homage, fines, licenses, seizures, pardons for alienation incident or arising for or by reason of wardship, livery, primer-seizin, or oustrelemain, and all other charges incident thereunto, be likewise taken away" from the same date; and that all tenures in capite and by knight's service, of the late king or any other person, and all tenures by soccage in chief, be taken away, and all tenures turned into free and common soccage," from the same date. The wonder is, that this abolition of the feudal dues formerly appertaining to the crown should have been so long deferred. It is also worthy of observation that, notwithstanding this apparently sweeping destruction of feudalism, all heriots and other feudal dues payable to mean (that is, intermediate) lords or other private persons were reserved, and ordered to be still paid as usual.* By another act of this parliament purveyance and compositions for purveyance were taken away.† Both these reforms were re-enacted after the Restoration, by the statute 12 Car. II. cap. 24.

We may here also mention, as it would seem to have escaped notice, a clause in an act for the regulation of officers of the navy and customs, passed in January, 1648, by which all taking of fees from merchants or others, by officers of the customs, is abolished, and compensation ordered to be made to them by an increase of their salaries.‡ The principle of this enactment has been adopted in several recent statutes.

The introduction of new trials has been dated from the time of the commonwealth. "There are instances," says Blackstone, "in the Year Books of the reigns of Edward III., Henry IV., and Henry VII., of judgments being stayed (even after a trial at bar) and new *venires* awarded, because the jury had ate and drank without consent of the judge, and because the plaintiff had privately given a paper to a juryman before he was sworn. And upon these the Chief Justice Glynn, in 1655, grounded the first precedent that is reported in our books for granting a new trial upon account of excessive damages given by the jury; apprehending, with reason, that notorious partiality in the jurors was a principal species of misbehaviour. A few years before a practice took place in the Common Pleas of granting new trials upon the mere certificate of the judge (unfortified by any report of the evidence) that the verdict had passed against his opinion; though Chief Justice Rolle (who allowed of new trials in case of misbehaviour, surprise, or fraud, or if the verdict was notoriously contrary to evidence) refused to adopt that practice in the Court of King's Bench."§

* See Scobell, Part ii. pp 237 and 394.
† Ibid p 320
‡ The vote is noticed in the Journals of the House, but no trace of it appears in Scobell
§ See ante, p. 525 There is no mention of the ordinance of 1645 in Scobell, either among his printed or in his list of unprinted acts.

* Scobell, Part ii. p. 375.
‡ Ibid. p. 2.
† Ibid. p. 383.
§ Com. iii. 388.

It is believed, also, that another very important alteration in our judicial procedure—the introduction of special juries—cannot be traced beyond the commonwealth. The earliest instances we have met with are about the same date with the above-mentioned first reported new trial.

At the same time that the Convention House of Commons assembled, in the end of April, 1660, the few Presbyterian peers who had constituted the House of Lords when it was abolished in 1649 also met, and were soon after joined by the others whom they had excluded, although those who had sat in the Oxford parliament, and also those who had received their patents after the commencement of the civil war, abstained for the present from taking their seats. The House of Lords may therefore be said to have been restored before the monarchy. On the king's return the remaining peers took their seats without question, and as of course. The episcopal church was re-established by the act of the convention parliament, "For the confirming and restoring of ministers" (12 Car. II. c. 17); and the next parliament, which met in May, 1661, repealed (by stat. 13 Car. II. c. 2) the act disabling persons in holy orders from exercising any temporal jurisdiction or authority,—thereby restoring the bishops to their seats in the Upper House;—and also (by stat. 13 Car. II. c. 29) reversed the attainder of the Earl of Strafford. Finally, in 1664 (by stat. 16 Car. II. c. 1), so much of the act for preventing the intermission of parliaments for more than three years as gave power to the peers to issue out writs for one if the king neglected to do so, and to constituencies to meet and elect members without writs at all if the peers neglected to issue them, was repealed; and though it was still declared and enacted that the sitting and holding of parliaments should not be intermitted or discontinued above three years at the most, no provision was made for ensuring the observance of that rule. Thus, within a few years after the Restoration, all the most important of the concessions which had been extorted by the Long Parliament from the late king were annulled. The Courts of High Commission and Star Chamber, however, were not revived; and the oppressive feudal prerogatives of wardship and purveyance were, as already mentioned, expressly abolished. These were the most valuable permanent amendments for which the constitution was indebted to the civil war and the republic.

On the other hand, the Restoration brought with it several new laws, which considerably augmented the ancient legal authority of the crown, or otherwise abridged the rights of the subject. Of this description were the several acts relating to religion, of which the principal were:—the Corporation Act, passed in 1661, requiring all persons holding office in any municipal corporation to take the sacrament of the Lord's Supper according to the rites of the established church, and to subscribe the declarations abjuring the solemn league and covenant, and the lawfulness of taking up arms upon any pretence whatsoever against the king;* —the Act of Uniformity, passed in 1662, by which all persons enjoying any preferment in the church were obliged to declare their assent to everything contained in the Book of Common Prayer, and all teachers of youth were obliged to have a licence from the bishop;†—the Act against Seditious Conventicles, passed in 1664, making the being present at any meeting for religious worship, except according to the usage of the established church, where five persons besides the family should be assembled, punishable for the first and second offence by a fine or three months' imprisonment, for the third by transportation for seven years;‡—the Act for restraining Nonconformists from inhabiting in Corporations, passed in 1665, by which all dissenting ministers who should not take an oath similar to that imposed by the Corporation Act, were prohibited from approaching within five miles of any borough, or of any place where they had ever preached, under a penalty of 40*l.*;§—the second Act for preventing and suppressing Seditious Conventicles, passed in 1670, by which every person above the age of sixteen present at a conventicle was made punishable by a fine of five shillings for the first, and of ten shillings for every subsequent offence; while the penalty for teaching or preaching in a conventicle was made 20*l.* for the first, and 40*l.* for every subsequent offence, persons suffering conventicles to be held in their houses were made liable to a fine of 20*l.*, and justices of the peace were empowered to break open doors where they were informed conventicles were held, and take the offenders into custody;‖—and, lastly, the Act for preventing dangers which may happen from Popish Recusants, commonly called the Test Act, passed in 1673, which required all persons bearing any office, civil or military, under the crown, to take the oaths of supremacy and allegiance, to subscribe a declaration against transubstantiation, and to take the sacrament according to the usage of the Church of England.¶ To these may be added two acts, both passed in 1661; that entitled An Act against Tumults and Disorders upon pretence of preparing or presenting public petitions or other addresses to his majesty or the parliament, by which the soliciting or procuring of more than twenty signatures to any petition to the king or the parliament for alteration of matters established by law in church or state, unless the petition should have been previously consented to by three justices of the peace or the majority of the grand jury of the county, was made punishable by a fine of 100*l.* and three months' imprisonment, the number of persons allowed to attend on the presenting of any such petition being at the same time limited to ten;** and that declaring the sole supreme government, command, and disposition of the militia,

* 13 Car. II. st. 2, c. 1.—See ante, p. 684.
† 14 Car. II. c. 4.—See ante, pp. 688 and 823.
‡ 16 Car. II. c. 4.
§ 17 Car. II. c. 2.—See ante, p. 696.
‖ 22 Car. II. c. 1.
¶ 25 Car. II. c. 2.—See ante, p. 711.
** 13 Car. II. c. 5.

and of all forces by sea and land, and of all forts and places of strength in the kingdom, to be the undoubted right of the crown.*

The greatest constitutional measure which distinguishes the legislation of the present period is the celebrated statute of the 31st Car. II. c. 3, commonly called the Habeas Corpus Act. The history of this statute, or rather the history of the Writ of Habeas Corpus, has been lately traced with much minuteness in the Introduction to the Report of the Case of the Canadian Prisoners, by Mr. Fry, of Lincoln's Inn, one of the counsel in the case; and we shall avail ourselves of the information on the subject which he has collected and arranged. It appears that the practice of taking pledges or bail for persons accused of felony was known to the law of England from the earliest times. Glanville, who wrote in the reign of Henry II., states that in all cases of felonies the accused was generally dismissed on pledges, except in a plea of homicide; in which case, he says, persons accused were not discharged unless in compliance with the king's pleasure. The two great securities for personal liberty in ancient times were, the writs De Odio et Atiâ and De Homine Replegiando, the precise nature of which it is unnecessary to explain here. Mr. Fry gives the following account of the first appearance of the writ of Habeas Corpus, as far as he has been able to trace it:—"The writ of Habeas Corpus is found in operation at a remote period of the English law. It was anciently called Corpus cum causâ, from the words of the writ requiring the party to return not only the body of the person detained, but the cause of the capture and detention. It gradually superseded the old writs De Odio et Atiâ and De Homine Replegiando, probably from its superior efficacy as a prerogative writ. It required immediate obedience from the party to whom it was directed, and enforced it by attachment. The earliest reign in which I have been able to trace its frequent appearance is that of Henry VI. At that period it seems to have been familiar to, and well understood by, the judges." From this date its progress can be distinctly followed. It "was, in its early history," continues Mr. Fry, "used between subject and subject, the one detained invoking the power of the sovereign to interpose and protect him from the unwarrantable interference of a fellow-subject. At what period it first began to be used against the crown it is difficult to say. In the great case of Sir Thomas Darnell and others,† in the reign of Charles I., the first case in which the nature of the writ of Habeas Corpus appears to have been thoroughly discussed, and which eventually produced, indeed, the Petition of Right, its use as a means of asserting the liberty of the subject against the crown was distinctly felt and asserted. . . . . The earliest precedents I find cited in that case, where the subject sued the writ against the crown, are in the reign of Henry VII.;* afterwards it became pretty frequent, and in the time of Charles I. was held an admitted constitutional remedy." Sir Thomas Darnell, Sir John Corbet, Sir John Heveringham, and Sir Edmund Hampden, were committed to the Fleet, in 1627, for refusing to contribute to a general loan. They obtained a writ of Habeas Corpus to bring them before the Court of King's Bench; but, on the warden returning that they were detained by virtue of a warrant of the privy council, which stated that they were committed by the special command of his majesty, the judges of that day, notwithstanding the great learning and ability with which their case was argued by Serjeant Bramston, Noy, Selden, and Calthorp, decided that the return was good, and remanded the prisoners. This case, as Mr. Fry observes, produced the Petition of Right, passed into the statute 3 Car. I. c. 1 by the parliament which met the following year.†

Two years after the passing of this statute occurred the memorable case of Sir John Elliot, Selden, and the other members of the House of Commons, who, on the dissolution of the parliament, were sent to the Tower by warrants of the privy council, for notable contempts committed against his majesty and his government,—their real offence being the freedom of their speeches in the House; and who, upon being brought up by Habeas Corpus, were remanded to prison by the judges on their refusal to give security for their good behaviour.‡ This decision gave rise to the statute 16 Car. I. c. 10, s. 8, whereby it is enacted, to quote the summary given by Blackstone, "That if any person be committed by the king himself in person, or by his privy council, or by any of the members thereof, he shall have granted to him, without any delay, upon any pretence whatever, a writ of Habeas Corpus, upon demand or motion made to the Court of King's Bench or Common Pleas, who shall thereupon, within three court days after the return is made, examine and determine the legality of such commitment, and do what to justice shall appertain in delivering, bailing, or remanding such prisoner."

The next case that merits attention is that of Jenkes, which has been commonly, though erroneously, supposed to have given rise to the Habeas Corpus Act. It occurred in 1676. "Jenkes," says Mr. Hallam, "a citizen of London, on the popular or factious side, having been committed by the king in council for a mutinous speech in Guildhall, the justices at quarter-sessions refused to admit him to bail, on pretence that he had been committed by a superior court, or to try him, because he was not entered in the calendar of prisoners. The Chancellor, on application for a Habeas Corpus, declined to issue it during the

* 13 Car. II. c. 6.
† State Trials, iii. 1.

* Mr. Hallam (Middle Ages, vol. ii. p. 72) says,—"There is, I believe, no recorded instance of a Habeas Corpus granted in any case of illegal imprisonment by the crown or its officers during the continuance of the Plantagenet dynasty."—*Note in Orig.*
† See ante, pp. 130, 131.
‡ See ante, pp. 142—144.

vacation; and the Chief Justice of the King's Bench, to whom, in the next place, the friends of Jenkes had recourse, made so many difficulties, that he lay in prison for several weeks. This has been commonly said to have produced the famous Act of Habeas Corpus. But this is not truly stated. The arbitrary proceedings of Lord Clarendon were what really gave rise to it. A bill to prevent the refusal of the writ of Habeas Corpus was brought into the House on April 10, 1668, but did not pass the committee in that session. But another to the same purpose, probably more remedial, was sent up to the Lords in March, 1669-70. It failed of success in the Upper House: but the Commons continued to repeat their struggle for this important measure; and in the session of 1673-4 passed two bills, one to prevent the imprisonment of the subject in gaols beyond the seas,—another to give a more expeditious use of the writ of Habeas Corpus in criminal matters. The same or similar bills appear to have gone up to the Lords in 1675. It was not till 1676 that the delay of Jenkes's Habeas Corpus took place; and this affair seems to have had so trifling an influence that these bills were not revived for the two next years, notwithstanding the tempests that agitated the House during that period. But in the short parliament of 1679 they appear to have been consolidated into one; and that, having met with better success among the Lords, passed into a statute, and is generally denominated the Habeas Corpus Act." "It is a very common mistake," adds Mr. Hallam, "and that not only among foreigners, but many from whom some knowledge of our constitutional laws might be expected, to suppose that this statute of Charles II. enlarged in a great degree our liberties, and forms a sort of epoch in their history. But, though a very beneficial enactment, and eminently remedial in many cases of illegal imprisonment, it introduced no new principle nor conferred any right upon the subject. . . . . It was not to bestow an immunity from arbitrary imprisonment, which is abundantly provided in Magna Charta, if, indeed, it were not much more ancient, that the statute of Charles II. was enacted, but to cut off the abuses by which the government's lust of power, and the servile subtlety of crown lawyers, had impaired so fundamental a privilege."*

This statute "is frequently considered," says Blackstone, "as another Magna Charta of the kingdom; and, by consequence and analogy, has also, in subsequent times, reduced the general method of proceeding on these writs, though not within the reach of that statute, but issuing merely at the common law, to the true standard of law and liberty."

The general provisions of this celebrated statute have been thus summed up by Sir William Blackstone.† "The statute itself enacts:—1. That on complaint and request in writing, by or on behalf of any person committed and charged with any crime (unless committed for treason or felony, expressed in the warrant, or as accessory or on suspicion of being accessory before the fact to any petit-treason or felony, plainly expressed in the warrant, or unless he is convicted or charged in execution by legal process), the Lord Chancellor, or any of the twelve judges in vacation, upon viewing a copy of the warrant, or affidavit that a copy is denied, shall (unless the party has neglected for two terms to apply to any court for his enlargement) award a Habeas Corpus for such prisoner, returnable immediately before himself or any other of the judges, and, upon the return made, shall discharge the party, if bailable, upon giving security to appear and answer to the accusation in the proper court of judicature.—2. That such writs shall be indorsed as granted in pursuance of this act, and signed by the person awarding them.—3. That the writ shall be returned, and the prisoner brought up within a limited time according to the distance, not exceeding in any case twenty days.—4. That officers and keepers neglecting to make due returns, or not delivering to the prisoner or his agent, within six hours after demand, a copy of the warrant of commitment, or shifting the custody of a prisoner from one to another without sufficient reason or authority (specified in the act), shall for the first offence forfeit 100*l.*, and for the second offence 200*l.*, to the party grieved, and be disabled to hold his office.—5. That no person once delivered by Habeas Corpus shall be re-committed for the same offence on penalty of 500*l.*—6. That every person committed for treason or felony shall, if he requires it, the first week of the next term, or the first day of the next session of oyer and terminer, be indicted in that term or session, or else admitted to bail, unless the king's witnesses cannot be produced at that time; and if acquitted, or if not indicted and tried in the second term or session, he shall be discharged from his imprisonment for such imputed offence; but that no person, after the assizes shall be open for the county in which he is detained, shall be removed by Habeas Corpus till after the assizes are ended, but shall be left to the justice of the judges of assize.—7. That any such prisoner may move for and obtain his Habeas Corpus as well out of the Chancery or Exchequer as out of the King's Bench or Common Pleas, and the Lord Chancellor or judges denying the same, on sight of the warrant or oath that the same is refused, shall forfeit severally to the party grieved the sum of 500*l.*—8. That this writ of Habeas Corpus shall run into the counties palatinate, cinque ports, and other privileged places, and the islands of Jersey and Guernsey.—9. That no inhabitant of England (except persons contracting, or convicts praying to be transported, or having committed some capital offence in the place to which they are sent) shall be sent prisoner to Scotland, Ireland, Jersey, Guernsey, or any places beyond the seas, within or without the king's dominions, on pain that the party committing, his advisers, aiders, and assistants shall forfeit, to the party aggrieved a sum

* Constit. Hist. ii. 353. † Comm., vol. iii. p. 136.

not less than 500*l.*, to be recovered with treble costs, shall be disabled to bear any office of trust or profit, shall incur the penalties of præmunire, and shall be incapable of the king's pardon."

Among the other beneficial acts passed in the reign of Charles II. Blackstone reckons the abolition of the writ De Hæretico Comburendo, in 1677, by the 29 Car. II. c. 9; the statute for the better settling of intestates' estates (22 and 23 Car. II. c. 10), commonly called the Statute of Distributions; the 16 and 17 Car. II. c. 8, one of many statutes which have been passed for preventing arrests of judgment or the stoppage of justice by accidental and immaterial mistakes in pleadings, and one which has been called "an omnipotent act;" and the statute of Frauds and Perjuries, which he describes as "a great and necessary security to private property." This last, the 29 Car. II. c. 3, embraces a great variety of subjects that have little or no connexion with each other. The two leading provisions of the act require that the disposition of lands and certain personal contracts shall be evidenced by writing, signed by the party conveying or contracting, and that wills of land shall be attested by witnesses. With respect to the clause concerning the attestation of wills, Lord Mansfield has observed, that "the whole clause which introduces a positive solemnity to be observed, not by the learned only, but by the unlearned, at a time when they are supposed to be without legal advice in a matter which greatly interests every proprietor of land, when the direction should be plain to the meanest capacity, is so loose that there is not a single branch of the solemnity defined or described with sufficient certainty to convey the same idea to the greatest capacity."* But all this has been altered by the late act "For the Amendment of the Law with respect to Wills." (1 Vict. c. 26.)

The reign of Charles II. is a period of great importance in the history of the government and constitution; the novel position, in various respects, in which the crown, the Lords, and the Commons all found themselves in consequence of the Restoration and the events of the preceding twenty years having led to the agitation of several of the most fundamental and difficult questions connected with the jurisdiction and general powers and rights of each.

On the part of the crown, however, certainly more old claims were abandoned than new ones put forth. Extraordinary as the statement may seem at the first view, it is yet strictly true, as Mr. Hallam has observed at the commencement of the very masterly chapter he has devoted to this subject, "that the fundamental privileges of the subject were less invaded, the prerogative swerved into fewer excesses, during the reign of Charles II., than perhaps in any former period of equal length." "Thanks," he proceeds to remark, "to the patriot energies of Selden and Elliot, of Pym and Hampden, the constitutional boundaries of royal power had been so well established that no minister was daring enough to attempt any flagrant and general violation of them. The frequent sessions of parliament, and its high estimation of its own privileges, furnished a security against illegal taxation. Nothing of this sort has been imputed to the government of Charles, the first king of England, perhaps, whose reign was wholly free from such a charge. And as the nation happily escaped the attempts that were made, after the Restoration, to revive the Star Chamber and High Commission Courts, there was no means of chastising political delinquencies except through the regular tribunals of justice, and through the verdict of a jury. Ill as the one were often constituted, and submissive as the other might often be found, they afforded something more of a guarantee, were it only by the publicity of their proceedings, than the dark and silent divan of courtiers and prelates who sat in judgment under the two former kings. Though the bench was frequently subservient, the bar contained high-spirited advocates, whose firm defence of their clients the judges often reproved, but no longer affected to punish."*

The crown, indeed, did make various attempts to check or destroy what was now become the chief protection of the liberty of the subject—the activity of the press. But this was no new exertion of the prerogative. Ever since the introduction of the art of printing, the crown had in England assumed an absolute control over it. The regulations upon the subject which were in force down to the destruction of the monarchy limited the number both of presses and of working printers, and prohibited the publication of anything without the imprimatur of the licenser. "The Long Parliament," continues Mr. Hallam, "did not hesitate to copy this precedent of a tyranny they had overthrown, and, by repeated ordinances against unlicensed printing, hindered, as far as in them lay, this great instrument of political power from serving the purposes of their adversaries. . . . . We read the noble apology of Milton for the freedom of the press with admiration; but it had little influence on the parliament to whom it was addressed."† Indeed, no attention was paid to it. The publication of printed papers and pamphlets on the great events and questions, political and religious, of the day had, as we have already had occasion to state, increased immensely after the meeting of the Long Parliament. In June, 1643, the year before the appearance of Milton's eloquent appeal, an act had been passed by the Lords and Commons "for redressing disorders in printing," the preamble of which states that, notwithstanding divers good orders lately made by both Houses on the subject, very many persons had "taken upon them to set up sundry private printing presses in corners, and to print, vend, publish, and disperse books, pamphlets, and papers in such multitudes, that no industry could be sufficient to discover or bring to punishment all the several

* Wyndham v. Chetwynd, 1 Bur. 18.

* Const. Hist. ii. 342. † Ibid. p. 343.

abounding delinquents." It is thereupon ordered that no books should henceforth be printed without being first approved of and licensed under the hands of such person or persons as both or either of the Houses of Parliament should appoint to that office; and the master and wardens of the Company of Stationers, the gentleman-usher of the House of Peers, the serjeant of the Commons' House, and their deputies, together with the persons formerly appointed by the committee of the House of Commons for examinations, are authorized and required from time to time to make diligent search in all places where they should think meet for all unlicensed printing presses, and all presses any way employed in the printing of scandalous and unlicensed papers, pamphlets, or books, and to seize the presses, the books, the authors, the printers, and all other persons whatsoever employed in compiling, printing, stitching, binding, publishing, or dispersing of the said scandalous, unlicensed, and unwarrantable papers, &c., "and to bring them afore either of the Houses or the committee of examinations, that so they may receive such further punishments as their offences shall demerit, and not to be released until they have given satisfaction to the parties employed in their apprehension for their pains and charges, and given sufficient caution not to offend in like sort for the future." In case of opposition, the searchers are authorized to break open doors and locks.* By another act passed by both Houses in September, 1647, the maker, writer, or composer of any book, pamphlet, treatise, ballad, libel, sheet or sheets of news whatsoever, not licensed by both or either House of Parliament, or the persons thereunto authorized by them, with the name of the author, printer, and licenser thereunto affixed, was made liable to a fine of forty shillings, or imprisonment not exceeding forty days in the common gaol; the printer to a fine of twenty shillings, or twenty days' imprisonment, and to have his press and implements seized and broken in pieces; the bookseller to a fine of ten shillings, or imprisonment for ten days; and the hawker, pedlar, or ballad-singer to forfeit all his books, pamphlets, and printed papers exposed to sale, and also to be whipped as a common rogue. The offender might be convicted on the oath of a single witness by any justice of the peace, or any head officer of a corporation, or member of the committees for the militia in London, Middlesex, and Surrey; and it was especially provided that the penalties expressed in the present ordinance should not acquit any person of such other penalties for the publication of seditious, treasonable, or blasphemous matter, as by the laws of the land were or should be adjudged for such offence.† Nor was the House of Commons more lenient or liberal after it had got all the power of the government into its own hands. In September, 1649, another very long act was passed by "the parliament of England," by which the several fines imposed two years before were raised to ten times the amount, with the addition that the buyer of any scandalous book or paper, if he did not, within four-and-twenty hours after knowledge thereof, bring it to the lord mayor of London or some other justice of the peace, should forfeit twenty shillings for every such omission. The many evils occasioned by the said books and pamphlets, the act declares, had proceeded from "the irregularity and licentiousness of printing, the art whereof in this commonwealth, and in all foreign parts, hath been and ought to be restrained from too arbitrary and general an exercise;" but still it is admitted that there are some "occurrences and news, the truth whereof may be fit to be known and published, for the satisfaction of all the good people of this commonwealth therein interested, and of all the well-affected thereto;" wherefore it is enacted that no person whatsoever shall compose, write, print, publish, sell, or utter any book or pamphlet, treatise, or sheet of news, unless licensed under the hand of the clerk of the parliament, or of the person authorised by the council of state, or of the secretary of the army for so much as may concern the affairs of the army. The great numbers of objectionable pamphlets that had lately appeared are attributed to "the multitude of printing-houses and presses erected in bye-places and corners, out of the eye of government, contrary to the custom and practice of former times;" wherefore it is ordained that, for the future, no printing shall be used anywhere else throughout the kingdom save only in the city of London and the two universities. All printers in London, it was further enacted, should enter into bond, with two sureties, to the amount of 300*l.*, not to print anything against the government, nor anything without the name of the author, or at the least of the licenser, on the title-page, in addition to their own. Subsequent clauses ordered that no house or room should be let to a printer, and no printing implements, presses, or letters made, founded, or imported, without notice being given to the master and wardens of the Stationers' Company. "And whereas," says another clause, "divers vagrant persons of idle conversations, having forsaken their usual callings, and accustomed themselves, after the manner of hawkers, to sell and cry about the streets and in other places pamphlets and other books, and under colour thereof are found to disperse all sorts of dangerous libels, to the intolerable dishonour of the parliament and the whole government of this commonwealth; be it ordained and enacted, by the authority aforesaid, that no such hawkers shall be any more permitted; and that they, and all ballad-singers, wheresoever they are or may be apprehended, shall forfeit all books, pamphlets, ballads, and papers by them exposed to sale, and shall, by such as shall by virtue of this act seize upon them, be conveyed and carried to the House of Correction, there to be whipt as common rogues."* This stringent act was only

* Scobell, i. 45. † Ibid. i. 135.

* Scobell, ii. 88–93.

passed in the first instance for two years; but having, as it is stated, "appeared by experience to be a good and profitable law for the ends therein expressed," it was renewed in January, 1652, with some additional clauses. By one of these the Council of State was empowered to suppress any of the existing printing presses at its discretion; and "forasmuch," says another, "as the life and growth of all arts and mysteries consisteth in a due regulation thereof, be it therefore enacted that the government and regulation of the said mystery of printing and printers shall from henceforth be and remain in the Council of State for the time being, and that the master, wardens, and assistants of the Company of Stationers, London, shall follow and observe such rules, orders, and directions concerning the regulating of printing as they shall from time to time have and receive from the said council." Another restriction now imposed was, that every person taking upon him the trade or mystery of printing as a master-printer should "use and exercise the same in his and their respective dwelling-houses, and not elsewhere, any law, statute, privilege, usage, or custom, to the contrary thereof in anywise notwithstanding, under the penalty of 40*l.* for every month, and so proportionably for any shorter or longer time, to be forfeited by every person offending against the provision aforesaid."* The state of slavery and degradation, therefore, to which the press had been reduced under the protectorate could hardly be made worse by the Restoration, by which all these jealous and oppressive enactments were at once annulled. The royal prerogative, however, immediately resumed its ancient jurisdiction. So early as the 7th of June, 1660, within little more than a week after the king's return, an order of council was issued to the Stationers' Company to seize and deliver to the secretary of state all copies of Buchanan's History of Scotland and treatise De Jure Regni apud Scotos, as works "very pernicious to monarchy and injurious to his majesty's blessed progenitors." But afterwards it was thought expedient that the printing and publishing of books should be made the subject of parliamentary regulation; and accordingly in 1662 an act was passed (the 14th Car. II. c. 33) which, after reciting that "the well-government and regulating of printers and printing presses is matter of public care and of great concernment, especially considering that by the general licentiousness of the late times many evil-disposed persons have been encouraged to print and sell heretical, schismatical, blasphemous, seditious, and treasonable books, pamphlets, and papers, and still do continue such their unlawful and exorbitant practice, to the high dishonour of Almighty God, the endangering the peace of these kingdoms, and raising a disaffection to his most excellent majesty and his government," went on to enact, among other things, that all books and pamphlets before being printed should be licensed;—books on the common law, by the lord chancellor, either of the lords chief justices, or the lord chief baron; books on history or affairs of state by one of the secretaries of state; books of heraldry by the Earl Marshal, or by Garter and one other of the Kings of Arms; and all other books by the archbishop of Canterbury or the bishop of London;—that printers should not only put their names upon every book or pamphlet printed by them, but also declare the name of the author if required by the licenser; that for the time to come no man should be admitted to be a master printer until the actual number of master printers should be by death or otherwise reduced to the number of twenty; that no master printer should keep more than two printing presses, unless he had been a master or upper-warden of the Stationers' Company, in which case he might keep three; and that nothing should be printed out of London except at the universities, and books of divinity, duly licensed by the archbishop, at one press in York. But, comprehensive as this statute seems, it was not held to do away with the ancient prerogative of the crown. "This day," says a notice in the London Gazette, under date of 5th May, 1680, "the judges made their report to his majesty in council, in pursuance of an order of this board, by which they unanimously declare that his majesty may by law prohibit the printing and publishing of all news-books and pamphlets of news whatsoever not licensed by his majesty's authority, as manifestly tending to the breach of the peace and disturbance of the kingdom. Whereupon his majesty was pleased to direct a proclamation to be prepared for the restraining the printing of news-books and pamphlets of news without leave."* Such continued to be the state of the law and the practice on the subject of the press down to the Revolution. Here, therefore, it may be said the civil war had accomplished nothing for the improvement of the constitution; and no wonder, seeing that the principles maintained and the course pursued by the Commonwealth in regard to this matter had been to the full as illiberal and despotic as those of the worst times of the monarchy.

In regard to another important matter, the long contest between the prerogative and the popular power had been attended with a different result. Royal proclamations setting aside the law, which almost formed the ordinary mode of government in the reign of Charles I., were nearly unknown after the Restoration. Of two or three that are mentioned, one was issued in 1665, in the time of the Great Plague, requiring "all disbanded officers and soldiers who had served in the armies of any of the late usurped powers to depart the cities of London and Westminster, and not to return within twenty miles of the same till November following."† This Mr. Hallam conceives to have been connected with the well-grounded apprehension of a republican conspiracy. The

* Scobell, ii. 230.

* Quoted in Hallam, Const. Hist. ii. 345.

† Kennet, Comp. Hist. iii. 256.

most remarkable was one issued in December, 1675, ordering all coffee-houses to be shut up, "because," as it was asserted, "in such houses, and by occasion of the meeting of disaffected persons in them, divers false, malicious, and scandalous reports were devised and spread abroad, to the defamation of his majesty's government, and to the disturbance of the quiet and peace of the realm."* But this was recalled, on the judges being consulted, and intimating to the council that they were not agreed in opinion upon the most material of the questions submitted to them. "In this essential matter of proclamations, therefore," as Mr. Hallam observes, "the administration of Charles II. is very advantageously compared with that of his father; and, considering at the same time the entire cessation of impositions of money without consent of parliament, we must admit that, however dark might be his designs, there were no such general infringements of public liberty in his reign as had continually occurred before the Long Parliament."† This, then, was one great and enduring victory for the cause of law and right which the Long Parliament had achieved.

When we add to this the effective abolition of illegal or arbitrary imprisonment by the Habeas Corpus Act, and the extinction of the practice of torture, noticed in the last Book,‡ it will be perceived that the paring the talons of the prerogative had undergone in the period now under review was far from inconsiderable. The scandalous practice of coercing or intimidating juries by fine or imprisonment, which had been of occasional occurrence in former times, may also be said to have been put down in the reign of Charles II. Two or three attempts were made to exercise this power; but they were effectually checked by the interference of parliament, and also by the supreme courts of law. The last recorded instance is the case of Bushell, one of the jurors who, in 1670, having acquitted the Quakers, Penn and Mead, on an indictment for an unlawful assembly, were fined by the Recorder of London forty marks each. Bushell being committed for non-payment of this fine, sued his writ of Habeas Corpus from the Court of Common Pleas: it was returned that he had been committed for finding a verdict against full and manifest evidence, and against the direction of the court; but Chief Justice Vaughan held the ground to be insufficient, and discharged him. Even Jeffreys, with all his savage violence and unscrupulous stretching of the law, did not afterwards venture to revive this practice.

It was a consequence of the long suspension of the ancient constitution that, after it was re-established, both the Lords and Commons endeavoured to extend their powers beyond their ancient limits. The former, as Mr. Hallam has remarked, "returned to their own house on the Restoration with confused notions of their high jurisdiction, rather enhanced than abated by the humiliation they had undergone."* They succeeded, however, in establishing some claims which had till now been contested. Of these the principal was their right of ultimate jurisdiction both in causes brought before them by writ of error from the common law courts and in appeals from the Court of Chancery. The doctrine generally held by lawyers upon this subject, we believe, is, that the House of Lords, in exercising its judicial functions, acts as a representative of the whole parliament; and there is certainly something in the forms observed, according to which the judgment pronounced is styled, not that of the Lords alone, but that of the High Court of Parliament, which seems to sanction this view. It has not, however, been generally admitted either by the historians and theorists of the constitution, or by the House of Commons itself. Blackstone considers the House of Lords to have succeeded to the authority of the supreme court of judicature in the kingdom, as of course, upon the dissolution of the ancient *aula regia*, of which the barons of parliament were constituent members.† Mr. Hallam conceives their ultimate jurisdiction to be founded on a paramount judicial authority delegated to them by the crown.‡ However this may be, they appear to have exercised such jurisdiction from a very ancient date, although it certainly lay very nearly dormant from the beginning of the fifteenth till towards the end of the sixteenth century, and was not much resorted to again till the commencement of the reign of Charles I. Its legal existence, however, seems always to have been known, and it is very expressly recognized, though under the name, be it observed, of the jurisdiction of "the High Court of Parliament," in a well-known statute passed in 1585.§ Some disposition was shown by the House of Commons to resist its resumption after the Restoration; but the practice of the early part of the preceding reign was too clear to allow the claim of the Lords to be disputed here. The case was by no means so clear in regard to their claim of judging in appeals from the courts of equity. Such appeals do not appear to have ever been entertained till after the accession of Charles I., and were very rare during the greater part even of that reign. Nevertheless, no serious opposition was made to their revival after the Restoration till the year 1675, when a case arose that gave rise to a violent conflict between the two Houses. This was the appeal of Dr. Thomas Shirley against Sir John Fagg, who was a member of the House of Commons; and nothing can be clearer than that the interference of the Commons in this instance began altogether, as Mr. Hallam remarks, on the score of privilege, the only objection they made at first to the proceedings of the Lords being, that their compelling members of the Lower House to appear as respondents in cases of appeal was a violation of their exemption from legal process

* Kennet, Comp. Hist. ii. p. 307.
† Const. Hist. ii. 347.
‡ See ante, pp. 517—521.

* Const. Hist. ii. 361.
† Com. iii. 57.
‡ Const. Hist. ii. 360.
§ 27 Eliz. c. 8, constituting the Court of Exchequer Chamber a court of appeal from the Court of King's Bench

during the session by the general privilege of parliament. Two other cases of the same kind took place about the same time; and we shall avail ourselves of Mr. Hallam's summary of the proceedings to which they gave rise. "Four counsel, who had pleaded at the bar of the Lords in one of the cases where a member of the other House was concerned, were taken into custody of the sergeant-at-arms by the Speaker's warrant. The gentleman-usher of the black rod, by warrant of the Lords, empowering him to call all persons necessary to his assistance, set them at liberty. The Commons apprehended them again, and, to prevent another escape, sent them to the Tower. The Lords dispatched their usher of the black rod to the lieutenant of the Tower, commanding him to deliver up the said persons. He replied, that they were committed by order of the Commons, and he could not release them without their order, just as, if the Lords were to commit any persons, he could not release them without their lordships' order. They addressed the king to remove the lieutenant, who, after some hesitation, declined to comply with their desire. In this difficulty they had recourse, instead of the warrant of the Lords' Speaker, to a writ of habeas corpus, returnable in parliament,—a proceeding not usual, but the legality of which seems to be now admitted. The lieutenant of the Tower, who, rather unluckily for the Lords, had taken the other side, either out of conviction or from a sense that the Lower House were the stronger and the more formidable, instead of obeying the writ, came to the bar of the Commons for directions. They voted, as might be expected, that the writ was contrary to law and the privileges of their house." The king then endeavoured to quiet the ferment by a prorogation for three months. "This period, however, not being sufficient to allay their animosity, the House of Peers took up again the appeal of Shirley in their next session. Fresh votes, and orders of equal intemperance, on both sides, ensued, till the king, by the long prorogation from November, 1675, to February, 1677, put an end to the dispute. The particular appeal of Shirley was never revived, but the Lords continued without objection to exercise their general jurisdiction over appeals from courts of equity." In the heat of the contest the Commons had passed a resolution treating this jurisdiction as an usurpation; but this, as Mr. Hallam observes, "was evidently rather an act of hostility arising out of the immediate quarrel than the calm assertion of a legal principle."*

A few years before this, however, the Lords had been defeated on another point after an equally keen and protracted struggle. From the first day of the Restoration, and indeed before the actual return of the king, they had begun to issue what were called "orders" in cases in which any of themselves was a party, many of which were actual interferences with the course of law, others of an essentially legislative character, affecting whole classes of persons and descriptions of property. At length they distinctly put forward a claim to an original jurisdiction in all cases whatsoever by entertaining, in 1667, the petition of Thomas Skinner, a merchant of London, who complained of having been injured by the East India Company, and, conceiving that he could have no sufficient redress in the ordinary courts of law, had applied for justice to the king, who transmitted his petition to the House of Lords, with a recommendation to them to inquire into and decide upon the case. Their lordships, thereupon, called upon the Company for their defence, overruled their objections to the jurisdiction of the House, and, after an inquiry into the facts and some other proceedings which protracted the matter till the next session, gave judgment, awarding 5000*l.* damages to Skinner. The Commons, who had been petitioned by the Company, now took up the question, and, on the report of a committee, resolved, 2nd May, 1668, that the Lords taking cognizance of the matters in dispute between Skinner and the East India Company, "the said cause coming before their House originally, only upon the complaint of the said Skinner, being a common plea," was not agreeable to the laws of the land, and tended to deprive the subject of his right, ease, and benefit due to him by the said laws. They also voted that Skinner, in commencing and prosecuting a suit by petition in the House of Lords, and in procuring judgment against the governor of the Company, who was a member of the House of Commons, had been guilty of a breach of privilege; and they ordered him to be taken into custody of the sergeant-at-arms. The Lords on their part met these resolutions by voting that the House of Commons' entertaining the scandalous petition of the East India Company against the Lords' House of Parliament was a breach of the privileges of the House of Peers, whose taking cognizance of the cause of Thomas Skinner was "agreeable to the laws of the land, and well warranted by the law and custom of parliament, and justified by many parliamentary precedents ancient and modern." Several conferences between the Houses, that followed, only exasperated the quarrel. The Commons now voted that, whosoever should be aiding and assisting in putting in execution the order or sentence of the Lords against the Company should be deemed a betrayer of the rights and liberties of the Commons of England, and an infringer of the privileges of their House; and they sent up a message to the Lords, acquainting them that, in their opinion, the best expedient for preserving a union between the two Houses was, that all proceedings should be forborne upon the said sentence, and Sir Samuel Barnardiston, the chairman of the Company, and other persons, whom the Lords had committed, set at liberty. The king now interfered: by his advice or command both Houses adjourned for three months; and they were prevented from meeting again by successive adjournments and prorogations till Oc-

* Const. Hist. ii. 369.

tober, 1669.* As soon as they re-assembled, however, the Commons again took up the matter. Sir Samuel Barnardiston being called upon, stated, that as soon as the Commons, according to his majesty's command, had first adjourned themselves on the 8th of May in the preceding year, he had been called as a delinquent on his knees to the bar of the Lords, and sentenced to pay a fine of 300*l.* to his majesty, and to lie in custody of the black rod till the money was paid. He remained accordingly in confinement till the evening of the 10th of August, the day before the next adjournment, when the black rod came to him, and told him he was discharged, and might go where he pleased. On his asking to whom he was beholden for his release, he was told that he was discharged upon honourable terms; "But pray," continued black rod, "ask me no questions, for I must make you no answer; yet if I see you to-morrow after the House is adjourned, I will tell you more: there is a mystery, but I have sufficient authority for what I do." In fact, it appears that, probably by the command of the king, the fine had been entered as paid on the records of the Exchequer. Some more warm debates and conferences now ensued; and at last the Commons voted another string of resolutions, in one of which they laid down the principle, "That the House of Peers, as well as all other courts, are in their judicial proceedings to be guided and governed by law; but if they give a wrongful sentence contrary to law, and the party grieved might not seek redress thereof in full parliament, and for that end repair to the House of Commons, who are part of the legislative power, that either they may interpose with their lorships for the reversal of such sentence, or prepare a bill for that purpose, and for the preventing the like grievances for the time to come, the consequence thereof would plainly be that their lordships' judicature is boundless and above law, and that the party grieved shall be without remedy." At the same time they resolved that the Lords should be desired to vacate or annul both the judgment against Barnardiston and that against the East India Company; and they afterwards passed a bill to that effect, and sent it up to the other House, by which, however, it was, as might be expected, thrown out. So also was another bill by the Commons, which came down from the Lords, having for its object to settle the matter of privilege and judicature in parliament. In this state the controversy stood when the Houses were prorogued in December. Meanwhile no farther steps had been taken by the Lords to enforce their judgment against the Company. At last the affair was ended by the interposition of the king, who, when parliament met again in February, summoned both Houses to Whitehall, and, informing them that he would himself give present order to erase all records and entries of the case in the books of the Council, and the Exchequer, proposed that they should do the like in their Journals. This proposition was very gladly embraced by the Commons, and was not rejected by the Lords; and the latter have from this time tacitly abandoned all pretensions to an original jurisdiction in civil suits.

The most important right established by the Commons within the present period was that of being not only the originators, but also the entire framers, of all money-bills, and of all clauses in any bills imposing any pecuniary burden upon the subject. Grants of supply appear to have been anciently made by the two Houses separately; nor were they for a long time put into the form of statutes or considered as laws. It was not till about the middle of the fourteenth century that the practice began of the Lords and Commons joining in such grants; nor was it till nearly two centuries later, towards the close of the reign of Henry VIII., that they generally assumed a complete legislative form. Throughout the reigns of Elizabeth and James I. the usual enacting words were to the effect that the Commons made the grant with the assent of the Lords. In the first parliament of Charles I. the Commons began, in the preamble of bills of supply, to recite the grant as if wholly their own, but in the enacting words introduced the name of the Lords as in other statutes; and this has ever since continued to be the practice.* No dispute arose after the Restoration about the right of the Commons to originate all bills that were really bills of supply and taxation; but the Lords demurred when, in the parliament of 1661, the other House refused to entertain a bill which was sent down to them for paving the streets of Westminster on the ground that it went to lay a charge on the people. This bill, or rather another which the Commons substituted for it, and in which the Lords made an amendment, was ultimately dropped; and "for a few years after," according to Mr. Hallam, "though the point in question was still agitated, instances occur where the Commons suffered amendments in what were now considered as money-bills to pass, and others where the Lords receded from them rather than defeat the proposed measure." In April, 1671, however, a case occurred in which the principle contended for by the Commons presented itself in a new shape. A bill having been brought up to the Lords imposing a tax upon sugar, the Lords *reduced* the amount of the tax; on which the Commons resolved, "That in all aids given to the king by the Commons, the rate or tax ought not to be *altered* by the Lords." This brought on three successive conferences between the Houses, in which the question at issue was discussed with a great profusion of learning as well as of logic, but, as Mr. Hallam thinks, "with a decided advantage both as to precedent and constitutional analogy on the side of the Peers." This controversy, like the others about the jurisdiction of the Lords, was only at last terminated for the present by a prorogation of the Houses, which were not

* See ante, p. 706.

* Hallam, Const. Hist. ii. 369–372

suffered to meet again for the dispatch of business for nearly two years.* "I must confess," says Mr. Hallam, in winding up his account of the progressive development of these claims of the House of Commons, "that, in applying the wise and ancient maxim, that the Commons alone can empower the king to levy the people's money, to a private bill for lighting and cleansing a certain town, or cutting dikes in a fen, to local and limited assessments for local benefit, as to which the crown has no manner of interest, nor has anything to do with the collection, there was more disposition shown to make encroachments than to guard against those of others. They began soon after the Revolution to introduce a still more extraordinary construction of their privilege, not receiving from the House of Lords any bill which imposes a pecuniary penalty on offenders, nor permitting them to alter the application of such as have been imposed below. These restrictions upon the other House of Parliament, however, are now become, in their own estimation, the standing privileges of the Commons. Several instances have occurred during the last century, though not, I believe, very lately, when bills, chiefly of a private nature, have been unanimously rejected, and even thrown over the table by the Speaker, because they contained some provisions in which the Lords had trespassed upon these alleged rights. They are, as may be supposed, very differently regarded in the neighbouring chamber. The Lords have never acknowledged any further privilege than that of originating bills of supply. But the good sense of both parties, and of an enlightened nation, who must witness and judge of their disputes, as well as the natural desire of the government to prevent in the outset any altercation that must impede the course of its measures, have rendered this little jealousy unproductive of those animosities which it seemed so happily contrived to excite. The one House, without admitting the alleged privilege, has generally been cautious not to give a pretext for eagerly asserting it; and the other, on the trifling occasions where it has seemed, perhaps unintentionally, to be infringed, has commonly resorted to the moderate course of passing a fresh bill to the same effect, after satisfying its dignity by rejecting the first."†

As connected with this subject we may present a short account of the origin and progress of the appropriation of parliamentary aids and supplies for particular services, which we take chiefly from Mr. Hargrave's tract on that subject published in the first volume of his Juridical Arguments.‡

In the more ancient times the usual course of parliament, on granting taxes and aids to the crown, was, to leave the application of the money wholly to the discretion of the king and his ministers. Some comparatively early instances, however, of granting taxes, with appropriation of them to particular purposes, and with provisions to prevent a different application, are cited by Mr. Hargrave from the rolls of parliament. He observes that it has been asserted in debate in parliament that appropriations were frequently practised even in the reigns of Henry VII. and Henry VIII.*

"A much more recent instance," he continues, "of granting a supply, with appropriations, appears in the statute of 21 James I. c. 34. By that act there was a grant to the king of three subsidies and three-fifteenths and tenths, with an appropriation of 18,000*l.* for repair of certain decayed cities and towns,† and of the residue for managing the then expected war with Spain. Also to guard against any other employment of the supply, the act appointed eight citizens of London treasurers, and ten others to be of the king's council for the war; of whom the former were to make oath, that none of the monies should issue out of their hands without warrant from such council of war, and the latter that they would not make warrant except for the ends before mentioned, and both treasurers and council were to be accountable to the Commons. The act of supply on this special plan of appropriation was founded on King James's own proposition in a speech to the Commons in March, 1623. . . . But this taking the receipt and application of a tax out of the hands of the crown was deemed so extraordinary, and gave such an alarm to the Lords, that before they passed the bill they took the opinion of the judges upon it. Indeed, on consideration of all the circumstances, and especially that the Lords were joined with the Commons in the commission for executing the act, the judges resolved, that there was nothing in the act to impeach the privilege or power of the Higher House, or to add to the privileges of the Lower House beyond the particular case in question. But though the Lords concurred in this resolution, yet, before reading the act the third time, they entered into a protestation, which recited the bill to be in many things different from the ancient usual form of subsidy bills, and guarded against its being construed to give or to take from any jurisdiction, power, or privilege of either House."

This instance was made a precedent of in the Long Parliament in the several acts of supply passed before the rupture with the king. According to Clarendon, Cromwell would not permit any clauses of appropriation in the supplies given to him by his parliaments.‡

* The prorogation took place 22nd April, 1671, to 16th April, 1672, on which day the Houses were further prorogued to the 30th of October; and, again, from that day to the 4th of February, 1673.

† Const. Hist. ii. 376.

‡ Lon. 1797, pp. 394, *et seq.*

* The authority quoted by Mr. Hargrave is Gray's Debates, vol. iii. pp. 317, 318, and 447.

† Probably from not having the words in full before him, but trusting to the erroneous abridgment of them in the common editions, Mr Hargrave has here been led into a mistake about the import of the statute of 21 Jac I. We have already had occasion to point out that that statute says nothing whatever about the repair of any towns. (See ante, p. 654, col. 2, note ‡.) If this was an instance of appropriation, there was the same appropriation in every act granting a subsidy, at least from the beginning of the reign of Henry VIII. In the statute 3 Hen. VIII. c. 22, may be seen a list of the decayed towns in the case of which allowances or deductions were to be made in collecting the tax, according to the form of words constantly repeated in every one of these statutes, "after such rate as was and hath before this time been had and made in every shire."

‡ See Scobell's Collection, part ii. pp. 311 and 359.

On the Restoration parliament more usually granted their aids to the crown without clauses of appropriation. But in 1665 a precedent of appropriation was again established; for the stat. 17 Car. II. c. 1, by which 1,500,000*l.* was granted, contained a clause which provided that a separate account should be kept of the money leviable, and that no part of it should be issued out of the Exchequer during the then war but by order mentioning that it was for that service. Some instances of supplies granted to Charles II. after 1665, without any appropriation, occur; but the precedent of appropriation was in general followed during the remainder of his reign, as appears by the statutes 19 Car. II. c. 8; 20 Car. II. c. 1; 22 Car. II. c. 3; 29 Car. II. c. 1; 29 and 30 Car. II. c. 1.; 30 Car. II. c. 1; and 31 Car. II. c. 1. In the last-named statute the provision was carried so far, as to make it punishable as a præmunire to misapply the money appropriated, or to advise the king to it.

In the reign of James II. the few parliamentary aids to him were made without appropriation.

From the Revolution, the appropriation to certain services of the supplies granted became the common practice. In the conclusion of the stat. 9 and 10 Will. III. c. 44, there is an appropriation of all the supplies of the session. "This is the first instance," observes Mr. Hargrave, "I have observed of a general appropriating act for the session, such as is now in use."

The representation of the people in the House of Commons, as it remained down to the union with Scotland, was completed within this period, by the right of returning members being granted by statute* in 1672 to the county and city of Durham, and in 1673 by charter to the borough of Newark. This was the last occasion on which the crown exercised the ancient prerogative of creating a parliamentary borough; and, although, on the question being raised in March, 1677, the right of Newark to return members in consequence of the charter was affirmed in the House of Commons by a majority of 125 to 73, it is probable that any further such attempts to alter the representation would have been more effectually resisted.

From the very able and valuable Report of the Select Committee appointed by the House of Commons in 1837 to examine precedents with respect to the circulation and publication of Papers printed by order of the House,† it appears that the earliest entry contained in the Journals of the Commons relating to the printing of any parliamentary papers is on the 30th July, 1641; when the House adopted certain resolutions, and ordered that they should be printed. It scarcely admits of a doubt, however, in the opinion of the committee, "that from a much earlier period parliament must occasionally have found it necessary or expedient that particular proceedings should be made public, although the means by which it was done cannot be traced." The committee do not notice the assertion of Coke, Prynne, and other legal authorities or constitutional antiquaries, that, in early times, down at least to the reign of Henry VII., the Commons never printed or published any act or ordinance whatsoever relating either to public affairs or to their own proceedings without the approbation and concurrence of the other House.* "From 1641 to 1680," the Report continues, "there are various resolutions for the printing of specific votes and papers. In 1680-1, a *general* resolution was adopted for printing the votes and proceedings of the House; and from that year such general order has been renewed every session, and a printer appointed for the purpose by the speaker, an occasional prohibition being added against all other persons printing the same; reports and miscellaneous papers have also been from time to time printed under distinct orders of the House. The practice thus detailed has been continued up to the present time." The only interruption of this regular printing of the votes occurred in 1702, on the 25th of February, in which year the Commons resolved that none of their votes should be printed without the order of the House—the reason given in the Journals being, "that the House have found great inconveniences attending the printing of the votes." This alludes to an interference by the Lords in an address voted by the Commons to the queen. But, on the 23rd of November, 1703, it was, after debate, carried by a majority of 177 to 147, that the votes should again be printed as usual.† No doubt, the committee conceives, can exist, that the practice of printing papers was introduced by the Long Parliament for the purpose of their general publication. "This is shown," they observe, "by the subsequent proceedings of the House with regard to the order for printing of 1641, above referred to, and by the appointment of a committee in the subsequent year, to consider, among other things, the best way of divulging, dispersing, and publishing the orders and votes, and also the declarations of the House, through the kingdom, and of the well and true printing of them. This committee presented on the 6th of June an order for dispersing and divulging the orders and declarations of the House through the sheriffs, under-sheriffs, constables, headboroughs, and tithingmen of the several counties, with directions for the speedy *publication* to the inhabitants; and on the 9th of June the committee made reports, whereon it was resolved that certain examinations, remonstrances, orders, votes, and declarations should be printed and *published*, and an order was made for the payment of the expense." It may fairly be assumed, therefore, that whatever occasional printing of legislative enactments there may have been in earlier times, the regular practice of printing and publishing notices of all the proceedings of the House of Commons was an innovation for which we are indebted to the Long

* 25 Car. II. c. 9.

† Parl. Papers, Sess. 1837, No. 286.

* Prynne's Preface to Cotton's Abridgement of the Records.—Coke, 4 Inst. 10, 11.

† Report, pp. 2 and 74.

Parliament. The anxiety thus evinced on the part of that assembly to enlist public opinion in its support began, it will be observed, at an early stage of its deliberations, and a considerable time before there was any thought, at least generally entertained, of an appeal to arms. The same feeling, however, continued throughout all the violence of the contest that ensued; in the midst of the roar of artillery the printing press still plied its office as actively as ever, and on both sides the sword and the pen were wielded together. For it must be admitted that the king and his advisers were from the first not less alive than the leaders of the popular cause to the importance of the latter weapon; the royal declarations and other state papers drawn up by the persuasive pen of Clarendon were dispersed over the country in as great numbers as were the adverse proclamations of the parliament. It was a tribute to the public intelligence extorted from both parties by the general advancement of the popular mind.

We have seen how eager also the republican government very soon showed itself to put down all printed accounts of public transactions except those drawn up by its own authority. Much of this jealousy, mixed with other feelings about the dignity of the legislature being compromised by the publication of its proceedings, survived throughout the present period. After the Restoration many orders, declarations, and other parliamentary proceedings continued to be printed and published by order of the House of Commons;* but it does not appear to have been till the 30th of October, 1680, that the first general order for printing its votes was made by the House. A debate took place upon a proposal for the renewal of this order in the next parliament, on the 24th of March, 1681, of which the committee have given a report from a rare volume in the library of the House of Commons, and in which a few facts were adverted to that are worth quoting. Sir John Hotham, the mover, observed, that the last parliament had found the printing of their votes to be for the security of the nation,—that it had prevented disadvantageous representations of them to the world by false accounts of their proceedings. "That which put me upon moving the printing your votes the last parliament," said Sir William Cowper, "was false papers that went about in former parliaments of the votes and transactions of the House." Mr. Secretary Jenkins having objected that the printing was against the gravity of the House, and a sort of appeal to the people, Mr. Boscawen replied, "If you had been a privy council, then it were fit what you do should be kept secret; but your Journal-books are open, and copies of your votes in every coffee-house, and, if you print them not, half votes will be dispersed to your prejudice." The unauthorized copies of the votes that were to be found in the coffee-houses appear to have been only written copies, as, indeed, most of the newspapers at this time were. "I find," said another speaker, (Mr. L. Gower,) "that those who write our votes and transactions, and send them all England over, are favoured." The copies were probably obtained through the clerks of the House. It was stated by Sir Francis Winnington, that "in the Long Parliament it was a trade amongst clerks to write votes;" and he added that one clerk who had been so employed, having been brought before the House, "was sent away and nothing done to him." Colonel Mildmay said well in the course of this debate, "It is fit that all Christendom should have notice of what you do, *and posterity of what you have done.*"

Among the lawyers of this period there are several of distinguished name. After the Restoration the great seal was committed to the Earl of Clarendon, who had withdrawn from practice as a lawyer; and afterwards to the Earl of Shaftesbury, who, though a lawyer by education, had never practised at all. The character of Clarendon as a lawyer is thus summed up by Lord Mansfield in a few words: "The civil war prevented his laying *deep* the foundations of law; and the avocations of politics interrupted the business of the chancellor."* Of the Earl of Nottingham, who succeeded these, Sir W. Blackstone gives the following high character: "Sir Heneage Finch, who succeeded in 1673, and became afterwards Earl of Nottingham, was a person of the greatest abilities and most uncorrupted integrity; a thorough master and zealous defender of the laws and constitution of his country; and endued with a pervading genius, that enabled him to discover and to pursue the true spirit of justice, notwithstanding the embarrassments raised by the narrow and technical notions which then prevailed in the courts of law, and the imperfect ideas of redress which had possessed the courts of equity. The reason and necessities of mankind, arising from the great change in property by the extension of trade and the abolition of military tenures, cooperated in establishing his plan, and enabled him in the course of nine years to build a system of jurisprudence and jurisdiction upon wide and rational foundations; which have also been extended and improved by many great men who have since presided in Chancery. And from that time to this, the power and business of the court have increased to an amazing degree."† On the subject of the great talents and legal learning of Lord Chancellor Nottingham there can be no difference of opinion; but many will demur to Blackstone's panegyric on his zeal in defence of the laws and constitution. He was throughout his life a devoted adherent of the court and the Tory party; and even in his own court, if we may take the opinion of Roger North, one of the same side in politics, it was rather the business than the practice of the court that flourished under

* Report, pp 72, 73.

* Reply to the usual complimentary speech delivered to him on his taking leave of the Society of Lincoln's Inn.

† 3. Com. p. 55.

this eminent chancellor, who was, according to this writer, a formalist, and took extreme pleasure in encouraging and listening to nice distinctions of law, instead of taking a broad view of the equity of each case. Roger, however, it must be admitted, is no great authority as to such matters.

Of Sir Orlando Bridgman, who held the great seal as lord keeper for the interval of five years between the dismissal of Clarendon and the appointment of Shaftesbury, there seems nothing particularly worth relating in a work such as the present, further than that he had been a very eminent lawyer, particularly in conveyancing,* to which he devoted himself entirely during the period of the Commonwealth, being attached to the royal cause. After the Restoration he was raised to the place of lord chief justice of the Common Pleas, where he sat, says Roger North, with high esteem.† "The removing him," adds Roger, "from thence to the Chancery did not at all contribute any increase to his fame, but rather the contrary, for he was timorous to an impotence, and that not mended by his great age."‡

Of Lord Keeper Guilford an ample account has been given by his brother, Roger North, which, however, is of little value in reference to his professional merits. He was not quite so great a lawyer, still less so great a man, as his brother Roger's ardent and enthusiastic brotherly love and admiration of him would represent him to have been. He appears to have been a prudent, cautious, hard-working, perhaps somewhat cunning and time-serving lawyer, with nothing very great or very profound about him. One seldom sees his judgments quoted; and the relative places of him and Lord Chancellor Nottingham would probably be very different in the estimation of most lawyers from what they might be in the partial fraternal opinion of Roger North, who, as we have seen, speaks disparagingly of Lord Nottingham.

Hale, Jeffreys, and Saunders have also been portrayed by the graphic hand of Roger North; and we shall transfer to our pages a few of his characteristic traits—only premising that his character of Hale is to be taken *cum grano salis*, as being drawn by a political adversary, and a writer, moreover, who has been termed, not inappropriately, one of the "most interesting and prejudiced writers of that time."

Of Lord Chief Justice Hale he writes:—"It was the Lord Keeper North's good fortune to enter his practice in the circuits under this judge, whose reputation for his great ability in the law and rigorous justice will be very long-lived in Westminster Hall and the Inns of Court and Chancery; for there was a conjunction of characters, his and the times conspiring to aggrandise it. After having improved his knowledge as a student, by reporting from him when he sat as judge of the Common Pleas and as a practiser in the northern circuits, it so happened that, in the unaccountable rolling of preferments in the law, it became his lordship's province to judge of and (for cause apparent) to correct the errors of that great man. The truth is, his lordship took early into a course diametrically opposite to that approved by Hales; for the principles of the former, being demagogical, could not allow much favour to one who rose a monarchist declared. Then, after the latter, by being made Chief Justice of the Common Pleas, together with the other judges of that court and those of the Exchequer, had jurisdiction of errors in judgment given by the Court of King's Bench, the separation was wider; and the old judge, by a certain formal overlooking of him, and refining of arguments against all he appeared for, affected to show it. And, to say truth, that judge had acquired an authority so transcendent that his opinions were, by most lawyers and others, thought incontestable; and he was habituated in not bearing contradiction, and had no value for any person whatever that did not subscribe to him. His lordship knew him perfectly well, and revered him for his great learning in the history, law, and records of the English constitution. I have heard him say that, while Hales was Chief Baron of the Exchequer, by means of his great learning, even against his inclination, he did the crown more justice in that court than any others in his place had done with all their good will and less knowledge. But his lordship knew also his foible, which was leaning towards the popular; yet, when he knew the law was for the king (as well he might, being acquainted with all the records of the court, to which men of the law are commonly strangers), he failed not to judge accordingly.

"He was an upright judge, if taken within himself, and when he appeared, as he often did, and really was, partial, his inclination or prejudice, insensibly to himself, drew his judgment aside. His bias lay strangely for and against characters and denominations, and sometimes the very habits of persons. If one party was a courtier, and well dressed, and the other a sort of puritan, with a black cap and plain clothes, he insensibly thought the justice of the cause with the latter. If the dissenting or anti-court party was at the back of a cause, he was very seldom impartial; and the loyalists had always a great disadvantage before him. And he ever sat hard upon his lordship

* He has been styled by Mr. Serjeant Hill the "Father of Conveyancers"—Dougl. 568. In Parnassi Puerperium, published in 1659, occur the following lines on a subject which would, at first sight, seem but little susceptible of poetical ornament or illustration.—

"*To those excellent Conveyancers, Sir Orlando Bridgman and the worthy Mr. Geoffry Palmer.*

"Wise Greece and Rome did this in both combine,
To make addresses to the Delphian shrine,
And with divine Apollo to advise
Was the preludium of an enterprise.
Few Englishmen dare purchase an estate
Unless your wisdoms unsophisticate
The title vouch. You can stop Hymen's way:
For portions, jointures, both sexes must pay
Due thanks. Wise fathers ranters keep in awe,
Craving from ye (the oracles of law)
Help to entail their lands; whilst yourselves be
Tenants of riches of renown, in fee."

† We have also Lord Ellenborough's authority to the same effect, 14 East, 134.

‡ Life of Lord Keeper Guildford, vol. i. p. 167. Burnet's account seems to corroborate this.—Own Time, i. 464.

in his practice in causes of that nature. It is said he was once caught. A courtier, who had a cause to be tried before him, got one to go to him, as from the king, to speak for favour to his adversary, and so carried his point; for the chief justice could not think any person to be in the right that came so unduly recommended.

"He became the cushion exceedingly well: his manner of hearing patient, his directions pertinent, and his discourses copious; and, although he hesitated often, fluent. His stop for a word, by the produce, always paid for the delay; and on some occasions he would utter sentences heroic. . . . . Whatever his courage or fear was, it is most certain his vanity was excessive, which grew out of a self-conversation and being little abroad. But when he was off from the seat of justice, and at home, his conversation was with none but flatterers. He was allowed on all hands to be the most profound lawyer of his time, and he knew it; but that did not serve him, but he would be also a profound philosopher, naturalist, poet, and divine, and measured his abilities in all these by the scale of his learning in the law, which he knew how to value; and if he postponed any, it was the law to all the rest; for he was so bizarr in his dispositions, that he almost suppressed his collections and writings of the law, which were a treasure, and, being published, would have been a monument of him beyond the power of marble."*

In the last expression, "a monument beyond the power of marble," Roger rises above himself in felicity of expression.

Of that man "damned to fame," or rather infamy, by the name of Judge Jeffreys, Roger North gives the following particulars:—"To take him from his beginning, he was a gentleman's son in Wales, of whom it was reported that he used to say, George (his son) would die in his shoes. His beginnings at the inns of court and practice were low. After he was called to the bar he used to sit in coffee-houses, and order his man to come and tell him that company attended him at his chamber; at which he would huff, and say, Let them stay a little, I will come presently. This made a show of business, of which he had need enough, being married, and having several children. One of the aldermen of the city was of his name, which probably inclined him to steer his course that way, where, having got acquaintance with the city attorneys, and drinking desperately with them, he came into full business amongst them, and was chosen recorder of the city. That let him into knowledge at court, and he was entertained as the Duke of York's solicitor, and was also of the king's counsel. He continued recorder till the prosecution of abhorrers, and saved himself (as he took it) by composition for his place. Thereupon, having surrendered his recordership, he obtained the place of Chief Justice of the King's Bench; and, after the death of the Lord Keeper Guildford, the great seal, which he held till the Prince of Orange landed, and then he absconded in disguise, in order to fly beyond sea; but, being discovered at Wapping, escaped narrowly being torn in pieces by the rabble. He was secured by the lord mayor, and sent to the Tower, where he died."*

The following passage gives a fearful picture of those times,—so bad that, if it came in a less questionable shape, it might be rejected as untrue. "There is one branch of that chief's expedition in the West, which is his visitation of the city of Bristol, that hath some singularities of a nature so strange that I think them worth my time to relate. There had been an usage among the aldermen and justices of the city (where all persons, even common shopkeepers, more or less, trade to the American plantations) to carry over criminals, who were pardoned with condition of transportation, and to sell them for money. This was found to be a good trade; but not being content to take such felons as were convict at their assizes and sessions, which produced but a few, they found out a shorter way, which yielded a greater plenty of the commodity. And that was this:—The mayor and justices, or some of them, usually met at their tolsey (a court-house by their exchequer) about noon, which was the meeting of the merchants, as at the Exchange of London, and there they sat and did justice business that was brought before them. When small rogues and pilferers were taken and brought there, and, upon examination, put under the terror of being hanged, in order to which mittimuses were making, some of the diligent officers attending instructed them to pray transportation, as the only way to save them; and, for the most part, they did so. Then no more was done, but the next alderman in course took one, and another as their turns came, sometimes quarrelling whose the last was, and sent them over and sold them. This trade had been driven for many years, and no notice taken of it. Some of the wealthier aldermen, although they had sat in the court and connived, as Sir Robert Cann, for instance, never had a man; but yet they were all involved in the guilt when the charge came over them. It appears not how this outrageous practice came to the knowledge of the lord chief justice, but, when he had hold of the end, he made thorough-stitch work with them, for he delighted in such fair opportunities to rant. He came to the city, and told some that he had brought a broom to sweep them. The city of Bristol was a proud body, and their head, the mayor, in the assise commission is put before the judge of assise, though, perhaps, it was not so in

* Life of Lord Keeper Guildford, vol. i. p. 111, et seq. Instead of publishing his "Collections and Writings of the Law, he ordered them," adds Roger, "to be locked up in Lincoln's Inn Library; and made no scruple to send forth little tracts in philosophy, as the Non-gravitation of Fluids, *Difficiles Nugæ*, prosecuting the same *nugæ*, or trifles, upon the baroscope; which made Sir William Jones say that his whole life (meaning in private, as I suppose) was *nugarum plena*, or made up of trifles: his Origination of Mankind, in appearance a great work, with nothing in it, and that which scarce any one ever read or will read; and, what is very remarkable, the very childish ignorance of his subject, showed in these books is dressed in most accurate method, proper expression, and significant English style, better than which one need not desire to meet with as a temptation to read."

* Life of Lord Keeper Guildford, u. p. 96.

this extraordinary commission of oyer and terminer. But, for certain, when his lordship came upon the bench, and examined this matter, he found all the aldermen and justices concerned in this kidnapping trade, more or less, and the mayor himself as bad as any. He thereupon turns to the mayor, accoutred with his scarlet and furs, and gave him all the ill names that scolding eloquence could supply; and so, with rating and staring, as his way was, never left till he made him quit the bench, and go down to the criminal's post at the bar; and there he pleaded for himself, as a common rogue or thief must have done; and when the mayor hesitated a little, or slackened his pace, he bawled at him, and, stamping, called for his guards,—for he was general by commission. Thus the citizens saw their scarlet chief magistrate at the bar, to their infinite terror and amazement. He then took security of them to answer informations, and so left them to ponder their cases amongst themselves. At London, Sir Robert Cann applied, by friends, to appease him, and to get from under the prosecution; and at last he granted it, saying, Go thy way; sin no more, lest a worse thing come unto thee. The prosecutions depended till the Revolution, which made an amnesty; and the fright only, which was no small one, was all the punishment these judicial kidnappers underwent, and the gains acquired by so wicked a trade rested peacefully in their pockets."*

Next we have a picture of Sir John Trevor:—"He was a countryman of the Lord Chief Justice Jeffreys, and his favourite. It may not be amiss to show a little of him, that it may appear what sort of men that chief brought forward. He was bred a sort of clerk in old Arthur Trevor's chamber, an eminent and worthy professor of the law in the Inner Temple. A gentleman that visited Mr. Arthur Trevor, at his going out, observed a strange-looking boy in his clerk's seat (for no person ever had a worse sort of squint than he had), and asked who that youth was? A kinsman of mine, said Arthur Trevor, that I have allowed to sit here, to learn the knavish part of the law. This John Trevor grew up, and took in with the gamesters, among whom he was a great proficient; and, being well grounded in the law, proved a critic in resolving gaming cases and doubts, and had the authority of a judge amongst them; and his sentence, for the most part, carried the cause. From this exercise he was recommended by Jeffreys to be of the king's counsel, and then Master of the Rolls, and, like a true gamester, he fell to the good work of supplanting his patron and friend; and had certainly done it if King James's affairs had stood right up much longer, for he was advanced so far with him as to vilify and scold with him publicly in Whitehall. He was chosen Speaker in King James's parliament, and served in the same post after the Revolution. Once, upon a scrutiny of bribery in the House of Commons, in favour of one Cook, a creature of Sir Josiah Child's, who ruled the East India Company, it was plainly discovered that the Speaker Trevor had 1000*l.*; upon which the debate run hard upon him, and he sat above six hours as prolocutor in an assembly that passed that time with calling him all to nought to his face; and, at length, he was forced, or yielded, to put the question upon himself, as in the form, As many as are of opinion that Sir John Trevor is guilty of corrupt bribery by receiving, &c., and, in declaring the sense of the House, declared himself guilty. The House rose, and he went his way, and came there no more. But whether the members thought that the being so baited in the chair was punishment enough, or for his taking such gross correction so patiently and conformably, or else a matter once out of the way was thought of no more, it is certain that he never was molested farther about that matter, but continued in his post of Master of the Rolls, equitable judge of the subjects' interests and estates, to the great encouragement of prudent bribery for ever after."*

Upon the following short note of his brother, the lord keeper, on the character of Jeffreys,—"Noisy in nature,—turbulent at first setting out,—deserter in difficulties,—full of tricks,—helped by similar friendships,—honesty, law, policy, alike," Roger has the following comment:—"This, to conclude, is the summary character of the Lord Chief Justice Jeffreys, and needs no interpreter. And, since nothing historical is amiss in a design like this, I will subjoin what I have personally noted of that man, and some things of indubitable report concerning him. His friendship and conversation lay much among the good fellows and humourists; and his delights were, accordingly, drinking, laughing, singing, kissing, and all the extravagances of the bottle. He had a set of banterers for the most part near him, as in old time great men kept fools to make them merry. And these fellows, abusing one another and their betters, were a regale to him. And no friendship or dearness could be so great, in private, which he would not use ill, and to an extravagant degree, in public. No one, that had any expectations from him, was safe from his public contempt and derision, which some of his minions at the bar bitterly felt. Those above, or that could hurt or benefit him, and none else, might depend on fair quarter at his hands. When he was in temper, and matters indifferent came before him, he became his seat of justice better than any other I ever saw in his place. He took a pleasure in mortifying fraudulent attorneys, and would deal forth his severities with a sort of majesty. He had extraordinary natural abilities, but little acquired, beyond what practice in affairs had supplied. He talked fluently, and with spirit; and his weakness was, that he could not reprehend without scolding, and in such Billingsgate language as should not come out of the mouth of any man. He called it giving a lick with the rough side of

* Life of Lord Keeper Guildford, ii. p. 111.

* Life of Lord Keeper Guildford, ii. p. 113.

his tongue. It was ordinary to hear him say, Go, you are a filthy, lousy, nitty rascal, with much more of like elegance. Scarce a day passed that he did not chide some one or other of the bar when he sat in the Chancery; and it was commonly a lecture of a quarter of an hour long. And they used to say, This is your's; my turn will be to-morrow. He seemed to lay nothing of his business to heart, nor care what he did or left undone, and spent in the Chancery Court what time he thought fit to spare. Many times, on days of causes at his house, the company have waited five hours in a morning, and, after eleven, he hath come out inflamed, and staring like one distracted. And that visage he put on when he animadverted on such as he took offence at, which made him a terror to real offenders, whom also he terrified with his face and voice, as if the thunder of the Day of Judgment broke over their heads; and nothing ever made men tremble like his vocal inflictions. He loved to insult, and was bold without check; but that only when his place was uppermost. To give an instance:—a city attorney was petitioned against for some abuse; and affidavit was made that, when he was told of my Lord Chancellor, My Lord Chancellor! said he, I made him; meaning his being a means to bring him early into city business. When this affidavit was read, Well, said the Lord Chancellor, then I will lay my maker by the heels. And, with that conceit, one of his best old friends went to jail. One of these intemperances was fatal to him. There was a scrivener at Wapping brought to hearing for relief against a bummery-bond; the contingency of losing all being showed, the bill was going to be dismissed. But one of the plaintiff's counsel said that he was a strange fellow, and sometimes went to church, sometimes to conventicles; and none could tell what to make of him; and it was thought he was a trimmer. At that the chancellor fired, and A trimmer! said he, I have heard much of that monster, but never saw one. Come forth, Mr. Trimmer; turn you round and let us see your shape! And at that rate talked so long, that the poor fellow was ready to drop under him; but, at last, the bill was dismissed with costs, and he went his way. In the hall, one of his friends asked him how he came off? Came off! said he, I am escaped from the terrors of that man's face, which I would scarce undergo again to save my life; and I shall certainly have the frightful impression of it as long as I live. Afterwards, when the Prince of Orange came, and all was in confusion, this lord chancellor, being very obnoxious, disguised himself in order to go beyond sea. He was in a seaman's garb, and drinking a pot in a cellar. This scrivener came into the cellar after some of his clients, and his eye caught that face, which made him start; and the chancellor, seeing himself eyed, feigned a cough, and turned to the wall with his pot in his hand. But Mr. Trimmer went out, and gave notice that he was there; whereupon the mob flowed in, and he was in extreme hazard of his life; but the lord mayor saved him, and lost himself: for the chancellor being hurried with such crowd and noise before him, and appearing so dismally, not only disguised, but disordered, and there having been an amity betwixt them, as also a veneration on the lord mayor's part, he had not spirits to sustain the shock, but fell down in a swoon; and, in not many hours after, died. But this Lord Jeffreys came to the seal without any concern at the weight of duty incumbent upon him; for, at the first, being merry over a bottle with some of his old friends, one of them told him that he would find the business heavy. No, said he, I'll make it light. But, to conclude with a strange inconsistency,—he would drink and be merry, kiss and slaver with these boon companions over night, as the way of such is, and the next day fall upon them, ranting and scolding with a virulence unsufferable."*

We conclude with the following most strange account of Chief Justice Saunders, whose Reports are still held in high estimation in the profession:

"The Lord Chief Justice Saunders succeeded in the room of Pemberton. His character and his beginning were equally strange. He was at first no better than a poor beggar boy, if not a parish foundling, without known parents or relations. He had found a way to live by obsequiousness (in Clement's Inn, as I remember) and courting the attorneys' clerks for scraps. The extraordinary observance and diligence of the boy made the Society willing to do him good. He appeared very ambitious to learn to write; and one of the attorneys got a board knocked up at a window on the top of a staircase; and that was his desk, where he sat and wrote after copies of court and other hands the clerks gave him. He made himself so expert a writer that he took in business, and earned some pence by hackney writing. And thus, by degrees, he pushed his faculties, and fell to forms, and, by books that were lent him, became an exquisite entering clerk; and by the same course of improvement of himself, an able counsel, first in special pleading, then at large. And, after he was called to the bar, had practice, in the King's Bench Court, equal with any there. As to his person, he was very corpulent and beastly; a mere lump of morbid flesh. He used to say, by his troggs (such an humourous way of talking he affected) none could say he wanted issue of his body, for he had nine in his back. He was a fetid mass that offended his neighbours at the bar in the sharpest degree. Those, whose ill fortune it was to stand near him, were confessors, and, in summer-time, almost martyrs. This hateful decay of his carcase came upon him by continual sottishness; for, to say nothing of brandy, he was seldom without a pot of ale at his nose, or near him. That exercise was all he used; the rest of his life was sitting at his desk, or piping at home; and that home was a tailor's house in Butcher Row,

* Life of Lord Keeper Guildford, ii. p. 116, *et seq.*

called his lodging, and the man's wife was his nurse, or worse; but by virtue of his money, of which he made little account, though he got a great deal, he soon became master of the family; and, being no changeling, he never removed, but was true to his friends, and they to him, to the last hour of his life.

"So much for his person and education. As for his parts, none had them more lively than he: wit and repartee, in an affected rusticity, were natural to him. He was ever ready, and never at a loss; and none came so near as he to be a match for Serjeant Mainard. His great dexterity was in the art of special pleading, and he would lay snares that often caught his superiors who were not aware of his traps. And he was so fond of success for his clients that, rather than fail, he would set the court hard with a trick; for which he met sometimes with a reprimand, which he would wittily ward off, so that no one was much offended with him. But Hales could not bear his irregularity of life; and for that, and suspicion of his tricks, used to bear hard upon him in the court. But ill usage from the bench was too hard for his hold of business, being such as scarce any could do but himself. With all this he had a goodness of nature and disposition in so great a degree that he may be deservedly styled a philanthrope. He was a very Silenus to the boys, as, in this place, I may term the students of the law, to make them merry whenever they had a mind to it. He had nothing of rigid or austere in him. If any near him at the bar grumbled at his stench, he ever converted the complaint into content and laughing with the abundance of his wit. As to his ordinary dealing, he was as honest as the driven snow was white; and why not, having no regard for money or desire to be rich? And, for good-nature and condescension, there was not his fellow. I have seen him, for hours and half hours together, before the court sat, stand at the bar, with an audience of students over against him, putting of cases, and debating so as suited their capacities, and encouraged their industry. And so in the Temple, he seldom moved without a parcel of youths hanging about him, and he merry and jesting with them.

"It will be readily conceived that this man was never cut out to be a presbyter, or anything that is severe and crabbed. In no time did he lean to faction, but did his business without offence to any. He put off officious talk of government or politics with jests, and so made his wit a catholicon, or shield, to cover all his weak places and infirmities. When the court fell into a steady course of using the law against all kinds of offenders, this man was taken into the king's business, and had the part of drawing and perusal of almost all indictments and informations that were then to be prosecuted, with the pleadings thereon if any were special; and he had the settling of the large pleadings in the *quo warranto* against London. His lordship (Lord Guildford) had no sort of conversation with him but in the way of business, and at the bar; but once, after he was in the king's business, he dined with his lordship, and no more. And there he showed another qualification he had acquired, and that was to play jigs upon an harpsichord, having taught himself with the opportunity of an old virginal of his landlady's, but in such a manner (not for defect, but figure) as to see him were a jest. The king, observing him to be of a free disposition,—loyal, friendly, and without greediness or guile,—thought of him to be the chief justice of the King's Bench at that nice time. And the ministry could not but approve of it. So great a weight was then at stake as could not be trusted to men of doubtful principles, or such as anything might tempt to desert them. While he sat in the Court of King's Bench, he gave the rule to the general satisfaction of the lawyers. But his course of life was so different from what it had been, his business incessant, and withal crabbed, and his diet and exercise changed, that the constitution of his body, or head rather, could not sustain it, and he fell into an apoplexy and palsy, which numbed his parts; and he never recovered the strength of them.

"He outlived the judgment in the *quo warranto*, but was not present otherwise than by sending his opinion by one of the judges to be for the king, who, at the pronouncing of the judgment, declared it to the court accordingly, which is frequently done in like cases."*

At the Restoration properly begins the modern history of the public revenue. On the 31st of August, 1660, the Convention Parliament, on the report of a committee which had been appointed to inquire into the then state of the income of the crown, voted that its amount should be made up, for the lifetime of the king, to 1,200,000*l.* a-year. To raise this sum several acts were passed. By the 12 Car. II. c. 4, the subsidy called tonnage, levied upon foreign wines, and also the other subsidy called poundage, consisting of certain duties, payable according to a schedule of rates annexed to the act, upon the export and import of a great number of other commodities, were conferred upon the king for life. This act, as being the foundation of our modern system of Custom House duties, is known as *the great statute*; and the rates which it imposed used to be distinguished from other rates imposed under subsequent acts by the name of *the old subsidy*. The old subsidy of tonnage and poundage is estimated to have produced to Charles about 400,000*l.* a-year. The excise upon beer, ale, and other liquors sold within the kingdom, which had been introduced in the time of the commonwealth, was, by the 12 Car. II. c. 34, granted to the king and his heirs and successors for ever, "in full and ample recompense and satisfaction," as it was expressly declared, for the profits of the court of wards and of the prerogative of purveyance, which the same act took away, together with all arrears

* Life of Lord Keeper Guildford, ii. p. 125, *et seq.*

any way due for the same. Hence this branch of the royal revenue received the name of the *hereditary* excise: its produce, along with the profits of wine licenses, which were conferred by another act, was estimated at about 300,000*l.* By another act, the 13 and 14 Car. II. c. 10 (not passed till 1662), a duty of two shillings upon "every fire, hearth, and stove," in all dwelling-houses worth more than twenty shillings per annum, was in like manner granted to the king and his successors for ever.* This tax of hearth-money, on its first imposition, was calculated to produce an annual revenue of about 170,000*l.* In addition to these three great branches, the king derived from the ancient landed property or domain of the crown about 100,000*l.* a-year; from the Forest of Dean, 5,000*l.*; from the Post Office, 26,000*l.*; from the first fruits and tenths of church benefices, 18,800*l.*; from the coinage and pre-emption of tin, as Duke of Cornwall, 12,000*l.*; and from a variety of miscellaneous sources, 55,000*l.* His entire ordinary revenue at this time, therefore, was rather less than 1,100,000*l.* Considerable additions, however, were afterwards made to this sum. Further duties were imposed on the importation of wine and the sale of excisable liquors; four subsidies (the last example of that ancient tax) were granted by parliament in 1663; various sums were raised in subsequent years by taxes upon land, under the name of monthly assessments, as had been first practised in the time of the Commonwealth;† in other cases poll-taxes and taxes upon personal property were laid on; and a duty was for the first time imposed upon stamps in 1671, by the 22 and 23 Car. II. c. 9, entitled "An Act for laying Impositions on Proceedings at Law." In all, it is calculated that the parliamentary grants in the course of this reign amounted to about 13,414,868*l.*‡ To this are to be added the money dowry of Queen Catherine, nominally 500,000*l.*, but of which it is said only 250,000*l.* was actually paid; the sum derived from an arrangement made in 1670, by the 22 Car. II. c. 6, for disposing of certain fee-farm rents belonging to the crown, which some accounts make to have amounted to nearly two millions, others to not more than 100,000*l.*; the 400,000*l.* obtained by the sale of Dunkirk; the prize-money acquired in the first Dutch war, amounting to 340,000*l.*; and the 300,000*l.* paid by the Dutch on the conclusion of the second. The act of public robbery committed in 1672 by the shutting up of the Exchequer is admitted to have brought a gain to the crown of 1,200,000*l.* at the least. Something was also obtained towards the close of the reign from the corporations for the restoration of their charters, forced from them by writs of *quo warranto*. Finally, there were the infamous pensions and bribes received from the French king, which altogether are supposed to have amounted to not much less than a million sterling. The produce of all these miscellaneous sources is calculated to have exceeded four millions, which, added to the twenty-six millions and a-half, or thereabout, derived in the twenty-four years of the reign from the customs, excise, and the other permanent sources of the royal revenue, and to the thirteen millions and a-half of parliamentary grants, make a sum total of about forty-four millions, or an average yearly income of above 1,800,000*l.* a year.

This was probably twice the income that had been enjoyed by Charles I. before the breaking out of the civil war. But the regular expenses of the crown after the Restoration were also considerably greater than they had been in former times. A regular naval and military force was now kept up for the defence of the nation in peace as well as in war, a charge made necessary partly by the state of affairs at home, partly by the adoption of the same system by foreign powers. The annual expense of the navy even in time of peace, was now 300,000*l.*, and that of the army and ordnance above 250,000*l.* The garrison of Tangiers cost nearly 60,000*l.* a-year. Large arrears of pay were due to the republican army, which had to be discharged before it was disbanded. Of the parliamentary grants nearly five millions and a-half were voted for carrying on the first Dutch war, and above 1,200,000*l.* for the second. The preparations made in anticipation of a rupture with France, in 1678,* also cost a considerable sum. The peculiar circumstances in which Charles found himself at his accession also involved him in considerable expenses, independently of those habits of profusion in which he soon came to indulge. The debts of the late king amounted to a considerable sum; and a large expenditure had to be incurred in purchasing jewels for the crown and furniture for the royal palaces. The ordinary expenses of the crown, or what was afterwards called the civil list, amounted to between four and five hundred thousand pounds; the principal items, according to an estimate drawn up by the council

* The carelessness and inaccuracy with which the subject of the revenue has been treated by our historical and other writers are strikingly exemplified by the variation and contradiction of their accounts of the first imposition of hearth money. Jacob, who in his Law Dictionary notices hearth-money under its other name of chimney-money, states that it was first imposed by the 14 Car. II. c. 2 (edit. of 1732). Hume (Hist. vii. 377) states that the tax was only granted during the king's life. Sir John Sinclair, writing a History of the Public Revenue, corrects Hume by informing us that the first act by which hearth-money was granted was the 13 (instead of 13 and 14) Car. II. c. 10. (i. 301, 3rd edit.) But the most discreditable errors are those that disfigure the standard edition of the Statutes of the Realm, printed under the care of the Record Commission. In the first place, on turning to the word Hearth-money, in the Index to Vol. V., we find the first act upon the subject there mentioned to be the 15 Car. II. c. 13, although the very title of that act, "For the *better* ordering and collecting the revenue arising by hearth-money," implies the existence of an earlier hearth money act. On the margin of this act of the 15 Car. II., in the body of the volume, accordingly, stands a reference to the preceding act under the title of the 13 and 14 Car. II. c. 10. But this edition of the Statutes, nevertheless, contains no act under that title: what in all preceding collections is called the session of the 13 and 14 Car. II. is here changed into the session of the 14 Car. II., without even any intimation of the change, that we can discover. The change appears to be wrong; for the acts in question were passed in the session which commenced on the 10th of January, 1662, which was in the thirteenth year of the king's reign, and lasted, without interruption either by prorogation or adjournment, till the 19th of May, which was in his fourteenth year, each regnal year in the time of Charles II. commencing on the day of his father's death, the 30th of January. Such blunders or contradictions as these, in a work published by authority, must tend to confuse law as well as history.

† See ante, p. 525.

‡ Sinclair, Hist. Pub. Rev. i. pp. 308, 309.

* See ante, p. 716.

for the year 1676, being—for the household, 52,247*l.*; buildings and repairs, 10,000*l.*; privy purse, 36,000*l.*; for the queen, 23,000*l.*; the treasurer of the chamber, 26,000*l.*; the great wardrobe, 16,000*l.*; ambassadors, 40,000*l.*; the judges, 49,000*l.*; secret service-money, 20,000*l.*; management of excise and customs, 63,000*l.* The pensions, including the allowances to the Duke of York and the queen-mother, are set down in this account at 87,000*l.*; but Charles's liberality to his mistresses and other favourites may be supposed to have considerably outrun this allotted sum. It will be observed that some items were included at this date under the civil list, such as the expenses of managing the excise and customs, which have long ceased to be reckoned up with that branch of the public accounts: the salaries of the judges and ambassadors have only been removed from it within these few years. In addition to the ordinary expenses of the household and the government, this estimate sets down the interest of the king's debts at 100,000*l.*; from which it would appear that the entire amount of what we should now call the national debt, the legal rate of interest being six per cent., did not as yet much exceed a million and a-half. The greater part of this sum seems to have consisted of the money seized by the crown on the shutting up of the exchequer in 1672, upon the whole of which interest continued to be paid to the owners till the last year of this reign.

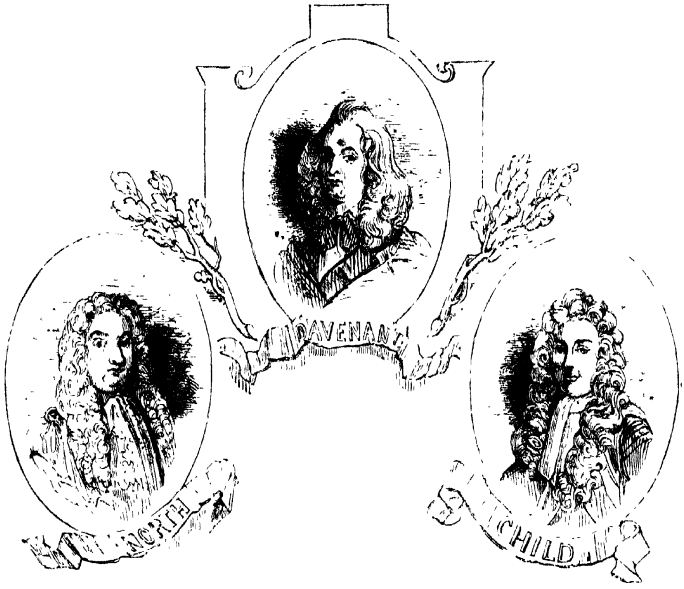
Besides the innovation introduced in the mode of appropriating the supplies, of which an account has been given in a preceding page, the financial history of the present period is distinguished by the abolition of the ancient practice of the clergy taxing themselves. Although the convocation was restored with the rest of the old constitution after the Restoration, the clergy were by no means anxious to recover their former privilege of separate taxation, under which, in fact, they had always paid a much higher proportion upon their estates than the laity: they therefore willingly agreed to be included along with the laity in the subsidies and other assessments voted by parliament. The last subsidies granted by the convocation were confirmed by statute 15 Car. II. c. 10; "since which," says Blackstone, "another method of taxation has generally prevailed, which takes in the clergy as well as the laity: in recompense for which the beneficed clergy have from that period been allowed to vote at the election of knights of the shire; and thenceforward also the practice of giving ecclesiastical subsidies hath fallen into total disuse."* This arrangement is said to have been made in 1664 by a private arrangement between Archbishop Sheldon and Clarendon.†

James II., upon coming to the throne, proceeded with singular rashness to imitate Charles I. by continuing to levy, as usual, all the taxes that had constituted the ordinary revenue of the crown in the preceding reign, including those that had been granted only for his brother's life. The parliament, however, confirmed this assumption by passing an act settling on him for life the same revenue which his brother had enjoyed (1 Jac. II. c. 1), which was followed by other acts granting further impositions on tobacco and sugar, and on French linens and wrought silks. According to a statement laid before the House of Commons at the Revolution, the revenue of the crown for the year 1688 exceeded two millions, so considerable was the increase that had taken place in the produce of most of the taxes. The customs now produced 600,000*l.* a-year; the excise, 666,000*l.*; the hearth-money, 245,000*l.*; the post-office, 65,000*l.*; the wine licenses, 10,000*l.*; the new duties on wine and vinegar, 173,000*l.*; the duties on tobacco and sugar nearly 149,000*l.*; and those on French linens and silks nearly 94,000*l.* Among other acts passed by James's only parliament was one (the 1 Jac. II. c. 10) partially restoring the old prerogative of purveyance, by authorising the seizure or compulsory hire of such carts, carriages, and cattle as his majesty might at any time require in his royal progresses and removals. James's financial administration, however, is admitted to have been careful and economical. His comparatively large revenue was chiefly expended in maintaining a powerful navy and army: he had 30,000 regular troops in his pay in England alone at the moment of his downfall.

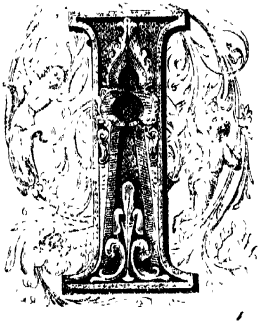
* Com. i. 312. † Sinclair, Hist. Rev. i. 319.

CHAPTER IV.

HISTORY OF THE NATIONAL INDUSTRY.



Sir Dudley North. From a Print by Vertue
Dr Davenant. From an anonymous Print.
Sir Josiah Child. From an anonymous Print.



IN the interval between the Restoration and the Revolution the increase of our trade appears to have been both more considerable upon the whole, and more steady in its progress, than in any former period of the same length; and the same thing may probably be affirmed of the national industry in all its great branches. The hurricane of the civil war, disastrous as it may have been in its immediate operation, had yet put a new life into the air, the inspiration of which, on the return of a settled condition of things, was felt by our commerce and manufactures, as well as by all other parts of our social system; the very gap that remained to be filled up, in consequence of the partial suspension of mercantile and other industrial activity during the war, quickened that activity when the war was over; the government of the protectorate exerted itself to promote the trading interests of the country; and the impulse thus given continued to carry forward the spirit of enterprise after the Restoration, in a state of reater public security, and circumstances otherwise much more favourable, than had existed previous to that event.

The best evidence of the regular growth and general prosperity of English commerce throughout the present period is afforded by the returns of the Custom-house duties, an account of which we have for its whole extent.* From this account it appears that the produce of this branch of the public revenue from the 24th of July, 1660, to the 29th of September, 1661, was only 421,582*l.*, or, for the twelve months, only about 361,356*l.*; that the

* First published in Chalmers's Estimate, p. 49 (edit. of 1804). Mr. Chalmers observes, that "there was an additional duty on wines imposed in 1672, and an impost on wine, tobacco, and linen, in 1685; but, as these duties were kept separate, they appear neither to have swelled nor diminished the usual receipt of the Custom-house duties in any of the years, either of peace or of war." We understand the sums given in the account, therefore, to be the produce of the rates which used to be called the *Old Subsidy*.—See ante, p. 849.

annual average of the next four years, ending with Michaelmas Day, 1665, was about 509,774*l.*; of the next five, ending with 1670, about 475,018*l.* (here we may perceive the effect of the great plague and the fire of London, the returns being, for 1666 only 303,766*l.*, for 1667 only 408,324*l.*, but rising in 1668 to 626,998*l.*); of the next five years, ending with 1675, 581,429*l.*; of the next five, ending with 1680, 640,231*l.*; of the next five, ending with 1685, 722,933*l.*; and of the three remaining years, ending with Michaelmas, 1688, and all comprehended within the reign of James, about 815,874*l.*, or fully double the receipts for the first year or two after the Restoration. The amount for the year ending 29th September, 1662, was 414,946*l.*; that for the year ending Michaelmas, 1687, was 884,955*l.* For the next year, the last of the present period, it was 781,987*l.**

The few notices that have been preserved of our general exports and imports during this period go to confirm the evidence of the progressive extension of the commerce of the country afforded by the foregoing account. We have seen that the entire value of the exports and imports in 1613 was 4,628,586*l.*, and in 1622, 4,939,751*l.*† It is stated that in the year ending Michaelmas, 1663, the imports amounted to 4,016,019*l.*, the exports to 2,022,812*l.*; and that in the year ending Michaelmas, 1669, the imports were 4,196,139*l.*, the exports 2,063,274*l.* The value of the exports and imports together, therefore, for the first of these years was 6,038,831*l.*, and for the second 6,259,413*l.* Those figures indicate a steady progress of mercantile activity and of national wealth, whether we take the sums of the exports and imports at the four successive dates, as has just been done, or confine our view to the imports alone, as best marking the national power of expenditure or purchase. They were 2,141,283*l.* in 1614; 2,619,315*l.* in 1622; 4,016,019*l.* in 1663; and 4,196,139*l.* in 1669.‡

* This account, however, it will be observed, seems to differ from that given at p. 850. Chalmers does not state upon what authority, or from what materials, his table is drawn up. He merely describes it as an authentic account.

† See ante, p. 536.

‡ The authority for the statement of exports and imports in 1663 and 1669 is the First Part of a Report made to the Commissioners of Public Accounts in 1711, by Dr Charles Davenant, who then held the office of inspector-general of customs. (See Lord Whitworth's edition of Davenant's works, Lon. 1771, vol. v. p. 376, where, however, there is a misprint, third line from the bottom, of "exports" for "imports," and of "imports" for "exports.") Davenant says that he takes the statement from "a manuscript remaining in the Custom House, which appears to be an authentic copy of what had been offered to the House of Commons," but in what year he cannot find. (p. 351.) From the manner in which he expresses himself, however, he has left it somewhat doubtful whether the sums he has put down are the value of the total exports and imports of the kingdom, or only of those of the port of London, which he seems to intimate bore the proportion of between three and four to one to those of the rest of the country. (p. 352.) The statement has been generally assumed to be that of the total exports and imports. It is repeatedly quoted or referred to in the work entitled The British Merchant, a series of papers first published in 1713, with the object, in which it succeeded, of defeating the proposed treaty of commerce with France which was to have followed the peace of Utrecht, and afterwards collected in three vols. 8vo., in 1743. The principal author of The British Merchant was Henry Martin, Esq., who succeeded Davenant as inspector-general of the customs; but Anderson (Chron. Deduct. of Com. ii. 496), and after him Macpherson (Annals of Com. ii. 534), are mistaken in supposing the account for the year 1668-9 to rest upon his authority; for it is given by Davenant, along with that for 1662-3. The authors of The British Merchant, who are sturdy upholders of what has been called the Mercantile Theory, maintain that the balance against us indicated by these two statements, or the "great national loss," as they term it, was occasioned by our having then a full trade with France, "which full trade," say they, "being afterwards prohibited, the general balance in the year 1699 was got to be so far in our favour as 1,147,660*l.* 10*s.* 9*d.* (that is to say, such was now the excess of exports over imports): total gained by us from having no trade with France in the year 1699, 3,280,525*l.* 8*s.* 9*d.*; which balance in the year 1703 was so considerably increased as to be no less than 2,11,523*l.* 5*s.* 10½*d.*, total gained by us from having no trade with France in the year 1703, 4,250,388*l.* 1*s.* 10½*d.* A most interesting consideration." All this declamation, in which the figures of arithmetic are made to play as wild a part as ever did those of rhetoric, is gravely repeated and adopted by Anderson (ii. 496). The statement for the year 1662-3 he had previously characterised, in the same spirit, as "a most melancholy account, truly," "more especially," he adds, "as coming from this able author, who possessed that important office (of inspector of the customs) in the reigns of King William and Queen Anne" (p. 478.) But, if he had gone to Davenant's own Report, he would have found wherewithal to console himself. "Here you may please to observe," remarks that writer, after having transcribed the two accounts, "what an appearance there is of an excess against us all the world over those two years, *in which no man in his right senses will deny but that we carried on a thriving traffic.*" (p. 377.)

The terms in which the great Dutch minister De Witt speaks of the hostility or rivalry to be apprehended from England, in his work entitled "The Interest of Holland," published in 1669, show the estimation of the commercial greatness of this country which was now prevalent on the continent; and the passage is also worth quoting from the sketch it gives of the rise and progress of our manufactures and trade. "When the compulsive laws of the Netherland Halls," he observes, "had first driven the cloth-weaving from the cities into our villages, and thence into England, and that, by the cruelty of the Duke d'Alva, the say-weaving went also after it, the English by degrees began to vend their manufactures throughout Europe: they became potent at sea, and no longer to depend on the Netherlands. Also, by that discovery of the inexpressibly rich cod-bank of Newfoundland, those of Bristol in particular made use of that advantage. Moreover, the long persecution of Puritans in England has occasioned the planting of many English colonies in America, by which they drive a very considerable foreign trade thither. So that this mighty island, united with Ireland under one king, seated in the midst of Europe, having a clear deep coast, with good havens and bays, in so narrow a sea that all foreign ships that sail either to the eastward or westward are necessitated, even in fair weather, to shun the dangerous French coast, and sail along that of England, and in stormy weather to run in and preserve their lives, ships, and merchandize in its bays—so that England now, by its conjunction with Scotland, being much increased in strength, as well by manufactures as by a great navigation, will in all respects be formidable to all Europe. For, according to the proverb, a master at sea is a master at land; and more especially a king of England, seeing he is able, both by whole fleets and private ships of war, at all times to seize on ships sailing by the coast—the westerly winds, which blow for most part of the year on this side of the tropic, giving the English great opportunities to sail out of their numerous bays and harbours at pleasure to infest our navigation."

Many particulars with regard to the state of the different branches of our foreign commerce about this time are to be collected from Sir Josiah Child's New Discourses on Trade, written in 1665 (at his country-house, "in the sickness year," as he informs us), and first published in 1668. A second and greatly enlarged edition appeared in 1690. Child was an eminent London merchant, and his views on many subjects were in advance of his age; but there is certainly no soundness in the leading doctrine of the present work, which is, that the principal cause of national wealth is a low rate of interest established by law, the fact being, that the national rate of interest, being merely another name for the price of credit, is always dependent upon the state of the market of credit, that is to say, upon the supply of disposable capital and the demand for it by borrowers; and that all that the establishment of a legal rate of interest can do is in some degree to impede and disturb the course of the influences which regulate the natural rate, and which, if they were left to themselves, would determine the actual rate. In other words, a low rate of interest, instead of being, as Child imagined, a cause of national wealth, by which he meant the accumulation of capital, might more truly be said to be a consequence of such accumulation; for if the rate of profit, and consequently the demands of borrowers, should continue the same, the rate of interest would be brought down by the mere growth of disposable capital. But, notwithstanding this fundamental mistake of the book on a theoretical point, it may, from the position and opportunities of the author, be safely taken as a trustworthy authority in regard to most of the statements as to matters of fact contained in it. The branches of English commerce which Child speaks of as having been most extended in his time are the trade with Spain and Portugal and with the East Indies. In his preface he asserts that, since the year 1640, our exports of native commodities to the Peninsula had been more than trebled. He was himself a director of the East India Company, and he strenuously insists upon the great national profits and advantages of the trade with that region in opposition to the outcry raised against it, principally on the ground of its carrying a large balance of specie out of the country,—the simple test by which the common prejudice of the time at once decided whether any trade was profitable or the reverse. Child, without having very clear notions on the subject, is much inclined to qualify the vulgar doctrine on the balance of trade generally; but in this particular case his chief argument is, that, although the imports of the company were in great part paid for in money, the same money, or rather a larger sum, would otherwise have had to be paid to the Dutch for the same commodities. We should have had to buy from them the saltpetre necessary for the making of gunpowder, as well as our pepper and calicoes, for which they would have made us pay as dear as they did for nutmegs, cinnamon, cloves, and mace, of which they then had the monopoly; or, if we did not use calicoes, we should have been obliged to resort to foreign linens. The Company, he states, then employed from thirty-five to forty sail of the most warlike mercantile ships of the kingdom, with from sixty to a hundred men in each; and, besides supplying the country with saltpetre, pepper, indigo, calicoes, and several useful drugs, to the value of between 150,000*l.* and 180,000*l.* yearly, for home consumption, procured us calicoes, printed stuffs, and other merchandise for our trades to Turkey, France, Spain, Italy, and Guinea; most of which trades, according to this author, could not then be carried on with any considerable advantage but for those supplies; "and those goods exported," he adds, "do produce, in foreign parts, to be returned to England six times the treasure in specie which the Company exports from England to India" In other branches of trade he represents the Dutch as going far a-head of us. A great trade was carried on by them to China and Japan, in which the English had no share. In the Russia trade, he says, the Dutch, the year before he wrote, had twenty-two great ships employed, and the English but one. In the Greenland whale-fishery the Dutch and Hamburghers had annually four or five hundred sail employed, while the English had only one ship the preceding year, and the year before that not one. The white herring fishery upon our own coasts was almost wholly in the hands of the Dutch; and so was the export of salt from Portugal and France. To the Baltic, or Eastland countries, the English had not now half so much trade as formerly; while the Dutch had ten times more than they used to have. The Norway trade, again, was in great part in the hands of the Danes, Holsteiners, &c.; our exportations to France had greatly fallen off; and the English ships employed in the Newfoundland fishery had decreased from two hundred and fifty, which was their number in 1605, to eighty when Child wrote. In many of these instances, however, the country had probably only disengaged itself from an old trade, that it might enter into and carry on some other, which it found more to its advantage. Child admits that the general commerce of the country was never before either so extensive or so profitable. The Turkey, Italian, Spanish, and Portuguese trades, by means partly of our Indian commodities, partly of our native wool, were more active and prosperous than at any former period. The trade with our American plantations was a new branch of commerce, of great and rapidly growing importance, which was wholly in our own hands. Accordingly, in proof of the general fact of the vast increase of the wealth of the country within the preceding twenty years, Child adduces the following particulars:—"First," he says, "we give generally now one-third more money with apprentices than we did twenty years before. Secondly, notwithstanding the decay of some, and the loss of other trades, yet, in the gross, we ship

off now one-third more of our manufactures, and of our tin and lead, than we did twenty years ago. Thirdly, new-built houses in London yield twice the rent which they did before the conflagration in the year 1666; and houses immediately before that fire generally yielded one-fourth more rent than they did twenty years ago. Fourthly, the speedy and costly rebuilding, after that great fire, in London, is a convincing, and to a stranger an amazing, argument of the plenty and late increase of money in England. Fifthly, we have now more than double the number of merchants and shipping that we had twenty years ago. Sixthly, the course of our trade, from the increase of our money, is strangely altered within these twenty years; most payments from merchants and shopkeepers being now made with ready money, whereas formerly the course of our general trade ran at three, six, nine, and eighteen months' time." He admits that people complained, notwithstanding, very greatly of the scarcity of money; but "this humour of complaining," he replies, with much truth, "proceeds from the frailty of our natures; it being natural for men to complain of the present, and to commend the times past." "And I can say, with truth," he adds, "upon my own memory, that men did complain as much of the scarcity of money ever since I knew the world as they do now;—nay, the very same persons who now complain of this, and commend that time." Plenty or scarcity of money, indeed, has no necessary connexion with a prosperous condition of commerce, or the reverse, any more than plenty or scarcity of leather or of hats. In so far as the fact is general, it is merely a consequence of the existing condition of the market of money, which is affected by the same causes that produce fluctuations in all other markets, and also by some peculiar to itself, arising out of the financial institutions and arrangements of different countries. With regard, again, to the scarcity of money felt by individuals, that is a complaint likely, for obvious reasons, to be just as rife in a time of active and profitable commercial speculation, when every man able to procure the command of capital can turn it to good account, as in a stagnant or decaying state of trade, when capital can be employed with comparatively little advantage.

Some further information in proof of the continued increase of the trade and wealth of the kingdom is supplied to us at a date a few years later by another eminent authority, Sir William Petty, in his Political Arithmetic, first published in 1676. This writer's statements and conclusions with regard to the progress of the national prosperity for the preceding forty years strikingly coincide with and confirm those of Sir Josiah Child. He observes that in these forty years the taxes and other public pecuniary levies in the three kingdoms had been much greater than they ever were before, and yet they had undeniably all three gradually increased in wealth and strength within that space. The number of houses in London was double what it was forty years before; and there had also been a great increase of houses at Newcastle, Yarmouth, Norwich, Exeter, Portsmouth, and Cowes; as also in Ireland, in the towns of Dublin, Kinsale, Coleraine, and Londonderry. Then, with respect to shipping, the royal navy was now double or quadruple what it had been forty years ago; and the coal-shipping of Newcastle now amounted to about 80,000 tons, or probably four times what it then was, seeing that London did not then contain more than half the inhabitants it now did while the use of coals was also doubled,—"they being heretofore," says Sir William, "seldom used in chambers, as they now are, nor were there so many bricks burnt with them as of late, nor did the country on both sides the Thames make use of them as now." "Above 40,000 ton of shipping," he continues, "are now employed in the Guinea and American trade, which trade in those days was inconsiderable. The quantity of wines imported was not then near so great as now. And, in short, the customs did not then yield one-third of the present value. The number and splendour of coaches, equipages, and household furniture have much increased since that period. *The postage of letters is increased from one to twenty.* And his majesty's revenue is now trebled." The exact amounts specified in some of these necessarily in part conjectural estimates may not be entitled to absolute confidence; but there can be no question that the general bearing of the facts is correctly given.

But the most comprehensive view of the progress of the commerce and wealth of England during the present period is that given by Dr. Davenant in one of his Discourses on Trade.* Davenant, we may premise, has not the clearest notions on some of the fundamental points of political economy; but he has sense to perceive the absurdity of the principles advanced by some writers of his time, whose assertions, indeed, might well have startled the dullest understanding. Mr. Pollexfen, to a publication by whom he particularly addresses himself, had actually maintained gold and silver to be "the only things that deserve the name of treasure, or the riches of a nation;" and to this Davenant answers, very well, "that, in truth, money is at bottom no more than the counters with which men, in their dealings, have been accustomed to reckon;" adding, "When a country begins to thrive by trade, it must not be imagined that the increase and profit is presently converted into coin or bullion; and a great ready cash is not the only sign of a thriving people, but their growing wealthy is to be discerned by other symptoms." Just before, however, his partial entanglement in the prejudices of his age has led him to admit that the precious metals, though not the spring and original, are yet the measure, of trade

* Discourse First, "That Foreign Trade is beneficial to England," in the Second Part of "Discourses on the Public Revenues and on Trade," first published in 1698, in answer to Mr. Pollexfen's "England and East India inconsistent in their Manufactures;" in Lord Whitworth's edition of Davenant, vol. i. pp. 346-393.

in all nations; which, except in a very qualified sense indeed, and in reference to mere convenience of calculation, they really no more are than any other species of merchandise. Pollexfen also contended that there had been a regular annual decrease of the wealth and trade of the country ever since the year 1666; a position taken up about this time by various popular writers, among others by the author of a famous discourse entitled "Britannia Languens," published in 1680, who, by not only confining his view to one side of the question, but by looking at that through the medium of a false theory, contrived to make out to his own satisfaction, and doubtless also to that of many of his readers, that the country had been advancing towards ruin at a round pace for many years. The main argument of this writer is, simply, that there had been less money coined from 1657 to 1675 than in any former period of the same length from the beginning of the century,—a fact which, if it could have been ever so conclusively established, had no more to do with the subject of debate than a similar calculation of the comparative quantities of rain that had fallen in the several periods fixed upon would have had. This test, as applied by the author of Britannia Languens, would have proved a rapid decline of national prosperity indeed; for, whereas, according to his showing, the value of gold and silver coined from 1600 to 1619 had been nearly 4,800,000*l.*; and from 1619 to 1638, 6,900,000*l.*; and from 1638 to 1657 above 7,700,000*l.*; the amount from 1657 to 1675 had only been about 2,239,000*l.*; and even of that, he observes, about a million had been partly harp and cross money, partly old money recoined. So that, by this measure, the trade of these last eighteen years must have fallen to a fourth or a fifth of what it had been before! This was a "languishing" state of things, truly. Davenant first shows, by the increase in the value of landed property, from twelve years' purchase in ancient times, to fourteen, sixteen, and in the best counties eighteen and twenty years' purchase about 1666, and by the great increase in the produce of the taxes in the reigns of James I. and Charles I. and in the time of the Commonwealth, that the country must have been growing rich from the beginning of the century up to that year. So much, perhaps, would not be disputed by his opponents. But he contends, on the same or similar grounds, that the same progress continued to go on, and, in an augmented ratio, after 1666. Since that year, he affirms, the price of land in the best counties had risen from twenty to twenty-six and twenty-seven years' purchase; and elsewhere from fourteen years' purchase to seventeen or eighteen. "From that year," he adds, "there were apparently more improvements made in land than had been known in fifty years before, by enclosing, manuring, taking in of waste ground, and meliorating what was poor or barren; and yet great improvements had been made in the crown-lands during the civil war." He calculates, from the best observations he has been able to make, "by comparing the ancient subsidies with the present aids and taxes on land," that the general rental of England for land, houses, mines, &c., before the country became considerable by trade,—that is to say, about the year 1600,—did not exceed six millions per annum; whereas, in 1688, he takes the rental of the kingdom to have been about fourteen millions. So that, in 1600, the whole land of England at twelve years' purchase was only worth 72,000,000*l.*; and in 1688, at eighteen years' purchase, was worth 252,000,000*l.*, or three and a-half times as much as before. As for the mercantile shipping of the kingdom, old and experienced merchants all agreed that its tonnage in 1688 was nearly double what it had been in 1666; and it appeared by authentic accounts that the royal navy, which in May, 1666, amounted only to 62,594 tons, was grown to 101,032 tons in December, 1688. We pass over a long calculation and argument about the amount of gold and silver coined at different periods, as tending very little to elucidate the matter in hand. The statement then proceeds:—"As to plate, it may be safely affirmed that there was more wrought for use in families from 1666 to 1688 than had been fabricated in two hundred years before. . . . . As to the common people, there is no country in the world where the inferior rank of men were better clothed and fed, and more at their ease, than in this kingdom, nor, consequently, where they propagate faster. As to buildings, during that time not only many stately edifices, both public and private, have been erected, but farm-houses have been kept up; and besides, from the books of hearth-money, and for other reasons, it appears that, of smaller tenements, from 1666 to 1688, there have been about 70,000 new foundations laid, of which the country has not wanted its proportion." In 1666 the customs, according to Davenant, were farmed for no more than 390,000*l.*; but from Michaelmas, 1671, to Michaelmas, 1688, they had yielded to the crown an average annual return of 555,750*l.* This statement, it will be observed, does not agree with the account given in a preceding page on the authority of Chalmers; but the fact of the increase in the produce of the customs is equally attested by both. "Upon a general view and inspection into the kingdom's state," Davenant calculates that the value of the whole stock of England, by which he explains himself as meaning "the coined silver, coined gold, bullion, wrought plate, rings, &c.; jewels, furniture, apparel, &c.; stock for trade, consumption, &c.; and the live stock in cattle, &c.,"—that is, apparently, everything in the kingdom beside what the lawyers call real property,—was in 1600 about 17,000,000*l.*; that in thirty years it nearly doubled, and in 1630 was about 28,000,000*l.*; that in the next thirty years it fully doubled, and in 1660 was about 56,000,000*l.*; and that from 1660 to 1688 it above half doubled, and was in the last-mentioned year about 88,000,000*l.* Of this

calculation he maintains that "every article may be made out and justified by as plain demonstration as anything of this nature is capable of." The stock of the kingdom, he thinks, would have fully doubled itself in the last period as well as in those of the same length that preceded, had it not been that "a stop was put to our career by the great plague of 1665; by the fire of London, which consumed a great part of the present stock; by our wars abroad; and by our growing luxuries, which drew to other uses what formerly was left wholly to run in the channel of trade." "However," he adds, "when the kingdom had recovered these losses and shocks, which we have reason to think it had perfectly done about 1680 (trade augmenting all the while, and becoming more extensive), its wealth grew faster towards the latter end of this last era of thirty years than before: so that there is more than probable room to conjecture that about 1688 it came to reach the annual increase of two millions." There is much, of course, that is merely theoretical, and far enough from conclusive, in these speculations; but they are curious at least, if not perfectly convincing, and may be admitted to have a general, though not an exact and absolute truth.

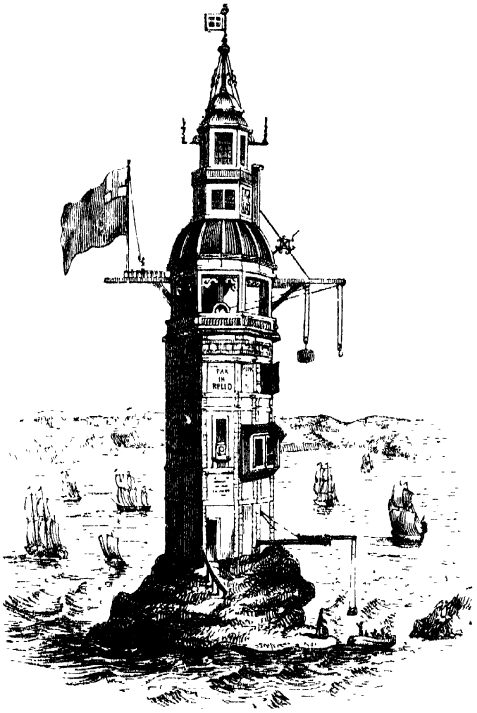
Of the measures affecting commerce that were passed by the legislature in the present period, the most important was the statute of the 12 Car. II. c. 18, entitled An Act for the Encouraging and Encreasing of Shipping and Navigation, and popularly known by the name of the Navigation Act. This famous statute was in the main merely a re-enactment of a statute passed by the Rump Parliament in October, 1651;* the principle of which was, as explained in the former Book, to confine absolutely to English ships the carriage of all goods imported into any part of the dominions of England from Asia, Africa, or America; and to English ships, or ships of the particular country from which the goods were imported, the carriage of all goods brought into England from any other country of Europe. In the new act, the latter and most important provision was so far modified as to be confined to goods imported from Russia and Turkey, and to certain goods only from other European countries. But this was in reality a very slight mitigation of the restriction; for the articles in question comprised all the most important English imports, such as timber, salt, pitch, tar, hemp, raisins, figs, oils, grain, wines, spirits, &c.; so that it was scarcely possible that a full cargo of goods could be made up for England in any country of Europe without some of the articles which could thus only be imported in English or native bottoms.† On the other hand, the restrictions of the act of 1651, as to importation into England, were now made equally applicable to the exportation of goods from England to other European countries.* A Navigation Act similar to the English one was passed by the parliament of Scotland the following year; and the English statute was altered, and in some respects made still more rigid or more comprehensive, by subsequent acts, of which it is not necessary to give any particular account. We may merely mention that, by a clause in an act for regulating the customs, passed in 1662 (13 and 14 Car. II. c. 11, s. 23), it was enacted that no sort of wines other than Rhenish, no sort of spicery, grocery, tobacco, potashes, pitch, tar, salt, rosin, deal-boards, fir, timber, or olive oil, should be imported from the Netherlands or Germany, "upon any pretence whatsoever, in any sort of ships or vessels whatsoever, upon penalty of the loss of all the said goods, as also of the ships and furniture."

The navigation laws are admitted to have been framed in a spirit of violent animosity against the Dutch, and to have had for one of their principal objects the depression of the mercantile superiority of that people, then in possession of the greater part of the carrying trade of the world. The Dutch were, in fact, deprived by these acts of so much of their carrying trade as consisted in importing goods to England and in exporting to other countries English home and colonial produce and manufactures, and the greater part of what they thus lost the English ship-owner gained. The English consumer,—in other words, the English public,—was, in a pecuniary sense at least, a gainer of nothing, but a considerable loser: the monopoly of the ship-owner was, of course, a tax upon the rest of the community. This tax, however, it has been said, was paid for the essential object of the national defence,—for the creation and maintenance of a naval strength which the country would not otherwise have possessed. The exact operation of indirect methods of procedure, such as the policy of the navigation laws is here assumed to be, will always afford matter for difference of opinion, and hardly admits of being satisfactorily determined, but it is certain that, however much commendation these laws have received in later times, the greatest doubts were entertained as to any public benefit being attributable to them by some of the ablest observers who had an opportunity of witnessing the effects they produced when they first came to change the natural course in which the commerce of the country was previously proceeding. Roger Coke, in his "Treatise on Trade," published in 1671, maintains that, by lessening the resort of strangers to our ports, they had had a most injurious effect on our commerce

* See Scobell, ii. 176.

† Some modern accounts of the Navigation Act state that the goods thus forbidden to be brought from any part of Europe except in English ships, or ships of the country, were those that came to be known in commerce by the name of *enumerated* articles. But this is a mistake: what were formerly called *enumerated* goods, an expression used in many subsequent acts of parliament, were certain articles, the produce of the English plantations, with regard to which it was provided by the act (sec. 18) that they should not be conveyed to any part of the world whatsoever without first being shipped to England, and brought on shore there.

* This important extension of the first Navigation Act has not usually been noticed. But it is common to speak of a provision in the act of the 12 Car. II. making it necessary that, in addition to the ship being English property, the master and at least three fourths of the sailors should be Englishmen, as a new regulation and a very material improvement upon the old law (see Blackstone, Com. i. 419); the fact being, that the act of 1651 demands very nearly the same thing,—it requires that the *majority* of the crew shall be English.



Lighthouse erected at Plymouth, 1665. From a Print by Kip.

he states that, within two years after the passing of the first partial Navigation Act in 1650 (the progenitor of that of the following year), we had lost through their operation the greater part of our Baltic and Greenland trades. Sir Josiah Child, although decidedly approving of the principle of the Navigation Act, corroborates Coke in so far by admitting, in his "Treatise on Trade," published in 1698, that the English shipping employed in the Eastland and Baltic trades had decreased two-thirds since the passing of the act, and that the foreign shipping employed in these trades had increased in a like proportion.* It is plain, indeed, that this law, by raising their freights in the home trade, of which it gave them a monopoly, must have disabled English ship-owners from competing with foreigners in every other trade of which they had not a like exclusive command.

The most remarkable outbreak in the course of this period of the old commercial jealousy which, in contradiction to the first principle of commerce, used, in its fits of fury, to be continually striving to exclude from the kingdom the productions of foreign countries, in the notion of thereby putting down their commercial rivalry, was the entire prohibition of trade with France in 1678. On this occasion, indeed, national hatred and religious excitement lent their aid to strengthen and envenom the feelings arising from rivalry in trade, for it was the time of the popular ferment about the designs of France, out of which sprung immediately afterwards the wild delusion of the popish plot;* but the chief motive of the prohibition, nevertheless, was undoubtedly the prevalent notion that the country was suffering an annual pecuniary loss to a vast amount by the balance of trade, as it was called, being turned against us in consequence of our large importation of French commodities. The act of parliament (the 29 and 30 Car. II. c. 1 § 20) declares that it had been by long experience found that the importing of French wines, brandy, linen, silk, salt, paper, and other commodities of the growth, product, or manufacture of the territories and dominions of the French king had much exhausted the treasure of this nation, lessened the value of the native commodities and manufactures thereof, and caused great detriment to the kingdom in general. It therefore proceeded to enact that, for three years from the 20th of March, 1677 (1678), and to the end of the next session of parliament, no French wine, vinegar, brandy, linen, cloth, silks, salt, grapes, or other product or manufacture of the dominions of the king of France, should be imported in any sort of vessel whatsoever into any

* See these and other authorities collected by Mr. M'Culloch, Dict. of Com. p. 619.

* See ante, pp. 715, *et seq.*

part of England, and that the importation or vending of any such French goods should be adjudged "to be a common nuisance to this kingdom in general, and to all his majesty's subjects thereof." The adherents of the balance of trade theory at the time, and long afterwards, all looked upon this prohibition as a most wise and salutary act of national policy, and were in the habit of referring with much triumph to its effects in proof of the correctness of their views. Indeed they had long been clamouring for something of the king before the measure was adopted by the legislature. The House of Commons which met in the latter part of the year 1675 had, upon an examination of the trade between England and France, come to a resolution that the former country was annually a loser in the said trade to the amount of a million sterling, and had thereupon ordered a bill to be brought in to put a stop to it, as was actually done two years after. The following are the terms in which Anderson, writing nearly a century after 1678, speaks of the act then passed against commerce with France: "The immense importation into England of French wares of various kinds gave just umbrage to all wise people, as occasioning a vast annual loss in point of the general balance of England's trade; some say, to at least one million sterling, others to considerably more; because, whilst we were wantonly and without measure importing and using the produce and manufactures of France, the wiser French ministry were from time to time laying heavier duties upon the English manufactures and produce. . . . Hereby the English foreign trade in general languished, rents fell, and all ranks began sensibly to feel its bad effects. Yet they at first imputed this misfortune to a wrong cause, which made the merchants and traders petition the parliament against the East India and Levant Companies. In conclusion, they discovered the true cause; whereupon they made such earnest application to the parliament as influenced the House of Commons to come to a vote, that the trade with France was detrimental to the kingdom. . . . It was, indeed, more than time for England to interpose and save the almost expiring liberties of Europe, whilst at the same time she put some stop to an inundation of French wines, brandies, silks, linen, paper, salt, and an innumerable variety of frippery, millinery, and haberdashery wares, toys, &c.; which prohibition, and that of the wear of East India manufactures, brought the general balance greatly in our favour in the course of twenty years. The authors of this time say that, until after this prohibition, the annual exports of England, on an average, did not exceed three millions sterling; but that, in about twenty years after, the exports had gradually increased to near seven millions yearly, which vast increase was principally occasioned by the great increase and exportation of our own woollen, silk, linen, iron, and other manufactures, since the prohibition of commerce with France; and partly also to the prohibition, some years after enacted, of the wear in England of East India manufactures; and likewise in part to the enlarged demand from our own American colonies of all sorts of manufactures and necessaries."* As Charles II. never again assembled a parliament after the 20th of March, 1681, the act prohibiting the importation of French merchandize remained in force till it was repealed in the beginning of the next reign by the act 1 Jac. II. c. 5. "Whereupon," says Anderson, "ensued an inundation of French commodities, to the value of above four millions sterling, within the compass of less than three years' time, whereby all the evils formerly complained of were renewed, so that the nation would have been soon beggared, had it not been for the happy Revolution in the year 1688, when all commerce with France was effectually barred."† The proof of a nation being on the road to beggary, which is derived from its purchasing every year between one and two millions' worth of commodities from another country, is not particularly convincing. But, as usual in cases of this kind, even the facts as to this matter appear to have been grossly misstated. Davenant, in his First Report to the Commissioners of Public Accounts, sensibly observes,—"It has never been popular to lay down that England was not a great loser by the French trade; but, in inquiries of this kind, truth should be more hunted after than popularity, and I shall endeavour to set this matter in as true a light as the nature of it will admit of, and which lies so obscure for want of knowing right of matter of fact. As to the importations and exportations of commodities between the respective kingdoms, so far is beyond contradiction, that all the while England flourished and grew rich by an extended traffic (which was by Queen Elizabeth's reign down to the year 1640), the two countries did not load one another with prohibitions of, or high duties upon, each other's product or manufactures, which that country would certainly have done that had found itself any considerable loser by their mutual dealings, which must have been seen and felt in so long a tract of time; so that during this space it is rather to be presumed both kingdoms reciprocally found their account by the commerce that was between them. During the afore-mentioned period the strength and power of France was not become formidable, and the prodigious growth of the House of Austria was what employed all our fears; but, as you know, about the year 1660, the face of affairs in Europe changed, the Spanish monarchy was declined, and France became the rising empire. And it rose so fast as to beget just apprehensions to England for our future safety. In the meanwhile several good patriots, perceiving the court then fatally running into French interests and measures, and finding it would be difficult to engage the people (newly come out of a civil war) to follow and join with them in more national councils by speculations

* Chron. of Com. ii. 548.

† Ibid, p. 571.

merely political concerning the progress of the French arms and power, they thought the best course to awaken Englishmen was to alarm them about the danger they were in to lose their trade, and for this reason nothing was so common as to cry that England was undone by the prodigious over balance the French had upon us." To prove this, divers estimates were drawn up and laid before the king, the committees of council, and the House of Commons. With regard to these estimates, Davenant remarks, in the first place, that whatever may have been the case as to the trade with France, it is evident, beyond all dispute, that, from the Restoration to the Revolution, our trade with the whole world must have been a most gainful one, even in the sense of those who will admit nothing but an overbalance of gold and silver to be a gain in commerce, seeing that, in that space of time, there was actually coined at the Mint, as appears from the Mint-rolls, above six millions of gold and above four millions of silver. "If England," he proceeds, "had suffered such a drain as the loss of a million per annum by its dealings with one single country, there could not have been such an immense coinage in those years, nor could the bullion we received from Spain, returned as the overbalance of the trade we had with the Spaniards, have answered and made good such a constant issue: from whence follows, that this balance against us of a million yearly, which has been asserted in several books, and in memorials laid before the king and council, and both Houses of Parliament, must have been chimerical, for bye-ends advanced by some, and ignorantly followed by others." He then states various facts which go to show at least that considerable exaggeration had been used in making up the accounts which appeared to prove so great an overbalance of imports from France; and, on the whole, he comes to the conclusion, that if the goods sent from England to France, and those brought from France to England, had been fairly valued, there would be found to have been no considerable difference between the money amount of the one and of the other. But, after all, he goes on to remark, the question remains, "how far the excess between the exports and imports may be deemed a certain rule, whereby to judge whether a country gets or loses by its trade?" And upon this point he adduces some startling facts. Both in 1663 and 1669, as we have already seen, the imports very greatly exceeded the exports on our trade with the whole world: yet in both those years it was not to be disputed by any man in his senses that we carried on a thriving traffic on the whole. On the other hand, in five more recent years, for which he presents from the Custom-house books an abstract of the exports and imports between England and all foreign countries, it appears that the exports regularly exceeded the imports in a very high degree; "and I believe," he says, "it has been the same from 1688 to the time the books of my office began: however, it can hardly be affirmed, and the merchants upon the Exchange will scarce agree, that during this time England has carried on a profitable trade; at least there appears no overbalance returned to us in bullion to set the Mint at work; contrariwise, our specie of gold and silver, since that time, is by degrees visibly diminished." In fine, from these and various other considerations, Davenant is led to have strong doubts whether the popular notion of England having been a loser in her trade with France from the Restoration to the Revolution, or to the passing of the prohibitory act in 1678, be not a mere popular delusion. "Great Britain at that time," he observes, "had no marks upon it of a nation declining in wealth and commerce: the interest of money was low, the species of gold and silver abounded; the middle ranks of men had a large proportion of plate among them; after a general conflagration the city was rebuilt in a few years, magnificent public edifices were erected, the farm-houses everywhere were in good repair" He adds that the tonnage of mercantile shipping infinitely exceeded what it was when he wrote, in 1711; and that even at the low duties then in force the customs for the year ending Michaelmas, 1677, produced no less than 828,200*l.** All this he justly considers to have been the fruits and the evidence, not of a decaying, but of a prosperous and extending, trade.

The reduction of the legal rate of interest to six per cent., which had been made by the Rump parliament in 1651,† was confirmed after the Restoration by the act 12 Car. II. c. 13, entitled An Act for restraining the taking of excessive Usury "The abatement of interest from ten in the hundred in former times," the preamble declares, "hath been found, by notable experience, beneficial to the advancement of trade and improvement of lands by good husbandry, with many other considerable advantages to this nation, especially the reducing of it to a nearer proportion with foreign states with whom we traffic; and in fresh memory the like fall from eight to six in the hundred *by a late constant practice* hath found the like success, to the general contentment of this nation, as is visible by several improvements." In Scotland the reduction was not made till 1672. To the reduction of interest to six per cent. Sir Josiah Child, in his "Brief Observations concerning Trade and Interest of Money," first published in 1688, ascribes the most important effects in the augmentation of the national wealth; and, although his notion upon this point is a mere fallacy, some of the facts which he mentions, and with regard to which his authority is unquestionable, however much he may be mistaken as to the cause to which he would trace them, are curious. When he wrote, he asserts there were more men to be found upon the Exchange of London worth ten thousand

* This agrees very nearly with the account printed by Chalmers, if we take in the additional duty on wines, which that year produced nearly 150,000*l.*

† See ante, p. 549.

pounds than were worth one thousand when the reduction was first made by the Rump Parliament. He adds, that five hundred pounds with a daughter, sixty years before, was esteemed a larger portion than two thousand pounds now; that gentlewomen in former times esteemed themselves well clothed in a serge gown, which a chambermaid would now be ashamed to be seen in; and that besides the great increase of rich clothes, plate, jewels, and household furniture, there were a hundred coaches now kept for one that was kept formerly.

Of the great chartered associations which in earlier times used to monopolize the commerce to different foreign regions, the East India Company is the only one which demands any particular notice in the present period. While the others, as trade outgrew the need of such shelter and propping, were gradually losing their exclusive privileges and sinking towards decrepitude and insignificance, it was fast surmounting the impediments of various kinds, both abroad and at home, that had hitherto entangled its progress, and becoming every day more prosperous and more firmly established. Although the charter the Company had obtained from Cromwell in 1657* was not yet expired, it was thought advisable, in the change that all things had undergone, to get a new one from the restored king; and they were accordingly re-incorporated by Charles, on the 3rd of April, 1661, with a full confirmation of all their ancient privileges, and the important additional rights:—1. Of erecting so many forts as they pleased in India and St. Helena, and appointing judges to try both civil and criminal causes; 2. Of making peace and war with any people, not Christians, within the limits of their trade; 3. Of seizing all English subjects found without their license in India or in the Indian seas, and sending them home to England. In 1669 the island of Bombay, which Charles had received from Portugal as part of the dower of Queen Catherine, was made over by him to the Company, to be held by them "in free and common soccage, as of the manor of East Greenwich, at an annual rent of ten pounds." The trade of the Company now became so lucrative, that in 1676 they were enabled to double their capital out of their accumulated profits; on which the market price of their stock immediately rose to 245 per cent. A view of the state of the commerce with India about this time is very fully given in a publication which appeared in 1677 entitled "The East India Trade a most profitable Trade to this Kingdom," and which is supposed to have been written by Sir Josiah Child. The Company, this writer states, then employed from thirty to thirty-five ships, running from 300 to 600 tons burden, and carrying, or capable of carrying, from forty to sixty or seventy guns each. Their annual exports amounted to about 430,000*l.*; namely, 320,000*l.* in bullion, and the remainder in cloth and other goods. Their imports in calico, pepper, saltpetre, indigo, silk (raw and wrought), drugs, &c., had in the year 1674-5 produced 860,000*l.*, and often yielded a much larger sum. Besides this, the private trade allowed by the Company to owners of ships, commanders, and seamen, as well as to their own factors, for diamonds, pearls, musk, ambergris, &c., occasioned an annual export of from 80,000*l.* to 100,000*l.* in bullion, and about 40,000*l.* or 50,000*l.* in goods, and brought returns to the amount of 250,000*l.* or 300,000*l.* Of the 110,000*l.* worth of goods exported by the Company, 40,000*l.* or 50,000*l.* worth consisted of foreign commodities, the rest of home produce and manufactures, such as drapery, tin, and lead. Of the imports, there might be consumed in England, pepper to the value of 6,000*l.*; saltpetre to that of 30,000*l.*; silks (raw and manufactured) to that of 30,000*l.*; calicoes to that of 160,000*l.*; and indigo and other drugs to that of from 10,000*l.* to 15,000*l.* "All the rest of the returns above mentioned," the statement proceeds, "amounting to 630,000*l.* value, are transported to foreign markets, as is also most part of the private trade. The pepper I reckon at 8*d.* per pound weight, so necessary a spice for all people, which formerly cost us 3*s.* 4*d.* per pound, being nowhere to be had but in India; and, were we obliged to have it from the Dutch, they would probably raise it as high as they do their other spices; yet, supposing it so low as 1*s.* 4*d.* per pound, it would be a further annual expense of 6000*l.* to the nation. Saltpetre is of that absolute necessity, that without it we should be like the Israelites under the bondage of the Philistines—without the means of defending ourselves. Possibly, even if we had no Indian trade, we might, in time of peace, purchase it, though it would cost us double what it now does. But in case of war where could we have sufficient? Not, surely, from our enemies. Or, would our gentlemen, citizens, and farmers, be willing to have their cellars and rooms dug up as in King Charles I.'s reign, and be deprived of freedom in their own houses, exposed and laid open to saltpetre-men? Which method would be, besides, by no means equal to the affording us the necessary supplies. Raw silk we might possibly be supplied with from other parts, though not so cheap as from India. And India wrought silks serve us instead of so much Italian or French silks, which would cost us almost treble the price of Indian silks, to the kingdom's loss of above 20,000*l.* yearly. Calicoes serve instead of the like quantity of French, Dutch, and Flemish linen, which would cost us thrice as much; hereby 200,000*l.* or 300,000*l.* is yearly saved to the nation. And if the linen manufacture were settled in Ireland so as to supply England, our calicoes might be transported to foreign markets." At this time the linen manufactured at home probably did not supply a thousandth part of the consumption. Female dresses had been wont to be principally made of French cambrics, French and Silesia lawns, and other flaxen fabrics of Flanders and Germany,

* See ante, p. 547

but these fabrics were now beginning to be pretty generally supplanted by the muslins of India. Plain calicoes were also now brought in considerable quantities from India to be printed in England, in imitation of the Indian printed chintzes, the bringing home of which was at last prohibited altogether, for the better encouragement of the English printing business.

It was during the present period that Tea was first brought to England. Known from the remotest antiquity in China and Japan, tea is mentioned under the name of *sah* as the common beverage of the Chinese by the Arabian merchant Soliman, who wrote an account of his travels in the East in the year 850. The earliest European writers, however, by whom it is mentioned, are some of the Jesuit missionaries who visited China and Japan a little before the middle of the sixteenth century, and who describe it in their letters under the names of *cha*, *cia*, *tchia*, and *thee*. It appears to have been first imported, at least in any quantity, by the Dutch East India Company soon after the beginning of the seventeenth century; and by them the small demand of Europe during the greater part of that century was principally supplied. Tea is not enumerated any more than coffee or chocolate, in the table of rates appended to the tonnage and poundage or customs' dues act passed by the Convention Parliament in 1660 (12 Car. II. c. 4); but it is mentioned in the act passed in the same year imposing an excise upon beer, ale, and other liquors (12 Car. II. c. 23); two of the rates or duties there enacted being, "For every gallon of coffee made and sold, to be paid by the maker, 4*d.*;" and "For every gallon of chocolate, sherbet, and tea, made and sold, to be paid by the maker thereof, 8*d.*" And the tax upon tea continued to be an excise duty, that is to say, to be levied not upon the imported commodity, but upon the liquor made and sold, till the Revolution. At this time the beverage was only just beginning to be known in England. Pepys, in his Diary, under date of September 25th, 1661, records, "I sent for a cup of tea (a Chinese drink), of which I had never drank before." The poet Waller has some lines on the birthday of Queen Catherine, which he entitles "Of Tea, commended by her Majesty;" and from which it should seem that her example had brought the new drink into fashionable use, if, indeed, the poet is not to be understood as (by a courtly compliment not strictly true) attributing to her majesty, who came over here in 1662, the introduction of it for the first time into the country:—

> "The best of queens and best of herbs we owe
> To that bold nation, which the way did show
> To the fair region where the sun does rise,
> Whose rich productions we so justly prize.
> The muse's friend, Tea, does our fancy aid;
> Repress those vapours which the head invade;
> And keeps that palace of the soul serene,
> Fit on her birthday to salute the queen."

For some time after this, however, the quantity of tea brought to Europe continued to be very small. In 1664 the East India Company could only procure two pounds and two ounces, which cost them forty shillings a pound, when they wanted to make a present of some rarities to the king; and in 1666 they had to pay fifty shillings a pound for twenty-two pounds and three-quarters, which they in like manner presented to his majesty. Their own first importation was in 1669, when they received two canisters containing 143½ pounds from Bantam, which they did not sell, but partly gave away in presents, partly used in the House for the refreshment of the committees. After this, however, they gradually increased their importations, though still making their purchases generally at second-hand in Madras and Surat, having only once gone for the article to the port of Amoy, in China, till, in the year 1678, they brought home 4713 pounds; a quantity so large that it glutted the market, so that in the six following years their importations in all amounted only to 410 pounds. It was not, therefore, till after the Revolution that the consumption of tea began to be at all general in this country.*

St. Helena, the possession of which had been confirmed to the Company by their last charter, was taken by the Dutch in 1665, but was regained in 1672, and the following year re-granted by the crown to the Company for ever. On the 5th of October, 1677, they also obtained a new charter from Charles II., empowering them, among other privileges, to coin money at Bombay and their other possessions in India. In 1680 the first notice occurs of a ship sent by the Company to China. In 1683 they lost their factory at Bantam in the island of Java, one of their oldest and best establishments, in consequence of having taken the unsuccessful side in a quarrel between the king and his son, the latter of whom was assisted by the Dutch, who, on their victory, obtained possession of the factory, which, with the exception of a few years during the last war, they have continued to hold ever since. On this the English established a new factory, which they fortified at a great expense, at Bencoolen, near the southern extremity of Sumatra,—by this means preserving the pepper trade, which would otherwise have all fallen into the hands of the Dutch. On the 3rd of August, 1683, Charles II. granted the Company another charter, conferring upon them some new powers, in particular the right of exercising martial law in their garrisons in India, and of establishing courts for the trial of crimes committed on the seas within the limits of their trade. They afterwards obtained another charter, still further enlarging their privileges, from James II., on the 12th of April, 1686. In India, in the meanwhile, they had become involved in a quarrel with the Nabob of Bengal, within whose government they had had a flourishing factory at Hooghly, a town on the west branch of the Ganges, and the chief port of the province; the result of which was, after some fighting, that they removed in 1687 from Hooghly to Sootanutty, a place twenty-three miles

* Macpherson, Com. with India, pp. 128—132.

lower down, and situated on the east bank of the river. From this village sprung the magnificent modern capital of Calcutta.

There remains to be shortly noticed a comparatively new branch of commerce, which was already rising into importance,—that carried on with the settlements in North America, commonly, in those days, called the Plantation Trade. Davenant tells us that, according to "an account from such as have formerly perused the Custom House books with great care," the average annual value of exports from England to America, in provisions of all kinds, apparel, and household furniture, in the six years from 1682 to 1688, was about 350,000*l.*; while that of the imports, consisting of tobacco, sugar, ginger, cotton wool, fustic wood, indigo, cocoa, fish, pipe-staves, masts, furs, &c., together with fish from Newfoundland, was not less than 950,000*l.* Of the imports he calculates that about the value of 350,000*l.* might be retained for home consumption; so that there would remain about 600,000*l.* worth to be exported.*

It was the new direction given to trade on the one hand by the East India Company, on the other by the interchange of commodities thus carried on between the mother-country and her Trans-atlantic colonies, to which is chiefly to be ascribed the eager agitation that now began of many of the principles of what has, in more recent times, been termed the science of Political Economy. It is hardly correct to state that the birth of this science in England is to be dated from the present period; for it had in fact been a subject of occasional speculation for at least a century before, in proof of which we need only refer to the very remarkable tract entitled "A Compendious or Brief Examination of certain ordinary Complaints of divers of our Countrymen in these our Days, by W. S.," (said to mean William Stafford,) which was published in 1581, and which discusses, with a great deal of acuteness, some of the most difficult questions connected with the subject of the origin and distribution of wealth.† But the subject of foreign trade at least had never before been so systematically examined as it now came to be by a crowd of writers in the disputes that arose between various rival commercial interests. We have already had occasion to exhibit some specimens of the reasonings and general views of several of these early speculators, divided as they already were into a number of hostile schools and factions. The prevalent or more popular theories were what have been called the mercantile and manufacturing systems, which, although distinct, were so far from being opposed, that a belief in the one led naturally to the adoption of the other. The manufacturing system, however, was held by some who were not among the adherents of the mercantile system; and of the two it certainly was by far the least unreasonable. The mercantile system assumed, as we have already had occasion to explain, that nothing was really wealth except gold and silver; and that consequently the sole test of the profitableness of any branch of trade was whether, on the whole, it brought more money into the country than it took out of it.* The fundamental principle of the manufacturing system was, that a trade was profitable to the public whenever, by means of any restrictions or exclusive privileges, it could be made gainful to the capitalists by whom it was carried on, and their equally protected allies, the raisers and manufacturers of the merchandize, the export of which it encouraged. The interest of the purchasers and consumers of the commodities brought home by the trade, that is, of the great body of the community, this theory entirely overlooked, or at any rate treated as a matter of very secondary importance. If the restrictions under which the trade was carried on could be shown to be advantageous for those actually engaged in it, that was enough—it was assumed that they must be beneficial for the public generally. There was, at any rate, nothing in all this repugnant to, or irreconcileable with, the above-mentioned principle of the mercantile system;—on the contrary, the doctrine that nothing was a gain in common except a balance in money, or an excess of exports over imports, agreed very well with the further notion that such balance and excess were to be best secured, not by leaving commerce free to flow in its natural channels, but by forcing it in particular directions through all sorts of embankments and artificial conduits.

The most noted among the theoretical writers on the subject of trade in this age, in England, were Mr. Thomas Mun, Sir Josiah Child, and Sir William Petty. The immediate object of most of the publications both of Mun and Child was the defence of the East India Company both against the assailants of its exclusive privileges and against other parties who denounced the Indian trade altogether as bringing a heavy annual loss upon the nation. It is curious to remark the gradual dawning upon men's minds of just views as to this matter with the advance of discussion and experience. Before the controversy about the trade with India, the almost universally received belief had been that the exportation of gold and silver ought as far as possible to be prevented altogether. This was what our old laws had constantly attempted to do; and in fact it was not till the year 1663 that, by a clause in an act for the encouragement of trade (15 Car. II. c. 7, s. 9), it was made lawful to export *foreign* coin or bullion,—"forasmuch as several considerable and advantageous trades cannot be conveniently driven and carried

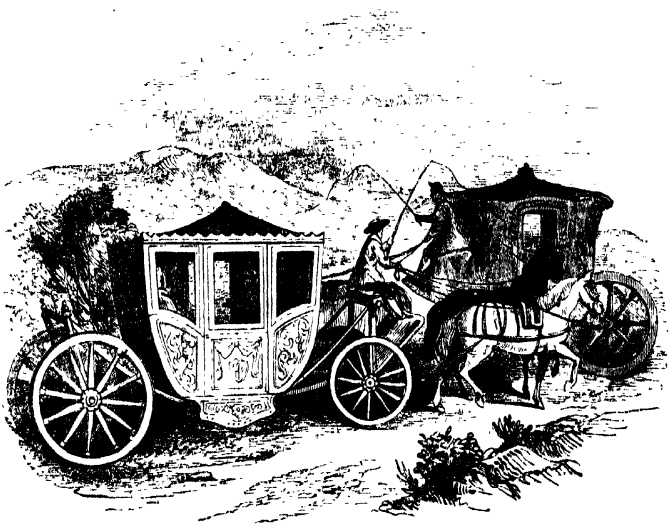
* Discourses on the Public Revenues and Trade; Part II. Discourse III. "On the Plantation Trade:" in Works, ii. 17.

† See vol. ii. p. 804. A pretty full account of this tract (which at one time used to be attributed to Shakspeare, and was indeed reprinted with his name in 1751) may be found in the Penny Magazine for 1836, pp. 130, 148, 164, and 190. We may add, here, that according to a notice in Reed's Catalogue of Law Books, 1809, p 36, it is said, in the "Memoirs of William Lambarde, in Append. in Bibl. Brit. Top." to have been really written by Sir Thomas Smythe, or John Yates, in the reign of Henry VIII. or Edward VI.

* "Even jewels, tin, lead, or iron, though durable, do not deserve to be esteemed treasure," says one of these writers, Mr. Pollexfen, in a publication entitled "England and East India Inconsistent in their Manufactures," quoted by Davenant, Works, i. 382.

on without the species of money or bullion, and that it is found by experience that they are carried in greatest abundance (as to a common market) to such places as give free liberty for exporting the same, and the better to keep in and increase the current coins of this kingdom." Here we find apparently a partial recognition of the principle, which was properly the distinguishing principle of the mercantile system, that a trade, though occasioning the export of bullion, might still be profitable, if its imports, by being re-exported, brought back to the kingdom more bullion than had in the first instance been carried out. It was upon this consideration that Mun first, and afterwards Child, endeavoured to establish the profitableness of the trade with India: they did not, and could not, deny that it was only to be carried on by a regular annual exportation of treasure to a considerable amount; but they con-

Medal exhibiting a First rate Ship of War,
Struck to commemorate the appointment of James, Duke of York, Lord High Admiral.



Coaches of the time of Charles II. Selected from Prints.

tended that, although, looked at by itself, it thus showed an unfavourable balance, or, in other words, might be called a losing trade, yet it became in the end greatly the reverse by the much greater amount of treasure which it enabled us every year to draw back from other European countries, which we supplied, after satisfying our own consumption, with eastern commodities. As an answer to the particular objection which it professed to meet, this reasoning was sufficiently conclusive; and the mercantile system in so far as it opposed the old prejudice against the exportation of gold and silver in any circumstances, was undoubtedly in the right, and was a step in advance. It was even in advance of the law of 1663, which only permitted the exportation of foreign bullion; for the argument urged by Mun and Child implied no limitation of that kind. Mun published his Defence of the East India Trade in 1621; his Treasure by Foreign Trade, his principal work, did not appear till 1664, some years after the author's death, but had probably been written about 1635 or 1640.* Child's New Discourse of Trade, the principal object of which was to urge the reduction of the legal rate of interest, was first published, as already stated, in 1668, and re-published in 1690; the anonymous pamphlet attributed to him in defence of the East India Company appeared, as we have also mentioned above, in 1677. These works of Mun and Child, mistaken as the writers are in some of their leading principles, contain many incidental arguments and remarks of great value, and which must have materially helped to advance the science of which they treat, notwithstanding their fundamental errors. The principal work of Sir William Petty, besides his Political Arithmetic, which treats chiefly of the subject of population, is his "Quantulumcunque," a treatise on money, published in 1682, in which there are also many sound observations, though even he had not altogether emancipated himself, any more than his predecessors and contemporaries, from the false notion that there was something about gold and silver distinguishing them as articles of commerce from all other commodities. The first promulgation of perfectly sound views upon this subject was reserved for a date a few years beyond the close of the present period.

In 1655 Cromwell had appointed his son Richard, and many other lords of his council, judges, and gentlemen, together with about twenty merchants of London, York, Newcastle, Yarmouth, Dover, and other towns, "to meet and consider by what means the traffic and navigation of the Republic might be best promoted and regulated," and to make a report to him on the subject.† But the first permanent Board of Trade appears to have been that established, on the recommendation of Ashley, by Charles II., in 1668, under the name of the Council of Commerce, consisting of a president, vice-president, and nine other members, with regular salaries. The Earl of Sandwich was appointed the first president; and after his death, in the sea-fight of 1672, Ashley himself, now Earl of Shaftesbury and Lord Chancellor, was nominated as his successor in a new commission, in which the reasons of establishing the council were stated to be the considerable enlargement that had of late years taken place in his majesty's dominions, "by the occasion of many great colonies and plantations in America and elsewhere," and the increase that the customs and royal revenues had received, as well as the trade and general wealth of the kingdom, by the mutual commerce and traffic between England and the said colonies and plantations. This Council of Commerce, however, remained in existence only a few years, Charles probably finding the expense inconvenient.

According to the account laid before the House of Commons in 1791, as made up at the Navy Office, the tonnage of the royal navy was, at the Restoration, 57,463 tons; in 1685, at the end of the reign of Charles II., 103,558; and at the Revolution, in 1688, 101,892. Notwithstanding the attention, therefore, which James II. is said to have paid to maritime affairs, and the liberal expenditure on this branch of the public service for which it is customary to give him credit, the royal navy would appear to have been diminished rather than augmented in the course of his short reign.

Among the acts of the Convention Parliament, in 1660, was one (the 12 Car. II. c. 35) giving a new establishment to the Post Office, or rather continuing the regulations which had been established by the Commonwealth ordinance in 1656.* The lowest rate fixed by this act was twopence, which was the charge for a single letter between places not more than eighty miles distant from each other. There is nothing said about franking in the act; although a resolution brought up by a committee of the House of Commons on the 28th of March, 1735, and agreed to by the House, affirms that the privilege of franking by the members of that House "began with the erecting a post-office within this kingdom by act of parliament." In 1663 the post-office revenue, along with the produce of the wine licenses, was settled by another act (15 Car. II. c. 14) on the Duke of York and his heirs male; at which time it appears from a clause in the act that the office of postmaster-general was farmed at a yearly rent of 21,500*l.* On the accession of James II. the revenue of the post-office was estimated at 65,000*l.* per annum. As connected with this matter it may be here mentioned that the first toll-gates or turnpikes erected in England are supposed to have been established in 1663, by the act 15 Car. II. c. 1, entitled An Act for Repairing the Highways within the Counties of Hertford, Cambridge, and Huntingdon. They were ordered to be erected at Wadesmill in Hertfordshire, at Caxton in Cambridgeshire, and at Stilton in Huntingdonshire.

* Principles of Political Economy, by J. R. M'Culloch, Esq. 2nd edit. 1830, p. 30.

† Thurloe's State Papers, iv. 177.

* See ante, p. 552.

The preamble of the act recites that "the ancient highway and post-road leading from London to York, and so into Scotland, and likewise from London into Lincolnshire, lieth for many miles in the counties of Hertford, Cambridge, and Huntingdon, in many of which places the road, by reason of the great and many loads which are weekly drawn in waggons through the said places, as well by reason of the great trade of barley and malt that cometh to Ware, and so is conveyed by water to the city of London, as other carriages, both from the north parts, as also from the city of Norwich, St. Edmondsbury, and the town of Cambridge, to London, is very ruinous, and become almost impassable, insomuch that it is become very dangerous to all his majesty's liege people that pass that way."

The growth of London during the present period, notwithstanding the ravages of the great plague and fire, still proceeded at an accelerating rate. We shall briefly note down in their chronological order a few of the facts which more distinctly indicate this continued extension of the English metropolis. An act passed in 1662 (the 13 and 14 Car. II. c. 2), for repairing the highways in London and Westminster, supplies us with various particulars as to its state at that time. The preamble of the act recites that "the common highways leading unto and from the cities of London and Westminster and the suburbs thereof, and other places within the present weekly bills of mortality, by reason of the multitude of houses lately built, and through the stopping and filling up the ditches and sewers, and neglect of timely reparations, are at present, and for some years past have been, so miry and foul as is not only very noisome, dangerous, and inconvenient to the inhabitants thereabouts, but to all the king's liege people riding and travelling to and from the said cities." The following "common highways and new-built streets" are particularly ordered to be immediately repaired, new-paved, or otherwise amended—namely, "the street or way from the end of Petty France to St. James's House, and one other street from St. James's House up to the Highway (the present St. James's-street), and one other street in St. James's Fields, commonly called the Pall Mall, and also one other street beginning from the Mews up to Piccadilly (the present Haymarket), and from thence towards the Stone Bridge to the furthermost building near the Bull, at the corner of Air-street." The number of hackney-coaches now allowed to be licensed, it appears from another clause of the act, was four hundred, or one hundred more than in 1654.* Another

* See ante, p. 552.

Conduit erected in Leadenhall, 1655. From "Moxon's Use of the Globes," 1659.

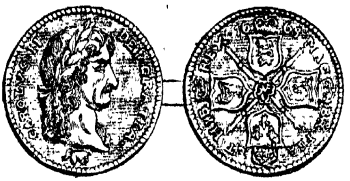
clause, on the ground that "great quantities of sea-coal ashes, dust, dirt, and other filth, of late times have been and daily are thrown into the streets, lanes, [illegible] alleys" of the capital, directs the inhabitants to sweep the streets before their respective houses twice a week, under a penalty of 3*s.* 4*d.* for every instance of neglect. Every person whose house fronted the street was also ordered to "hang out candles or lights in lanthorns or otherwise in some part of his house next the street" every night, between Michaelmas and Lady-day, from dark until nine o'clock in the evening, under the penalty of 1*s.* So that at this time the streets of London were not lighted at all, during the summer months, and not after nine o'clock even in winter. Finally, a list is given of streets which the lord mayor and city authorities are authorized to receive subscriptions for repairing, as being "so narrow that they are incommodious to coaches, carts, and passengers, and prejudicial to commerce and trading:" these were, "the street or passage at or near the Stocks in London, the street and passage from Fleet Conduit to St. Paul's Church in London, the passage through the White Hart Inn from the Strand into Covent Garden, the street and passage by and near Exeter House and the Savoy (being obstructed by a rail and the unevenness of the ground thereabouts), the passage and street of St. Martin's-lane out of the Strand, the passage or street of Field-lane, commonly called Jack-an-apes-lane, going between Chancery-lane and Lincoln's Inn Fields, the passage and Gatehouse of Cheapside into St. Paul's Churchyard, the passage against St. Dunstan's Church in the West (being obstructed by a wall), the street and passage by and near the west end of the Poultry in London and the passage at Temple Bar." After the great fire in 1666, various additional streets in the part of the city that had to be rebuilt were ordered to be widened by two other acts (the 18 and 19 Car. II. c. 8, s. 21, 22; and the 22 Car. II. c. 11, s. 1). This terrible visitation, and the pestilence by which it was preceded, instead of half destroying and depopulating the metropolis, only gave a new impulse to its increase both in size and in number of inhabitants. After a few years the portion of it that had been laid waste rose again from its ruins greatly improved in many respects—with the old narrow and crooked streets for the most part straightened and made comparatively spacious and airy, and with the substitution everywhere of houses of brick, separated by substantial party-walls, for the former tenements of wood that offered one continued dry forest to whatever chance spark might at any time fall among them. New buildings also continued to spread faster than ever beyond the ancient limits. In 1674 an order in council was issued to restrain such extension,—for the last time, it is believed, that that exercise of the prerogative was attempted. The increase of the west end continued to proceed at so great a rate that, in the first year of the next reign (1685), acts of parliament were passed erecting two new parishes in that quarter: the one, that of St. Anne's, Westminster, consisting principally of streets that had recently been erected on a piece of ground formerly called Kemp's Field; the other, that of St. James's, Westminster, comprehending Jermyn-street and other neighbouring streets, lately erected on what used to be called St. James's Fields.* Both these districts had been till now included in the parish of St. Martin-in-the-Fields. Sir William Petty, we may observe, in his Political Arithmetic, published in 1687, estimates the population of London at 696,000. He founds his calculation on the number of burials within the bills of mortality, the annual average of which he makes to be 23,212; and on the assumption that one person in every thirty died in the course of the year. Ten years later, Gregory King, calculating from the number of houses as ascertained from the hearth-money returns, made the population of London to amount only to about 530,000.† This estimate is probably as much too low as that of Petty may be too high.

The money of the commonwealth was all called in after the Restoration, and a new gold and silver coinage immediately struck, similar to that of the preceding reign. In this first coinage of Charles II. the pieces were formed by the ancient method of hammering; the minters who had been employed in coining Cromwell's milled money having, it is supposed, withdrawn or concealed themselves, in apprehension of punishment, and probably also carried their machinery away with them. Milled money, however, was again coined in 1662, and of a sort superior to any that had as yet been produced, having graining or letters upon the rim, an improvement which had not appeared upon the milled money either of Queen Elizabeth or of Charles I. The new gold coin called the guinea was first struck in 1662, without graining on the rim, and with graining in 1664. It was so called as being made of gold brought from Guinea by the African Company, who, as an encouragement to them to bring over gold to be coined, were permitted by their charter to have their stamp of an elephant impressed upon whatever pieces should be struck from the metal they imported. On all the English money of Charles II., coined after 1662, his head is made to look to the left, being the opposite direction to that in which his father's head is placed; and ever since it has been observed as a rule to make two successive sovereigns look in opposite ways on their respective coinages. Private halfpence and farthings of copper and brass, such as were formerly common,‡ had again come into use in the time of the commonwealth; and they continued to circulate after the Restoration till they were supplanted by an issue of the same descriptions of money from the Royal Mint

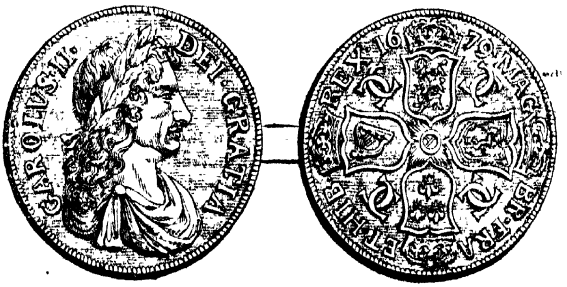
* In the common editions of the statutes these acts are included among the public acts, and numbered 1 Jac. II. c. 20 and 22; in the Record Commission edition their titles are given in the list of private acts.

† Political Conclusions.

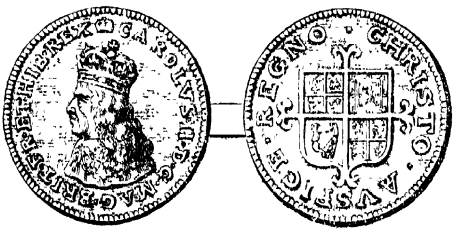
‡ See ante, p. 554.



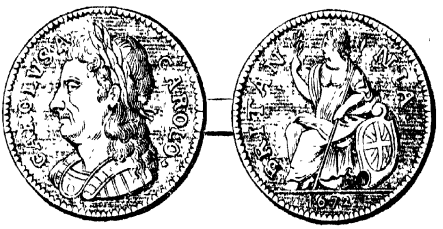
Guinea. Charles II.



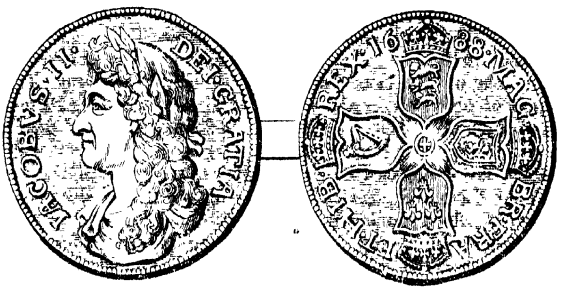
Crown. Charles II.



Shilling. Charles II.



Halfpenny. Charles II.



Crown. James II.

Halfpenny. James II.

in 1672—a previous coinage of the year 1665 having been called in after only a very small portion of it had got into circulation. In 1684, the last year of his reign, Charles coined farthings of tin, with only a bit of copper in the middle. The figure, still retained, of Britannia sitting on a globe, holding in her right hand an olive-branch, and in her left a spear and shield, first appears on the copper coinage of this reign—having been modelled, it is said, after the celebrated court beauty, Miss Stewart, afterwards Duchess of Richmond.*

The money of James II. is of the same kind with that of his brother. His only farthings and halfpence, like those struck by Charles in the last year of his reign, are of tin, with a bit of copper in the centre. After his abdication he coined money in Ireland out of old brass guns and kitchen utensils, and attempted to make it current as sterling silver. Afterwards even the brass failed, and he was obliged to fabricate crowns, halfcrowns, shillings, and sixpences out of pewter.

The most important circumstance that occurred during the present period which materially affected the progress of the useful arts was the revocation of the edict of Nantes, by Louis XIV., in 1685,* which compelled many thousands of French artisans to seek refuge in England. A numerous body of these emigrants settled in Spitalfields as silk-weavers; and their superior taste, skill, and ingenuity were displayed in the richness and variety of the silks, brocades, satins, and lutestrings which the looms of England soon afterwards produced. Fine paper for writing, which had been formerly imported, chiefly from France, was manufactured in England about the close of the period; and for the introduction of this improvement in the art of paper-making we were probably indebted to the refugees. The manufacture of glass was also greatly improved by foreign artisans whom the Duke of Buckingham brought from Venice about 1670.

With a view to extend the woollen-cloth manufacture,—the great staple of the country,—the exportation of wool and all materials used in scouring wool continued to be prohibited during the whole of the period. A singular law was passed in 1666 (the 18 Car. II. c. 4) for the encouragement of the woollen manufacture, by which it was directed that no person should be buried in any sort of grave-dress not entirely composed of wool, under a penalty of five pounds to be paid to the poor of the parish; and this having been found inadequate, another was passed in 1678 (the 30 Car. II. c. 3), which required persons in holy orders to take an affidavit in every case from a relative of the deceased, at the time of the interment, showing that the statute had been observed. In 1666 a person from the Netherlands came over with several of his countrymen, and set up an establishment for dyeing and dressing white woollen cloths, in which we had been surpassed by foreigners. About the same time, or perhaps a few years afterwards, an improved weaving-machine, called the Dutch loom, was brought into England from Holland.*

Guernsey and Jersey, with the other Channel Islands, were partially exempted from an act passed in 1660, prohibiting the exportation of wool from England, being allowed to receive under licence 3300 tods of uncombed wool, the weight of each tod not to exceed thirty-two pounds. The manufacture of stockings and hosiery, for which these islands have since been celebrated, soon became very flourishing; and it is said that those engaged in this branch of industry in other parts of England, particularly in Somersetshire, complained of the privileges their competitors enjoyed in being allowed to import wool in the raw state.

In 1666 an act was passed for encouraging the manufacture and making of linen cloth and tapestry, and extraordinary encouragement was offered to those who set up the trade of hemp-dressing or any others connected with the manufacture of linen. Foreigners, after being engaged in these trades for the space of three years, were to be considered as natural-born subjects on taking the oaths of allegiance and supremacy.† In 1669 certain French Protestants settled at Ipswich, and manufactured fine linens which were sold as high as 15*s.* an ell. During the present period the manufacture of linens, introduced by the Scotch into the north of Ireland, was gradually rising into importance.

The printing of calicos was commenced in London in 1676, in imitation of the fabrics of India, which were now in very general use. A writer of the day remarks that, "instead of green say, that was wont to be used for children's frocks, is now used painted and Indian and striped calico, and instead of a perpetuano or a shallon to line men's coats with, is used sometimes a glazed calico, which in the whole is not 12*d.* cheaper and abundantly worse."‡

London continued to be almost the only place in which the silk manufacture was carried on; though a writer in 1678 observes that there was to be found "here and there a silk-weaver (of late years) in small cities and market-towns." In reply to a petition of the weavers, complaining of the importation of silk goods from India, the East India Company put forth a statement, in 1681, showing that since they had begun importing raw silk the manufacture in England had increased three-fourths. By an act passed in 1662, silk-throwsters were required to serve an apprenticeship of seven years to their trade.§ About 1680 it is noticed that there had been "engines of late invented that do weave only narrow ribands;" but these were of such inferior quality that none but

* See ante, p. 785 (where, however, in the note, 1686 is printed by mistake for 1685).

* The following extract from a work published in 1677 will perhaps be interesting to those who have a technical knowledge of the woollen manufacture:—"Every 2 lbs. of wool, which is worth about 20*d.*, will make a yard of kersey worth about 5*s.* or 6*s.*; and every 4 lbs. of wool, worth about 3*s.* 4*d.*, will make a yard of broad-cloth worth 11*s.* or 12*s.*"—*Ancient Trades Decayed.*

† 15 Car. II. c. 15.

‡ Ancient Trades Decayed.

§ 14 Car. II. c. 5.

hawkers and pedlers would have anything to do with them.

By an act passed in 1662 the importation of foreign bone-lace, cut-work, embroidery, fringe, band-strings, buttons, and needle-work was prohibited, on the ground that many persons obtained a living in England by making these articles, in which they used a large quantity of silk.*

In the metallic manufactures we have to notice the introduction of the art of tinning plate-iron from Germany, by Andrew Yarranton, an ingenious man who was sent over by a company to learn the process. He brought some German workmen back with him, and the manufacture was proceeding very successfully, when, as it is stated, a person enjoying favour at court having made himself acquainted with Yarranton's process, obtained a patent, and the first undertakers were obliged to abandon their enterprise. The first wire-mill in England is said to have been erected during this period by a Dutchman, at Sheen (Richmond), in Surrey. A yellow metal resembling gold was also made for the first time. The inventor being under the patronage of Prince Rupert (Duke of Cumberland), the name given to this material was "prince's metal," by which name it is still known.

A floating-machine, worked by horses for towing large ships against wind and tide, and a diving-machine, were amongst the mechanical inventions which obtained Prince Rupert's patronage. The latter was soon turned to profitable account, Sir William Phipps employing it in bringing up treasure from a Spanish ship which had been lost in the West Indies.

Since the cities and incorporated towns had been gradually losing their exclusive privileges, the number of persons living by trade and industry had greatly increased. During the present period complaints are made of "petty shopkeepers living in country villages;" and it is stated by one writer that "now, in every country village where is, it may be, not above ten houses, there is a shopkeeper, and one that never served an apprenticeship to a shopkeeping trade whatsoever." They are described as "not dealers in pins only," but as carrying on a good trade. The "ruin" of cities and market-towns was predicted from this cause.

* 14 Car. II. c. 13.

CHAPTER V.

THE HISTORY OF LITERATURE, SCIENCE, AND THE FINE ARTS.

MILTON, from a Miniature by Faithorne.
TEMPLE, from a Picture by Sir Peter Lely.
HOBBES, from a Picture by Dobson, in rooms of Royal Society.
RAY, from a Picture in the British Museum.
DRYDEN, from a Picture by Hudson, in Trinity College, Cambridge.
BOYLE, from a Picture in the Collection of the late Lord Dover.

THE age of the Civil War and of the Commonwealth does not present an absolute blank in the history of our highest literature; but, unless we are to except the Areopagitica of Milton, the Liberty of Prophesying and a few other controversial or theological treatises of Jeremy Taylor, and the successive apocalypses of the imperturbable dreamer of Norwich,* no work of genius of the first class appeared in England in the twenty years from the meeting of the Long Parliament to the Restoration, and the literary productions having any enduring life in them at all that are to be assigned to that space make but a very scanty sprinkling. It was a time when men wrote and thought, as they acted, merely for the passing moment. The unprinted plays of Beaumont and Fletcher, indeed, were now sent to the press, as well as other dramatic works written in the last age, the theatres, by which they used to be published in another way, being shut up—a significant intimation, rather than anything else, that the great age of the drama was at an end. A new play continued to drop occasionally

* See ante, p. 613.

from the commonplace pen of Shirley—almost the solitary successor of the Shakspeares, the Fletchers, the Jonsons, the Massingers, the Fords, and the rest of that bright throng. All other poetry, as well as dramatic poetry, was nearly silent—hushed partly by the din of arms and of theological and political strife, more by the frown of triumphant puritanism, boasting to itself that it had put down all the other fine arts as well as poetry, never again to lift their heads in England. It is observable that even the confusion of the contest that lasted till after the king's death did not so completely banish the muses, or drown their voice, as did the grim tranquillity under the sway of the parliament that followed. The time of the war, besides the treatises just alluded to of Milton, Taylor, and Browne, produced the Cooper's Hill and some other poetical pieces by Denham, and the republication of the Comus and other early poems of Milton; the collection of the plays of Beaumont and Fletcher and Cowley's volume entitled "The Mistress" appeared in 1647, in the short interval of doubtful quiet between the first and the second war; the volume of Herrick's poetry was published the next year, while the second war was still raging, or immediately after its close; Lovelace's first volume, in 1649, probably before the execution of the king. Hobbes's Leviathan and one or two other treatises of his, all written some time before, were printed in London in 1650 and 1651, while the author was resident in Paris. For some years from this date the blank is nearly absolute. Then, when the more liberal despotism of Cromwell had displaced the Presbyterian moroseness of the parliament, we have Fuller's Church History printed in 1655; Harrington's Oceana, and the collection of Cowley's poetry, in 1656; Browne's Hydriotaphia and Garden of Cyrus, in 1658; Lovelace's second volume, and Hales's Remains, in 1659; together with two or three philosophical publications by Hobbes, and a few short pieces in verse by Waller, of which the most famous is his Panegyric on Oliver Cromwell, written after the Protector's death, an occasion which also afforded its first considerable theme to the ripening genius of Dryden. It is to be noted, moreover, that, with one illustrious exception, none of the writers that have been named belonged to the prevailing faction;—if Waller and Dryden took that side in their verses for a moment, it must be admitted that they both amply made up for their brief conformity; Denham, Browne, Taylor, Herrick, Lovelace, Fuller, Hales, Hobbes, Cowley, were all consistent, most of them ardent, royalists; Harrington was a theoretical republican, but even he was a royalist by personal attachments; Milton alone was in life and heart a Commonwealth-man and a Cromwellian.

From the appearance of his minor poems, in 1645, Milton had published no poetry, with the exception of a sonnet to Henry Lawes, the musician, prefixed to a collection of Psalm tunes by that composer in 1648, till he gave to the world his Paradise Lost, in Ten Books, in 1667. In 1671 appeared his Paradise Regained and Samson Agonistes; in 1673 a new edition of his minor poems, with nine new sonnets and other additions; and in 1674, what is properly the second edition of the Paradise Lost, now divided into Twelve Books. He died on Sunday, the 8th of November, in that year, when within about a month of completing the sixty-sixth year of his age. His prose writings have been already noticed in the preceding Book.* Verse, however, was the form in which his genius had earliest expressed itself, and also that in which he had first come forth as an author. Passing over his paraphrases of one or two Psalms done at a still earlier age, we have abundant promise of the future great poet in his lines "On the Death of a Fair Infant," beginning,

> O fairest flower, no sooner blown but blasted,

written in his seventeenth year; and still more in the "College Exercise," written in his nineteenth year. A portion of this latter is almost as prophetic as it is beautiful; and, as the verses have not been much noticed,† we will here give a few of them:—

> Hail, native Language, that by sinews weak
> Did'st move my first endeavouring tongue to speak,
> And mad'st imperfect words with childish trips,
> Half-unpronounced, slide through my infant lips:
>
> I have some naked thoughts that rove about,
> And loudly knock to have their passage out;
> And, weary of their place, do only stay
> Till thou hast deck'd them in their best array.
>
> Yet I had rather, if I were to choose,
> Thy service in some graver subject use,
> Such as may make thee search thy coffers round,
> Before thou clothe my fancy in fit sound;
> Such where the deep transported mind may soar
> Above the wheeling poles, and at heaven's door
> Look in, and see each blissful deity
> How he before the thunderous throne doth lie,
> Listening to what unshorn Apollo sings
> To the touch of golden wires, while Hebe brings
> Immortal nectar to her kingly sire:
> Then passing through the spheres of watchful fire,
> And misty regions of wide air next under,
> And hills of snow, and lofts of piled thunder,
> May tell at length how green-eyed Neptune raves,
> In heaven's defiance mustering all his waves;
> Then sing of secret things that came to pass
> When beldam Nature in her cradle was;
> And last of kings, and queens, and heroes old,
> Such as the wise Demodocus once told
> In solemn songs at King Alcinous' feast,
> While sad Ulysses' soul and all the rest
> Are held with his melodious harmony
> In willing chains and sweet captivity.

This was written in 1627. Fourteen years later, after his return from Italy, where some of his juvenile Latin compositions, and some others in the same language, which, as he tells us, he "had shifted in scarcity of books and conveniences to patch up amongst them," were received with written encomiums, which the Italian is not forward to bestow on men of this side the Alps;" and when, assenting in so far to these commendations, and not less to an inward prompting which now grew daily upon him, he had ventured to indulge the hope that, by labour and study—"which I take,"

* See ante, pp. 609, 610.

† Mr. Hallam, in his late work on the Literature of Europe, inadvertently assumes that we have no English verse of Milton's written before his twenty-second year.

he nobly says, "to be my portion in this life"—joined with the strong propensity of nature, he "might perhaps leave something so written in after-times as they should not willingly let it die"—he continued still inclined to fix all the industry and art he could unite to the adorning of his native tongue—or, as he goes on to say, "to be an interpreter and relater of the best and sagest things among mine own citizens, throughout this island, in the mother-dialect;—that what the greatest and choicest wits of Athens, Rome, or modern Italy, and those Hebrews of old, did for their country, I, in my proportion, with this over and above of being a Christian, might do for mine; not caring to be once named abroad, though perhaps I could attain to that, but content with these British islands as my world;" and he again, more distinctly than before, though still only in general expressions, announced the great design, "of highest hope and hardest attempting," which he proposed to himself one day to accomplish—whether in the epic form, as exemplified by Homer, Virgil, and Tasso, or after the dramatic, "wherein Sophocles and Euripides reign"—or in the style of "those magnific odes and hymns" of Pindarus and Callimachus—not forgetting that of all these kinds of writing the highest models are to be found in the Holy Scriptures—in the Book of Job, in the Song of Solomon and the Apocalypse of St. John, in the frequent songs interspersed throughout the Law and the Prophets. "The thing which I had to say," concluded this remarkable announcement, "and those intentions which have lived within me ever since I could conceive myself anything worth to my country, I return to crave excuse that urgent reason hath plucked from me by an abortive and foredated discovery. And the accomplishment of them lies not but in a power above man's to promise; but that none hath by more studious ways endeavoured, and with more unwearied spirit that none shall, that I dare almost aver of myself, as far as life and free leisure will extend; and that the land had once enfranchised herself from this impertinent yoke of prelaty, under whose inquisitorious and tyrannical duncery no free and splendid wit can flourish. Neither do I think it shame to covenant with any knowing reader, that for some few years yet I may go on trust with him toward the payment of what I am now indebted; as being a work not to be raised from the heat of youth or the vapours of wine, like that which flows at waste from the pen of some vulgar amourist, or the trencher fury of a rhyming parasite; nor to be obtained by the invocation of dame Memory and her Siren daughters; but by devout prayer to that eternal Spirit, who can enrich with all utterance and knowledge, and sends out his seraphim, with the hallowed fire of his altar, to touch and purify the lips of whom he pleases. To this must be added industrious and select reading, steady observation, insight into all seemly and generous arts and affairs. Till which in some measure be accomplished, at mine own peril and cost I refuse not to sustain this expectation from as many as are not loth to hazard as much credulity upon the best pledges that I can give them."*

Before this, Milton had published of his poetry only his Comus and Lycidas; the former in 1637, the latter with some other Cambridge verses on the same occasion, the loss at sea of his friend Edward King, in 1638; but, besides some of his sonnets and other minor pieces, he had also written the fragment entitled Arcades and the two companion poems the L'Allegro and the Il Penseroso. These productions already attested the worthy successor of the greatest writers of English verse in the preceding age—recalling the fancy and the melody of the minor poems of Spenser and Shakspeare, and of the Faithful Shepherdess of Fletcher. The Comus, indeed, might be considered as an avowed imitation of the last-mentioned production. The resemblance in poetical character between the two sylvan dramas of Fletcher and Milton is very close; and they may be said to stand apart from all else in our literature—for Ben Jonson's Sad Sheperd is not for a moment to be compared with either, and in the Midsummer Night's Dream Shakspeare, ever creative, passionate, and dramatic beyond all other writers, has soared so high above both, whether we look to the supernatural part of his fable or to its scenes of human interest, that we are little reminded of his peopled woodlands, his fairies, his lovers, or his glorious "rude mechanicals," either by the Faithful Shepherdess or the Comus. Of these two compositions, Milton's must be admitted to have the higher moral inspiration, and it is also the more elaborate and exact as a piece of writing; but in all that goes to make up dramatic effect, in the involvement and conduct of the story, and in the eloquence of natural feeling, Fletcher's is decidedly superior. It has been remarked that even in Shakspeare's early narrative poems—his Venus and Adonis, and his Tarquin and Lucrece—we may discern the future great dramatist by the full and unwithholding abandonment with which he there projects himself into whatever character he brings forward, and the power of vivid conception with which he realizes the visionary scene, and brings it around him almost in the distinctness of broad daylight, as shown by a peculiar directness and life of expression evidently coming everywhere unsought, and escaping from his pen, one might almost say without his own consciousness, without apparently any feeling, at least, of either art exercised or feat achieved.† In the case of Milton, on the contrary, his first published poem and earliest poetical attempt of any considerable extent, although in the dramatic form, affords abundant evidence that his genius was not dramatic. Comus is an exquisitely beautiful poem, but nearly destitute of everything we more especially look for in a drama—of passion, of character, of story, of action

* The Reason of Church Government urged against Prelacy (published in 1641).

† See this illustrated in Coleridge's Biographia Literaria, vol. ii.

or movement of any kind. It flows on in a continued stream of eloquence, fancy, and most melodious versification; but there is no dialogue, properly so called, no replication of diverse emotions or natures; it is Milton alone who sings or declaims all the while,—sometimes of course on one side of the argument, sometimes on the other, and not, it may be, without changing his attitude and the tone of his voice, but still speaking only from one head, from one heart, from one ever-present and ever-dominant constitution of being. And from this imprisonment within himself Milton never escapes, either in his dramatic or in his other poetry; it is the characteristic which distinguishes him not only from our great dramatists, but also from other great epic and narrative poets. His poetry has been sometimes described as to an unusual degree wanting in the expression of his own personal feelings; and, notwithstanding some remarkable instances of exception, not only in his minor pieces, but in his great epic, the remark is true in a certain sense. He is no habitual brooder over his own emotions, no self-dissector, no systematic resorter for inspiration to the accidents of his own personal history. His subject in some degree forbade this; his proud and lofty nature still more withheld him from it. But, although disdaining thus to picture himself at full length either for our pity or admiration, he has yet impressed the stamp of his own individuality—of his own character, moral as well as intellectual—as deep on all he has written as if his theme had been ever so directly himself. Compare him in this respect with Homer. We scarcely conceive of the old Greek poet as having a sentient existence at all, any more than we do of the sea or the breezes of heaven, whose music his continuous, undulating verse, ever various, ever the same, resembles. Who in the delineation of the wrath of Achilles finds a trace of the temper or character of the delineator? Who in Milton's Satan does not recognise much of Milton himself? But, although the spirit of his poetry is thus essentially egotistic, the range of his poetic power is not thereby confined within narrow limits. He had not the "myriad-minded" nature of Shakspeare—the all-penetrating sympathy by which the greatest of dramatists could transform himself for the time into any one of the other existences around him, no matter how high, no matter how low: conceive the haughty genius of Milton employed in the task of developing such a character as Justice Shallow, or Bottom the weaver, or a score of others to be found in the brilliant throng, every man of them of nature's producing, headed by Falstaff and ending with Dogberry! Nothing of this kind he could have performed any better than the most humbly gifted of the sons of men; he had no more the wit or humour requisite for it than he had the power of intense and universal sympathy. But his proper region was still a vast one; and there, his vision, though always tinged with the colour of his own passions and opinions, was, notwithstanding, both as far-reaching and as searching as any poet's ever was. In its style or form his poetry may be considered to belong rudimentally to the same Italian school with that of the greatest of his predecessors—of Chaucer, of Spenser, and of Shakspeare. But, as of each of these others, so it is true of him, that the inspiration of his Italian models is most perceptible in his earlier and minor verses, and that in his more mature and higher efforts he enriched this original basis of his poetic manner with so much of a different character, partly derived from other foreign sources, partly peculiar to himself, that the modes of conception and expression which he ultimately thus worked out is most correctly described by calling it his own. Conversant as he was with the language and literature of Italy, his poetry probably acquired what it has of Italian in its character principally through the medium of the elder poets of his own country; and it is, accordingly, still more English than Italian. Much of its inner spirit, and something also of its outward fashion, is of Hebrew derivation; we should say that from the fountain of no other literature did Milton drink with so much eagerness as from this, and by no other was his genius so much nourished and strengthened. Not a little, also, one so accomplished in the lore of classic antiquity must needs have acquired from that source; the tones of the poetry of Greece and Rome are heard more or less audibly everywhere in that of the great epic poet of England. But in what he has actually achieved the modern writer rises high "above all Greek, above all Roman fame." Nothing in the poetry of the ancient world approaches the richness and beauty, still less the sublimity, of the most triumphant passages in Paradise Lost. The First Book of that poem is probably the most splendid and perfect of human compositions—the one, that is to say, which unites these two qualities in the highest degree; and the Fourth is as unsurpassed for grace and luxuriance as that is for magnificence of imagination. And though these are perhaps the two greatest books in the poem, taken each as a whole, there are passages in every one of the other books equal or almost equal to the finest in these. And worthy of the thoughts that breathe are the words that burn. A tide of gorgeous eloquence rolls on from beginning to end, like a river of molten gold; outblazing, it may be safely affirmed, everything of the kind in any other poetry. Finally, Milton's blank verse, both for its rich and varied music and its exquisite adaptation, would in itself almost deserve to be styled poetry, without the words; alone of all our poets, before or since, he has brought out the full capabilities of the language in that form of composition. Indeed, out of the drama, he is still our only great blank verse writer. Compared to his, the blank verse of no other of our narrative or didactic poets, unless we are to except a few of the happiest attempts at the direct imitation of his pauses and cadences, reads like anything else than a sort of muffled

rhyme—rhyme spoilt by the ends being blunted or broken off. Who remembers, who can repeat, any narrative blank verse but his? In whose ear does any other linger?

The poetry of Milton, though principally produced after the Restoration, belongs in everything but in date to the preceding age; and this is also nearly as true of that of Cowley. Abraham Cowley, born in London in 1618, published his first volume of verse, under the title of "Poetic Blossoms," in 1633, when he was yet only a boy of fifteen: one piece contained in this publication, indeed—"The Tragical History of Pyramus and Thisbe"—was written when he was only in his tenth year. The four books of his unfinished epic entitled "Davideis" were mostly written while he was a student at Trinity College, Cambridge. His pastoral drama of Love's Riddle, and his Latin comedy called Naufragium Joculare, were both published in 1638. In 1647 appeared his collection of amatory poems entitled "The Mistress," and in 1653 his comedy of "The Guardian," afterwards altered, and republished as "The Cutter of Coleman Street." After the Restoration he collected such of his pieces as he thought worth preserving, and republished them together with some additional productions, of which the most important were his "Davideis," already mentioned, and his "Pindarique Odes."

Few poets have been more popular, or more praised, in their own time than Cowley. Milton is said to have declared that the three greatest English poets were Spenser, Shakspeare, and Cowley; though it does not follow that he held all three to be equally great. Sir John Denham, in some verses on Cowley's "Death and Burial amongst the Ancient Poets" in Westminster Abbey, sets him above all the English poets that had gone before him, and prophesies that posterity will hold him to have been equalled by Virgil alone among those of antiquity. For a long time, too, his works appear to have been more generally read than those of any other English poet, if a judgment may be formed from the frequency with which they were reprinted, and the numerous copies of them in various forms that still exist.* This popular favour they seem to have shared with those of Donne, whose legitimate successor Cowley was considered; or rather, when the poetry of Donne became obsolete or unfashionable, that of Cowley took its place in the reading and admiration of the poetical part of the public. Cowley, indeed, is in the main a mere modernization and dilution of Donne. With the same general characteristics of manner, he is somewhat less forced and fantastical, a good deal less indecent, but unfortunately also infinitely less poetical. Everything about him, in short, is less deep, and strong, and genuine. His imagination is tinsel, or mere surface gilding, compared to Donne's solid gold; his wit little better than word-catching, to the profound meditative quaintness of the elder poet; and of passion, with which all Donne's finest lines are tremulous, Cowley has none. Considerable grace and dignity occasionally distinguish his Pindaric Odes (which, however, are Pindaric only in form and name); and he has shown much elegant playfulness of style and fancy in his translations from and imitations of Anacreon, and in some other verses written in the same manner. As for what he intends for love verses, some of them are pretty enough frost-work; but the only sort of love there is in them is the love of point and sparkle.

This manner of writing is more fitly applied by another celebrated poet of the present period, Samuel Butler, the immortal author of Hudibras. Butler, born in 1612, is said to have written most of his great poem during the interregnum; but the first part of it was not published till 1663. The poetry of Butler has been very happily designated as merely the comedy of that style of composition which Donne and Cowley practised in its more serious form—the difference between the two modes of writing being much the same with that which is presented by a countenance of a peculiar cast of features when solemnised by deep reflection, and the same countenance when lighted up by cheerfulness or distorted by mirth.* And it may be added that the gayer and more animated expression is here, upon the whole, the more natural and attractive. The quantity of explosive matter of all kinds which Butler has contrived to pack up in his verses is wonderful; it is crack upon crack, flash upon flash, from the first line of his long poem to the last. Much of this incessant bedazzlement is, of course, merely verbal, or otherwise of the humblest species of wit; but an infinite number of the happiest things is also thrown out. And Hudibras is far from being all mere broad farce. Butler's power of arguing in verse, in his own way, may almost be put on a par with Dryden's in his; and, perseveringly as he devotes himself upon system to the exhibition of the ludicrous and grotesque, he sometimes surprises us with a sudden gleam of the truest beauty of thought and expression breaking out from the midst of the usual rattling fire of smartnesses and conundrums—as when in one place he exclaims of a thin cloud drawn over the moon—

> Mysterious veil; of brightness made,
> At once her lustre and her shade!

Edmund Waller, born in 1605, had announced himself as a writer of verse before the close of the reign of James I., by his lines on the escape of Prince Charles at the port of San Andero, in the Bay of Biscay, on his return from Spain, in September, 1623; and he continued to cultivate the muse occasionally till after the accession of James II., in whose reign he died, in the year 1687. His last production was the little poem concluding

* A twelfth edition of the collection formed by Cowley himself was published by Tonson in 1721.

* Scott, in Life of Dryden.

with one of his happiest, one of his most characteristic, and one of his best-known passages:—

> The soul's dark cottage, batter'd and decay'd,
> Lets in new light through chinks that time has made:
> Stronger by weakness, wiser men become
> As they draw near to their eternal home:
> Leaving the old, both worlds at once they view,
> That stand upon the threshold of the new.

Fenton, his editor, tells us that a number of poems on religious subjects, to which these verses refer, were mostly written when he was about eighty years old; and he has himself intimated that his bodily faculties were now almost gone:—

> When we for age could neither read nor write,
> The subject made us able to indite.

Waller, therefore, as well as Milton, Cowley, and Butler, may be considered to have formed his manner in the last age; but his poetry hardly belongs to the true English school even so much as that of either Butler or Cowley. The truth is, that the influence of the literature of France had begun to be felt by our own at an earlier date than is commonly assumed. The court of Charles I. was far from being so thoroughly French as that of Charles II.; but the connexion established between the two kingdoms through Queen Henrietta could not fail to produce a partial imitation of French models both in writing and in other things. The distinguishing characteristic of the French poetry (and indeed of French art in general), neatness in the dressing of the thought, had already been carried much farther by Malherbe, Racan, Malleville, and others, than among ourselves; and these writers are probably to be accounted the true fathers of Waller, and also, in great part, of Carew and Lovelace, the contemporaries of the earlier portion of his poetical career, and with whom in respect of poetical style and manner he may be classed.* Both Lovelace and Carew, however, as has been already intimated, have more passion than Waller, who, with all his taste and elegance, was incapable of either expressing or feeling anything very lofty or generous,—being, in truth, poet as he was, a very mean-souled description of person, as his despicable political course sufficiently evinced.† His poetry accordingly is beyond the reach of critical animadversion on the score of such extravagance as is sometimes prompted by strong emotion. Waller is always perfectly master of himself, and idolizes his mistress with quite as much coolness and self-possession as he flatters his prince. But, although cold and unaffecting at all times, he occasionally rises to much dignity of thought and manner. His panegyric on Cromwell, the offering of his gratitude to the protector for the permission granted to him of returning to England after ten years' exile, is certainly one of the most graceful pieces of adulation ever offered by poetry to power; and the poet is here probably more sincere than in most of his effusions, for the occasion was one on which he was likely to be moved to more than usual earnestness of feeling. A few years after he welcomed Charles II. on his restoration to the throne of his ancestors in another poem, which has been generally considered a much less spirited composition; Fenton accounts for the falling off by the author's advance in the meanwhile from his forty-ninth to his fifty-fifth year—"from which time," he observes, "his genius began to decline apace from its meridian;" but the poet himself assigned another reason:—when Charles frankly told him that he thought his own panegyric much inferior to Cromwell's, "Sir, replied Waller, we poets never succeed so well in writing truth as in fiction." Perhaps the true reason, after all, might be that his majesty's return to England was not quite so exciting a subject to Mr. Waller's muse as his own return had been. One thing must be admitted in regard to Waller's poetry; it is free from all mere verbiage and empty sound; if he rarely or never strikes a very powerful note, there is at least always something for the fancy or the understanding, as well as for the ear, in every expression. He abounds also in ingenious thoughts, which he dresses to the best advantage, and exhibits with great transparency of style. Eminent, however, as he is in his class, he must be reckoned among that subordinate class of poets who think and express themselves chiefly in similitudes, not among those who conceive and write passionately and metaphorically. He had a decorative and illuminating, but not a transforming imagination.

Sir Charles Sedley stands in something like the same relation to Waller as Sir John Suckling stood in to Carew and Lovelace. Sedley is the Suckling of the time of Charles II., with less impulsiveness and more insinuation, but a kindred gaiety and sprightliness of fancy, and an answering liveliness and at the same time courtly ease and elegance of diction. King Charles, a good judge of such matters, was accustomed to say that Sedley's style, either in writing or discourse, would be the standard of the English tongue; and his contemporary, the Duke of Buckingham (Villiers), used to call his exquisite art of expression *Sedley's witchcraft*. Sedley was a very young man when he attained his high reputation, having been scarcely twenty when the Restoration took place. He survived both the Revolution and the century, dying in the year 1701. Of the other minor and court poets of that age, the celebrated Earl of Rochester (Wilmot)—although the brutal grossness of the greater part of his verse has deservedly made both it and its author infamous—was undoubtedly the greatest. There is a strength and pregnancy of

* We have possibly done some injustice to Waller by assuming, as we did, in the last Book (see ante, p. 604), that Carew, whose death preceded his by so many years, was a writer of verse before him. Carew died, Clarendon says, at the age of fifty, in 1639; but the earliest known edition of his poems was only published the year after his death, and he may not have written anything of earlier date than Waller's lines on the prince's escape in 1623.

† See ante, p. 809. After his narrow escape in 1643 he went abroad, "and, travelling into France," says Kennet, "improved himself in good letters; *and for the rest of his life, which was very long, he chose rather to be admired for a poet than to be envied for a politician.*" They print among his works some of his speeches in parliament—among the rest his address on Tuesday, July 4th, 1643, when he "was brought to the bar, and had leave given him by the Speaker to say what he could for himself before they proceeded to expel him the House," which is throughout one of the most abject prostrations ever made by anything in the shape of a man.

expression in the best of Rochester's compositions; which has seldom been surpassed. Rochester was still younger than Sedley when he had acquired the reputation of one of the most brilliant wits and poets of the day, not having completed his thirty-third year when he died, in July, 1680. Of the poetical productions of the other court wits of Charles's reign the principal are, the Duke of Buckingham's satirical comedy of The Rehearsal, which was very effective when first produced, and still enjoys a great reputation, though it would probably be thought but a heavy joke by most readers not carried away by the prejudice in its favour; the Earl of Roscommon's very commonplace Essay on Translated Verse; and the Earl of Dorset's lively and well-known song, "To all you ladies now on land," written at sea the night before the engagement with the Dutch on the 3rd of June, 1665, or rather professing to have been then written, for the asserted poetic tranquillity of the noble author in expectation of the morrow's fight has, we believe, been disproved or disputed. The Marquis of Halifax and Lord Godolphin were also writers of verse at this time; but neither of them has left anything worth remembering. Among the minor poets of the time, however, we ought not to forget Charles Cotton, best known for his humorous, though somewhat coarse, travesties of Virgil and Lucian, and for his continuation of Izaac Walton's Treatise on Angling and his fine idiomatic translation of Montaigne's Essays, but also the author of some short original pieces in verse, of much fancy and liveliness. One entitled an "Ode to Winter," in particular, has been highly praised by Wordsworth.* We need scarcely mention Sir William Davenant's long and languid heroic poem of Gondibert, though Hobbes, equally eminent in poetry and the mathematics, has declared that he "never yet saw poem that had so much shape of art, health of morality, and vigour and beauty of expression;" and has prophesied that, were it not for the mutability of modern tongues, "it would last as long as either the Æneid or Iliad."† Alas! the English of the reign of Charles II. is not yet obsolete, nor likely to become so; Homer and Virgil are also still read and admired; but men have forgotten Gondibert, almost as much as they have Hobbes's own Iliad and Odyssey.

By far the most illustrious name among the English poets of the latter half of the seventeenth century—if we exclude Milton as belonging properly to the preceding age—is that of John Dryden. Born in 1632, Dryden produced his first known composition in verse in 1649, his lines on the death of Lord Hastings, a young nobleman of great promise, who was suddenly cut off by small-pox, on the eve of his intended marriage, in that year. This earliest of Dryden's poems is in the most ambitious style of the school of Donne and Cowley: Donne himself, indeed, has scarcely penned anything quite so extravagant as one passage, in which the fancy of the young poet runs riot among the phenomena of the loathsome disease to which Lord Hastings had fallen a victim:—

> So many spots, like maeves on Venus' soil,
> One jewel set off with so many a foil;
> Blisters with pride swell'd, which through 's flesh did sprout
> Like rose-buds stuck i' the lily skin about.
> Each little pimple had a tear in it,
> To wail the fault its rising did commit;—

and so forth. Almost the only feature of the future Dryden which this production discloses is his deficiency in sensibility or heart; exciting as the occasion was, it does not contain an affecting line. Perhaps, on comparing his imitation with Donne's own poetry, so instinct with tenderness and passion, Dryden may have seen or felt that his own wanted the very quality which was the light and life of that of his master; at any rate, wiser than Cowley, who had the same reason for shunning a competition with Donne, he abandoned this style with his first attempt, and, indeed, for anything that appears, gave up the writing of poetry for some years altogether. His next verses of any consequence are dated nine years later,—his "Heroic Stanzas on the Death of Oliver Cromwell,"—and, destitute as they are of the vigorous conception and full and easy flow of versification which he afterwards attained, they are free from any trace of the elaborate and grotesque absurdity of the Elegy on Lord Hastings. His Astrea Redux, or poem on the return of the king, produced two years after, evinces a growing freedom and command of style. But it is in his Annus Mirabilis, written in 1666, that his genius broke forth for the first time with any promise of that full effulgence at which it ultimately arrived; here, in spite of the incumbrance of a stanza (the quatrain of alternately rhyming heroics) which he afterwards wisely exchanged for a more manageable kind of verse, we have much both of the nervous diction and the fervid fancy which characterise his latest and best works. From this date to the end of his days, Dryden's life was one long literary labour; eight original poems of considerable length, many shorter pieces, twenty-eight dramas, and several volumes of poetical translation from Chaucer, Boccaccio, Ovid, Theocritus, Lucretius, Horace, Juvenal, Persius, and Virgil, together with numerous discourses in prose, some of them very long and elaborate, attest the industry as well as the fertility of a mind which so much toil and so many draughts upon its resources were so far from exhausting, that its powers continued not only to exert themselves with unimpaired elasticity, but to grow stronger and brighter to the last. The genius of Dryden certainly did not, as that of Waller is said to have done, begin "to decline apace from its meridian" after he had reached his fifty-fifth year. His famous Alexander's Feast and his Fables, his greatest poems, were the last he produced, and were published together in the year 1700, only a few months before his death, at the age of sixty-nine.

Dryden has commonly been considered to have

* See Preface to Lyrical Ballads, 1815.
† Answer to Davenant's Preface to Gondibert.

founded a new school of English poetry; but perhaps it would be more strictly correct to regard him as having only carried to higher perfection—perhaps to the highest to which it has yet been brought—a style of poetry which had been cultivated long before his day. The satires of Hall and of Marston,* and also the Nosce Teipsum of Sir John Davies,† all published before the end of the sixteenth century, not to refer to other less eminent examples, may be classed as of the same school with his poetry. It is a school very distinguishable from that to which Milton and the greatest of our elder poets belong, deriving its spirit and character, as it does, chiefly from the ancient Roman classic poetry, whereas the other is mainly the offspring of the middle ages, of Gothic manners and feelings and the Romance or Provençal literature. The one therefore may be called, with sufficient propriety, the classic, the other the romantic school of poetry. But it seems to be a mistake to assume that the former first arose in England after the Restoration, under the influence of the imitation of the French, which then became fashionable; the most that can be said is, that the French taste which then became prevalent among us may have encouraged its revival, for undoubtedly what has been called the classic school of poetry had been cultivated by English writers at a much earlier date; nor is there any reason to suppose that the example of the modern poetry of France had any share in originally turning our own into that channel. Marston and Hall, and Sackville in his Ferrex and Porrex, and Ben Jonson in his comedies and tragedies, and the other early writers of English poetry in the classic vein, appear not to have imitated any French poets, but to have gone to the fountain-head, and sought in the productions of the Roman poets themselves,—in the plays of Terence and Seneca, and the satires of Juvenal and Persius,—for examples and models. Nay, even Dryden, at a later period, probably formed himself almost exclusively upon the same originals and upon the works of these his predecessors among his own countrymen, and was little, if at all, indebted to or influenced by any French pattern. His poetry, unlike as it is to that of Milton or Spenser, has still a thoroughly English character—an English force and heartiness, and, with all its classicality, not a little even of the freedom and luxuriance of the more genuine English style. Smooth Waller, who preceded him, may have learned something from the modern French poets; and so may Pope, who came after him; but Dryden's fiery energy and "full-resounding line" have nothing in common with them in spirit or manner. Without either creative imagination or any power of pathos, he is in argument, in satire, and in declamatory magnificence, the greatest of our poets. His poetry, indeed, is not the highest kind of poetry, but in that kind he stands unrivalled and unapproached. Pope, his great disciple, who, in correctness, in neatness, and in the brilliancy of epigrammatic point, has outshone his master, has not come near him in easy flexible vigour, in indignant vehemence, in narrative rapidity, any more than he has in sweep and variety of versification. Dryden never writes coldly, or timidly, or drowsily. The movement of verse always sets him on fire, and whatever he produces is a coinage hot from the brain, not slowly scraped or pinched into shape, but struck out as from a die with a few stout blows or a single wrench of the screw. It is this fervour especially which gives to his personal sketches their wonderful life and force: his Absalom and Achitophel is the noblest portrait-gallery in poetry.

It is chiefly as a dramatic writer that Dryden can be charged with the imitation of French models. Of his plays, nearly thirty in number, the comedies for the most part in prose, the tragedies in rhyme, few have much merit considered as entire works, although there are brilliant passages and spirited scenes in most of them. Of the whole number, he has told us that his tragedy of All for Love, or the World well Lost (founded on the story of Anthony and Cleopatra), was the only play he wrote for himself; the rest, he admits, were sacrifices to the vitiated taste of the age. His Almanzor, or the Conquest of Grenada (in two parts), although extravagant, is also full of genius. Of his comedies, the Spanish Friar is perhaps the best; it has some most effective scenes.

Many others of the poets of this age whose names have been already noticed were also dramatists. Milton's Comus was never acted publicly, nor his Sampson Agonistes at all. Cowley's Love's Riddle and Cutter of Coleman-street were neither of them originally written for the stage; but the latter was brought out in one of the London theatres after the Restoration, and was also revived about the middle of the last century. Waller altered the fifth act of Beaumont and Fletcher's Maid's Tragedy, making his additions to the blank verse of the old dramatists in rhyme, as he states in a prologue:—

> In this old play what's new we have express'd
> In rhyming verse distinguish'd from the rest;
> That, as the Rhone its hasty way does make
> (Not mingling waters) through Geneva's lake,
> So, having here the different styles in view,
> You may compare the former with the new.

Villiers, Duke of Buckingham, besides his Rehearsal, wrote a farce entitled the Battle of Sedgmoor, and also altered Beaumont and Fletcher's comedy of The Chances. The tragedy of Valentinian of the same writers was altered by the Earl of Rochester. Sedley wrote three comedies, mostly in prose, and three tragedies, one in rhyme and two in blank verse. And Davenant is the author of twenty-five tragedies, comedies, and masques, produced between 1629 and his death, in 1668.

Of the remaining dramatic writers of the period, we must also confine ourselves to little more than a mere catalogue. The most eminent names are those of Thomas Otway, Nathaniel Lee, John Crowne, Sir George Etheridge, William Wycherly,

* See ante, pp. 594 and 609. † See ante, p. 602.

and Thomas Southerne. Of six tragedies and four comedies written by Otway, his tragedies of the Orphan and Venice Preserved still sustain his fame and popularity as the most pathetic and tear-drawing of all our dramatists. Their licentiousness has necessarily banished his comedies from the stage, with most of those of his contemporaries. Lee has also great tenderness, with much more fire and imagination than Otway; of his pieces, eleven in number,—all tragedies,—his Theodosius, or the Force of Love, and his Rival Queens, or Alexander the Great, are the most celebrated. Crowne, though several of his plays were highly successful when first produced, was almost forgotten, till Mr. Lamb reprinted some of his scenes in his dramatic specimens, and showed that no dramatist of that age had written finer things. Of seventeen pieces produced by Crowne between 1671 and 1698, his tragedy of Thyestes and his comedy of Sir Courtley Nice are in particular of eminent merit, the first for its poetry, the second for plot and character. Etheridge is the author of only three comedies, the Comical Revenge (1664), She Would if She Could (1668), and the Man of Mode, or Sir Fopling Flutter (1676); all remarkable for the polish and fluency of the dialogue, and entitled to be regarded as having first set the example of that modern style of comedy which was afterwards cultivated by Wycherly, Farquhar, Vanbrugh, and Congreve. Wycherly, who was born in 1640, and lived till 1715, produced his only four plays, Love in a Wood, The Gentleman Dancing Master, The Country Wife, and The Plain Dealer, all comedies, between the years 1672 and 1677. The two last of these pieces are written with more elaboration than anything of Etheridge's, and both contain some bold delineation of character and strong satiric writing, reminding us at times of Ben Jonson; but, like him, too, Wycherly is deficient in ease and nature. Southerne, who was only born in the year of the Restoration, and lived till 1746, had produced no more than his two first plays before the close of the present period—his tragedy of the Loyal Brother in 1682, and his comedy of the Disappointment in 1684. Of ten dramatic pieces of which he is the author, five are comedies, and are of little value; but his tragedies of The Fatal Marriage (1692), Oroonoko (1696), and the Spartan Dame (1719), are interesting and affecting.

It is hardly worth while to mention, under the head of the literature of the age, the seventeen plays of King William's poet laureate, Thomas Shadwell, better remembered by Dryden's immortal nick-name of Mac Flecnoe; or the equally numerous brood of the muse of Elkanah Settle, the city poet, Dryden's

> Doeg, whom God for mankind's mirth has made;

or the nine of Shadwell's successor in the laureateship, Nahum Tate, the author of the worst alterations of Shakspeare, the worst version of the Psalms of David, and the worst continuation of a great poem (his second part of the Absalom and Achitophel) extant; or, lastly, although she had more talent than any of these, the seventeen pieces of the notorious Mrs. Aphra Behn—Pope's Astraea,

> Who fairly puts all characters to bed.

This Mrs. Behn, besides her plays, was the authoress of a number of novels and tales, which, amid great impetuosity and turbulence of style, contain some ingeniously contrived incidents and some rather effective painting of the passions.

Eminent as he is among the poets of his age, Dryden is also one of the greatest of its prose writers. In ease, flexibility, and variety, indeed, his English prose has scarcely ever been excelled. Of our other most celebrated prose-writers belonging to the present period, Clarendon may be first mentioned, although his great work, his History of the Rebellion and Civil Wars, was not published till the year 1702, nor his Life and Continuation of his History, before 1759. His style cannot be commended for its correctness; the manner in which he constructs his sentences, indeed, often sets at defiance all the rules of syntax; but yet he is never unintelligible or obscure—with such admirable expository skill is the matter arranged and spread out, even where the mere verbal sentence-making is the most negligent and entangled. The style, in fact, is that proper to speaking rather than to writing, and had, no doubt, been acquired by Clarendon not so much from books as from his practice in speaking at the bar and in parliament; for, with great natural abilities, he does not seem to have had much acquaintance with literature, or much acquired knowledge of any kind resulting from study. But his writing possesses the quality that interests above all the graces or artifices of rhetoric—the impress of a mind informed by its subject, and having a complete mastery over it; while the broad full stream in which it flows makes the reader feel as if he were borne along on its tide. The abundance, in particular, with which he pours out his stores of language and illustration in his characters of the eminent persons engaged on both sides of the great contest, seems inexhaustible. The historical value of his history, however, is not very considerable; it has not preserved very many facts which are not to be found elsewhere; and, whatever may be thought of its general bias, the inaccuracy of its details is so great throughout, as demonstrated by the authentic evidences of the time, that there is scarcely any other contemporary history which is so little trustworthy as an authority with regard to minute particulars. Clarendon, in truth, was far from being placed in the most favourable circumstances for giving a perfectly correct account of many of the events he has undertaken to record: he was not, except for a very short time, in the midst of the busy scene: looking to it, as he did, from a distance, while the mighty drama was still only in progress, he was exposed to some chances

of misconception to which even those removed from it by a long interval of time are not liable; and, without imputing to him any further intention to deceive than is implied in the purpose which we may suppose he chiefly had in view in writing his work, the vindication of his own side of the question, his position as a partisan, intimately mixed up with the affairs and interests of one of the two contending factions, could not fail both to bias his own judgment, and even in some measure to distort or colour the reports made to him by others. On the whole, therefore, this celebrated work is rather a great literary performance than a very valuable historical monument.

Another royalist history of the same times and events to which Clarendon's work is dedicated, the Behemoth of Thomas Hobbes of Malmesbury, introduces one of the most distinguished names both in English literature and in modern metaphysical, ethical, and political philosophy. Hobbes, born in 1588, commenced author in 1628, at the age of forty, by publishing his translation of Thucydides, but did not produce his first original work, his Latin treatise entitled "De Cive," till 1642. This was followed by his treatises entitled "Human Nature" and "De Corpore Politico," in 1650; his Leviathan, in 1651; his translations in verse of the Iliad and Odyssey, in 1675; and his "Behemoth, or History of the Causes of the Civil Wars of England, and of the counsels and artifices by which they were carried on, from the year 1640 to the year 1660," a few months after his death, at the age of ninety-two, in 1679. Regarded merely as a writer of English, there can be little difference of opinion about the high rank to be assigned to Hobbes. He has been described as our first uniformly careful and correct writer;* and he may be admitted to have at least set the first conspicuous and influential example, in what may be called our existing English (for Roger Ascham, Sir Thomas Elyot, and one or two other early writers, seem to have aimed at the same thing in a preceding stage of the language), of that regularity of style which has since his time been generally attended to. This, however, is his least merit. No writer has succeeded in making language a more perfect exponent of thought than it is as employed by Hobbes. His style is not poetical or glowingly eloquent, because his mind was not poetical, and the subjects about which he wrote would have rejected the exaggerations of imaginative or passionate expression if he had been capable of supplying such. But in the prime qualities of precision and perspicuity, and also in economy and succinctness, in force and in terseness, it is the very perfection of a merely expository style. Without any affectation of point, also, it often shapes itself easily and naturally into the happiest aphoristic and epigrammatic forms. Hobbes's clearness and aptness of expression, the effect of which is like that of reading a book with a good light, never forsake him—not even in that most singular performance, his version of Homer, where there is scarcely a trace of ability of any other kind. There are said to be only two lines in that work in which he is actually poetical; those which describe the infant Astyanax in the scene of the parting of Hector and Andromache, in the Sixth Book of the Iliad:—

> Now Hector met her with their little boy,
> That in the nurse's arms was carried;
> *And like a star upon her bosom lay*
> *His beautiful and shining golden head.*

But there are other passages in which by dint of mere directness and transparency of style he has rendered a line or two happily enough—as, for instance, in the description of the descent of Apollo at the prayer of Chryses, in the beginning of the poem:—

> His prayer was granted by the deity,
> Who, with his silver bow and arrows keen,
> Descended from Olympus silently,
> In likeness of the sable night unseen.

As if expressly to proclaim and demonstrate, however, that this momentary success was merely accidental, immediately upon the back of this stanza comes the following:—

> His bow and quiver both behind him hang,
> The arrows chink as often as he jogg'd,
> And as he shot the bow was heard to twang,
> And first his arrows flew at mules and dogs.

For the most part, indeed, Hobbes's Iliad and Odyssey are no better than travesties of Homer's, the more ludicrous as being undesigned and unconscious. Never was there a more signal revenge than that which Hobbes afforded to imagination and poetry over his own unbelieving and scoffing philosophism by the publication of this work. It was almost as if the man born blind, who had all his life-time been attempting to prove that the sense which he himself wanted was no sense at all, and that that thing, colour, which it professed peculiarly to discern, was a mere delusion, should have himself at last taken the painter's brush and pallet in hand, and attempted, in confirmation of his theory, to produce a picture by the mere senses of touch, taste, smell, and hearing. The great subject of the merits or demerits, the truth or falsehood, of Hobbes's system of metaphysical, ethical, and political philosophy, of course cannot be entered upon here. His works certainly gave a greater impulse to speculation in that field than those of any other English writer had ever before done; even the startling paradoxes with which they abound, and their arrogant and contemptuous tone, co-operated with their eminent merits of a formal kind to arouse attention, and to provoke the investigation and discussion of the subjects of which they treat. It must also be admitted that scarcely any writings of their class contain so many striking remarks; so much acute and ingenious, if not profound and comprehensive, thinking; so much that, if not absolutely novel, has still about it that undefinable charm which even an old truth or theory receives from being born anew in an original mind.

* Hallam, in Lit. of Eur.

Such a mind Hobbes had, if any man ever had. Moreover, it is not necessary to deny that, however hollow or insufficient may have been the bases of his philosophy, he may have been successful in explaining some particular intellectual phenomena, or placing in a clearer light some important truths both in metaphysics and in morals. But as for what is properly to be called his system of philosophy,—and it is to be observed that, in his own writings, his views in metaphysics, in morals, and in politics are all bound and built up together into one consistent whole,—the question of the truth or falsehood of that seems to be completely settled. Nobody now professes more than a partial Hobbism. If so much of the creed of the philosopher of Malmesbury as affirms the non-existence of any essential distinction between right and wrong, the non-existence of conscience or the moral sense, the non-existence of anything beyond mere sensation in either emotion or intelligence, and other similar negations of his moral and metaphysical doctrine, has still its satisfied disciples, who is now a Hobbist either in politics or in mathematics? Yet, certainly, it is in these latter departments that we must look for the greater part of what is absolutely original and peculiar in the notions of this teacher. Hobbes's philosophy of human nature is not amiss as a philosophy of Hobbes's own human nature. Without passions or imagination himself, and steering his own course through life by the mere calculations of an enlightened selfishness, one half of the broad map of humanity was to him nothing better than a blank. The consequence is, that, even when he reasons most acutely, he is constantly deducing his conclusions from insufficient premises. Then, like most men of ingenious rather than capacious minds, having once adopted his hypothesis or system, he was too apt to make facts bend to that rather than that to facts; a tendency which in his case was strengthened by another part of his character which has left its impression upon all his writings,—a much greater love of victory than of truth.

The most illustrious antagonist of Hobbism, when first promulgated, was Dr. Ralph Cudworth, the First Part of whose "True Intellectual System of the Universe, wherein all the Reason and Philosophy of Atheism is Confuted," was first published in 1678. As a vast storehouse of learning, and also as a display of wonderful powers of subtle and far-reaching speculation, this celebrated work is almost unrivalled in our literature; and it is also written in a style of elastic strength and compass which places its author in a high rank among our prose classics. Along with Cudworth may be mentioned his friend and brother Platonist, Dr. Henry More, the author of numerous theological and philosophical works, and remarkable for the union of some of the most mystic notions with the clearest style, and of the most singular credulity with powers of reasoning of the highest order. Other two great theological writers of this age were the voluminous Richard Baxter and the learned and eloquent Dr. Robert Leighton, Archbishop of Glasgow. Bishop Burnet's account of the former has been quoted in a preceding chapter:* of the latter, whom he knew intimately, he has given a much more copious account, a few sentences of which we will transcribe:—"His preaching had a sublimity both of thought and expression in it. The grace and gravity of his pronunciation was such that few heard him without a very sensible emotion . . . It was so different from all others, and indeed from everything that one could hope to rise up to, that it gave a man an indignation at himself and all others. . . . His style was rather too fine; but there was a majesty and beauty in it that left so deep an impression that I cannot yet forget the sermons I heard him preach thirty years ago."† The writings of Archbishop Leighton that have come down to us have been held by some of the highest minds of our own day—the late Mr. Coleridge for one—to bear out Burnet's affectionate panegyric. But perhaps the greatest genius among the theological writers of this age was the famous Dr. Isaac Barrow, popularly known chiefly by his admirable Sermons, but renowned also in the history of modern science as, next to Newton himself, the greatest mathematician of his time. "As a writer," the late Professor Dugald Stewart has well said of Barrow, "he is equally distinguished by the redundancy of his matter and by the pregnant brevity of his expression; but what more peculiarly characterises his manner is a certain air of powerful and of conscious facility in the execution of whatever he undertakes. Whether the subject be mathematical, metaphysical, or theological, he seems always to bring to it a mind which feels itself superior to the occasion, and which, in contending with the greatest difficulties, puts forth but half its strength. He has somewhere spoken of his *Lectiones Mathematicæ* (which it may, in passing, be remarked, display *metaphysical* talents of the highest order) as extemporaneous effusions of his pen; and I have no doubt that the same epithet is still more literally applicable to his pulpit discourses. It is, indeed, only thus that we can account for the variety and extent of his voluminous remains, when we recollect that the author died at the age of forty-six."‡

Such were the great lights of the literature of the present period. Many minor names necessarily remain unnoticed, such as John Bunyan, the author of the Pilgrim's Progress, the most interesting of allegories, and of various other religious works; Izaac Walton, the mild-natured angler and biographer; Sir William Temple, the lively, agreeable, and well-informed essayist and memoirist, &c. But our space will not allow us to extend our account; and the same reason compels us to defer till the next Book the retrospect of the progress of the mathematical and physical sciences in England during the seventeenth century.

* See ante, p. 821. † Own Time, i. 135.
‡ Dissertation on the Progress of Philosophy, p. 45.

The history of the fine arts during the present period may be dismissed with a very short notice. The important architectural era which was opened by the great fire of London, and illustrated by the genius of Sir Christopher Wren, may be referred more properly to the ensuing period, to which the greatest works of that distinguished architect belong; and on the subject of the higher branches of painting there is little room for comment in treating of a dependant school during a period of general mediocrity. In Italy the silver age of art was on the wane. Facility in composition and readiness in the mechanism of the art were almost the only qualifications inherited from the master-spirits of the great schools of painting by their successors, who decorated the churches and palaces of Italy with the meretricious productions of the seventeenth century; and it strongly marks the pollution of taste at the fountain-head, that such painters as D'Arpino and Luca Giordano were as highly esteemed in their own day as Titian, Rafaelle, and Michel Angelo. Encouragement was still abundant, but quality was absorbed in quantity, and the labour of study was not to be expected from artists who could satisfy the popular expectation without it. In this state of the art the French school was enabled to raise itself into comparative eminence, though not with success equal to its ambition.

It would be but a useless repetition to offer in this place any remark upon the effects of French influence in the court of Charles II. It operated no less upon the arts than upon politics and literature; and the encouragement afforded to the higher branches of painting by the king was limited to the imitation of Louis XIV., not in the enlightened patronage which sought and rewarded the native talent of Charles Le Brun, but in covering the walls and ceilings of Windsor with the same jumble of history, mythology, and allegory which pervades the works of the great French painter (great with all his faults and sins against good taste) at Versailles.

For this purpose, Charles invited to England Antonio Verrio, a Neapolitan by birth, but settled in France, and known by some public works executed at Thoulouse. "An excellent painter," says Walpole, "for the sort of subjects on which he was employed; that is, without much invention, and with less taste, his exuberant pencil was ready at pouring out gods, goddesses, kings, emperors, and triumphs, over those public surfaces on which the eye never rests long enough to criticise, and where we should be sorry to place the works of a better master,—I mean ceilings and staircases. The New Testament and the Roman history cost him nothing but ultra-marine; that and marble columns and marble steps he never spared." Happily as this passage describes the style, not only of Verrio, but of the whole class of artists to which he belongs, the writer is most unjust, in this and other observations of similar tendency, in the disposition he shows to pass a sweeping condemnation on a mode of applying the art of painting which had not only exercised but called forth the talents of the greatest Italian masters, and established the sublimest monuments of their fame. It was of good augury for England that a day had arrived for appreciating and patronizing the art in its most imposing costume of grandeur; but that day had been fatally retarded until historical painting, as we were now obliged to receive it, had contracted an inseparable alliance with bad taste, and its employment as "the handmaid of architecture" had degenerated into an abuse. Such is the decoration of the saloon at Montague House (the British Museum), one of the few works of this class spared by time and neglect to which it is possible to refer the reader, where the pencil strays beyond its legitimate office to create a heavy mass of columns and entablatures, to the total exclusion of the art of the sculptor and architect. Unsupported by any original talent to atone for the defects with which it had been loaded in the French school, it is not therefore surprising that the grand style of painting in England should have ended, as it began, in a caprice of fashion, which during its prevalence could blind even the accomplished Evelyn to bestow his unqualified praise on the productions of a Verrio.

The most important of Verrio's works at Windsor—the decorations of St. George's Hall and the Chapel—were mercilessly destroyed in the late alterations, but some of his ceilings remain. There is also much by his hand at Burleigh and Chatsworth. He lived till 1707; but at the Revolution, being a zealous papist, he refused all employment under King William. He at length consented to paint at Hampton Court, where, among other things, he executed the staircase,—"as ill," says Walpole, "as if he had spoiled it on principle."

That the mediocrity of the fashionable foreign artist enabled several English painters to obtain notice and employment in the same department is a circumstance which, in a better age, might have operated greatly to the advantage of native art; but, under the influence of the causes already alluded to, the opportunity failed to produce any permanent result. The works of all who followed in the footsteps of Verrio and the French school have been abandoned to indiscriminate neglect, and their names (with one eminent exception belonging to the next period) may be passed over rapidly. Among the numerous foreign painters whom the success of Verrio attracted to England, the most distinguished were Jacques Rousseau and Charles de la Fosse, who came over in the reign of James II. to assist in the decorations of Montague House, to which reference has just been made. The latter executed the paintings in the dome of the Invalides, and is accounted (no very high praise) one of the best colourists of the French school. Among the native painters of this class may be mentioned Isaac Fuller, who had studied in France,

and appears to have been a respectable artist. A relic of his pencil still remains in the dome of St. Mary Abchurch in the city of London. Walpole mentions some extensive works on which he was employed in the great taverns. John Freeman is recorded as a rival of Fuller. He painted scenes for the theatre. Whatever may be the absolute merits of these artists, they enjoyed a reputation in their day; and that they were thus engaged would seem to imply more of a popular feeling for art than is generally attributed to the period. Robert Streater was appointed to the office of serjeant painter to the king upon the Restoration. He executed many painted ceilings, of which that of the theatre at Oxford is a favourable specimen of his talents. He was an artist of undoubted ability, and attempted every style, from history to still life, with a certain degree of success.

In portrait-painting the reign of Charles II. was illustrated by the works of Sir Peter Lely. This artist, the most distinguished portrait-painter of his time, was a native of Westphalia. He came to England in 1643; and, seeing the works of Vandyke, his emulation was roused, and he quitted his former style and subjects, which were landscapes and small histories, and gave himself entirely to portraits, in imitation of that great master, to whose pre-eminent station in the arts he became the legitimate successor at the Restoration.

Lely was formed for the court of Charles II. In the delicacy and softness of his flesh he perhaps excels Vandyke, but he is greatly his inferior in the higher qualities of art. "If in nothing but simplicity," to use again the apt critical language of Walpole, "he falls short of his model, as Statius or Claudian did of Virgil. Lely supplied the want of taste with *clinquant*. His nymphs trail fringes and embroidery through meadows and purling streams. Add, that Vandyke's habits are those of the times; Lely's, a sort of fantastic nightgown fastened with a single pin. The latter was, in truth, the ladies' painter; and, whether the age improved in beauty or flattery, Lely's women are certainly handsomer than those of Vandyke,—they please as much as they are evidently meant to please: he caught the reigning character, and

——— on animated canvas stole
The sleepy eye that spoke the melting soul.

Lely, in short, was a mannerist: whoever sat before him, the model was in his own mind, and there is sufficient evidence that he did not scruple to sacrifice likeness to the peculiar expression which he conceived to be graceful. Hence it arises that his works are less unequal than those of Vandyke, and, if he never falls much below his general level, he never excels himself in any striking work. An anecdote is recorded of him which does equal credit to his candour and his knowledge of art:—a nobleman is said to have addressed him, "How came you, Sir Peter, to have so great a reputation? You know that *I* know you are no great painter." "My lord," replied Lely, "I know that I am not, but I am the best you have."

The superior talent of Sir Peter Lely is sufficiently attested by the number and merit of contemporary portrait-painters who measured themselves by his standard. The example of Vandyke had not been thrown away upon our native artists; but it is a misfortune of art to be dependent on fashion, and the affected attitudes and fluttering draperies of Lely seem to have been obligatory upon all who aspired to be his rivals. Pepys, in his Diary, says, upon sitting for his portrait to Hayls, "I do almost break my neck looking over my shoulder to make the posture for him to work by." And again,—"To Hayls's, and there did sit till almost dark upon working my gown, which I hired to be drawn in, an Indian gown." Hayls, however, was an excellent painter, and copied Vandyke with great success. Michael Wright was a Scotchman. He was chosen, upon Lely declining the commission, to paint the portraits of the judges in the Guildhall of London, where they are still preserved in the city collection. His portrait of Lacy, the actor, in three characters, at Windsor, is a picture of no common degree of excellence. Henry Anderton was a pupil of Streater. He afterwards studied in Italy, and, on his return, painted portraits in a style which interfered with the practice of Lely himself. With the names of Thomas Flatman, a respectable painter, though better known as a poet, and John Greenhill, who was the most promising pupil of Lely, but died young, the present list of English painters may be concluded. From a swarm of foreigners, who flourished here during the same period, we may select the names of Henry Gascar, James Huysman, and Gerard Soest, all excellent portrait-painters, and rivals of Lely. Netscher visited England for a short time only. Sunman, a Dutch painter, executed the portraits of the founders in the gallery at Oxford. Philip Duval was a pupil of Le Brun. They were all surpassed by William Wissing, a native of Amsterdam, who came into vogue at the death of Lely, in 1680, and disputed the vacant throne with Kneller, then fast rising into reputation; but his death, in 1687, left the latter without a competitor.

Paintings of still life were as much in fashion as portraits. Pepys, who looked at everything with courtly eyes, speaking of the incomparable pictures he saw in the king's closet at Whitehall, where the remains of the magnificent collection of Charles I. had been reunited, particularises as most worthy of notice, "a book upon a desk, which I durst have sworn was a real book." Several eminent Dutch painters in this style—Vansoon, Hoogstraaten, Roestraten, and Varelst—found encouragement at the court of Charles II. Few artists have ever equalled Varelst as a flower-painter. He was patronized by the Duke of Buckingham, who encouraged him to attempt portraits; and, such is the influence of fashion, he obtained extensive employment and high prices

in a style for which he was totally unfitted, to the great disgust of Lely. To these names may be added Abraham Hondius, the animal-painter; the landscape-painters, Danker, Vosterman, and Griffiere; Lankrink, who painted the landscapes for Sir Peter Lely's backgrounds; and, lastly, the two Vandeveldes, who passed many years in this country, to the great honour of their patrons.

Sculpture during this period was almost exclusively applied to decoration, and we find but two artists worthy of record as having risen above the mediocrity which is a sufficient merit in that class of art. Caius Gabriel Cibber was a native of Holstein. He was extensively employed at Chatsworth, and executed the bas-reliefs on the London Monument, and numerous other works which have fallen into oblivion. His fame rests upon the two figures personifying raving and melancholy Madness which surmounted the gateway of the Old Bethlehem Hospital, and are now in the hall of the modern building in St. George's Fields. The knowledge of art and the truth of expression displayed in these justly celebrated statues place the name of Cibber in the foremost rank of his profession, and leave us to regret that we have no other memorial worthy of his genius.

Grinling Gibbons, though a sculptor of a high class—as his marble statue of Charles II. in the area of the (late) Royal Exchange, and the bronze of his successor in the Privy Garden at Whitehall, sufficiently prove—is best known by his carvings in wood, which he carried to a perfection that has never been equalled. He rivals the lightness and delicacy of nature itself in his representation of birds and flowers in this material. This great and original genius was first drawn from obscurity by Evelyn, who found him in a cottage at Deptford, carving his well-known work of the stoning of St. Stephen, after Tintoretto. The circumstances of his introduction to the king are too characteristic of court patronage, such as it ever was and is, to be omitted. "The king," says Evelyn, "saw the carving at Sir R. Browne's chamber, and was astonished at the curiosity of it, but was called away and sent it to the queen's chamber. There, a French peddling woman, who used to bring baubles out of France for the ladies, began to find fault with several things in it, which she understood no more than an ass or a monkey. So, in a kind of indignation, I caused it to be taken back and sent down to the cottage again." Charles, however, in whom a genuine taste for the arts was one of many good qualities obscured by indolence and self-indulgence, was sensible of the merit of the artist. He gave him an appointment in the Board of Works, and employed him at Windsor. Burleigh and Chatsworth can boast of a profusion of his exquisite carvings. He also executed the beautiful foliage in the choir of St. Paul's, and the influence of his style may be traced in the woodwork of many of Sir Christopher Wren's churches. Gibbons lived till 1721.

The progress of engraving during this period is highly honourable to English art. William Faithorne was undoubtedly the best artist of the age. This eminent engraver, having drawn the sword in the royal cause during the civil war, was associated with Hollar in the noble defence of Basing House, where he was taken prisoner, and remained some time in confinement in London. Being at length permitted to retire to France, he took the opportunity of studying under Nanteuil, and formed a style peculiarly adapted to portrait engraving, in which few artists have ever equalled him. Avoiding the timid finish of the French school, he united freedom with softness, and force with delicacy. His works, of which Walpole gives a catalogue of about one hundred and fifty, are unequal, but his best display an extraordinary clearness and brilliancy, and are full of colour. Returning to England in 1650, he opened a print-shop, and worked at his profession, to which he added the art of drawing in crayons, which he had learned of Nanteuil. This excellent artist died in 1691. His life was supposed to have been shortened by his affliction for his son, who was his pupil and an engraver of merit, but was negligent, and died early. John Fillian was another of his scholars.

The other engravers worthy of mention at this period were principally foreigners. David Loggan, a Dantzicker, said to be a pupil of Simon Pass, engraved views of the public buildings of Oxford and Cambridge, but his works consist chiefly of portraits. With him came Abraham Blooteling and Gerard Valck. Peter Vanderbank is remarkable for the softness of his style, and the large scale on which he engraved his heads. Robert White was a pupil of Loggan, and a very excellent engraver of heads, many of which are from his own drawings. He was distinguished for his success in likenesses. Two hundred and fifty-five of this artist's works are enumerated in Walpole's catalogue.

The invention of mezzotint is an epoch in the art of engraving which must not be entirely passed over—the merit of the discovery having long been attributed to Prince Rupert, whose pretensions might be sufficiently borne out by his zealous and successful cultivation of the arts and sciences. But, although this discovery has been circumstantially related as having occurred to the prince during his exile abroad from the accidental observation of the effect of rust on a gun-barrel which a soldier was endeavouring to scrape clean, yet more careful inquiry has invalidated his claim, and carried the invention of mezzotint as far back as the year 1643. There can be no doubt, however, that its introduction into England is due to this accomplished prince, and that he applied himself sedulously to its improvement. The superior excellence of our engravers has made it an English art; and in fact it has never been practised with success in any other country.

The coinage both of Charles and James is well worthy of notice on the score of art. John and

Joseph Rotier, who were appointed to the Mint at the Restoration, in consequence of a promise made by Charles to their father, a Dutch banker, who had supplied him with money, were excellent medalists, though by no means equal to Simon, whom they most unjustly superseded. There was a third brother, Philip, who also worked at the Mint, and caused great scandal by representing the Duchess of Richmond in the character of Britannia on the reverse of a large medal with the king's head. At the Revolution John Rotier was suspected (and probably with reason) of coining money for the service of the exiled king. Norbert Rotier, the son of John, was also a medalist, and shared in the public employment.

Among the earliest measures of Charles II., after his restoration, was the re-establishment of cathedrals, accompanied, as a matter of course, by a return to that choral service to which the music of modern ages is so deeply indebted. Of the bishops only nine out of six-and-twenty survived the interregnum; no difficulty, however, occurred in speedily filling the vacant episcopal thrones. But it was not so easy a task to replace the organs,—which, by an ordinance made in 1644, had all been taken down,* and several were destroyed,—or to collect again the organists and lay-vicars, of whom many had been driven to seek other means of subsistence, some in their own country, some in foreign climes. The Puritans had been so successful in decrying all music, except their own nasal psalm-singing, that at the Restoration the art seemed to be in an almost hopeless state; for of those professors who had been obliged to abandon their calling, some were dead, and a few were too far advanced in years to recur to their former pursuit, while others were unwilling to resume an occupation which the gloomy religion or the hypocrisy of the times had compelled them to relinquish.

The first step towards a return to choral service was the furnishing the cathedrals with organs. For this purpose the only four makers of any name who remained were actively employed to repair such of the old instruments as could be found, and to build new ones. In the mean time musicians of any pretensions to eminence were invited to assist in qualifying proper persons for the duties of the various choirs. Of the Gentlemen of the Chapel, and others on the musical establishment of Charles I., not many appeared to claim their former appointments; but among the survivors who presented themselves were Dr. Child,† Dr. Christopher Gibbons, Dr. Rogers, Dr. Wilson, Low, Henry Lawes,‡ Bryne, and Captain Cook. Child, Gibbons, and Low were made organists of the Chapel-Royal. Cook became Master of the Children, and to Lawes was assigned the office of Clerk of the Cheque. Rogers, a pleasing composer both of sacred and secular music, was appointed to the place of organist of Eton; Wilson, author of some very agreeable part-songs, or glees, to a situation in Westminster Abbey; and Bryne was made organist of St. Paul's Cathedral.* The two universities were anxious to promote the study of church music, and in furtherance of this object a book was published at Oxford, in 1661, by Low, under the title of "Some Short Directions for the Performance of Cathedral Service," and reprinted three years after, with a preface, stating that the versicles and responses given by him were the same as those composed by Marbeck at the Reformation.†

By these and other efficient measures the different choirs in the kingdom were soon filled with persons more or less competent to the duties of the church; but, as was to be expected, the King's Chapel took the lead, and was distinguished from all the rest, both by the great and acknowledged superiority of its officers, and by the number of excellent composers which almost immediately arose out of it: for, so well were the children of the Chapel, or boy-choristers, instructed in music, that some of them, even before their voices had changed, produced anthems which are still esteemed and in use. Pepys, in his Diary, speaks of a new anthem, for five voices, which he heard at the Royal Chapel in 1663, "made by one of Captain Cook's boys, a pretty boy;" "and they say," he adds, "there are four or five of them that can do as much."‡

Cook, to whose devotedness to the duties of his office the church is indebted for some of its best musicians, had been a chorister in the chapel of Charles I. During the civil war he joined the royal army, in which he held a captain's commission, and ever after retained his military title. Pepys makes favourable mention of him as a singer in the King's Chapel, and also of some "new musique" by him, performed in that place.§ We have no means of judging of his ability as a composer, for not one of his productions is extant: we can only estimate his merit by that of his pupils, whose works lead us to suppose that their master must have possessed great knowledge of his art, and no less skill and zeal in communicating it. Among those who received their musical education in the Chapel-Royal under Cook, it would be an act of injustice to him not to name Pelham Humphrey, Michael Wise, John Blow, and Henry Purcell.

Pelham Humphrey composed anthems for the Chapel-Royal while a boy in the choir. This early manifestation of genius induced Charles II. to send him to Paris, to study under the celebrated Lulli, and on his return he was admitted a gentleman of the chapel. On the death of his master,

* See the Ordinance, at p. 61 of the First Part of Scobell's Collection, in the Index to which we find the characteristic entry,—*Organs*, see *Superstition*.
† See ante, p. 566.
‡ Ibid.

* Hawkins's History, iv. 348.
† Id. See also ante, p. 561.
‡ Diary, i. 364.
§ Id. p. 165. Evelyn, in his Memoirs, says that Captain Cook was "esteemed the best singer, after the Italian manner, of any in England. He entertained us with his voice and theorbo."—i. 192.

Captain Cook, he succeeded him, but lived only two years to enjoy his office. In Dr. Boyce's Collection are several anthems by Humphrey; besides which he contributed much to the secular publications of the day. Michael Wise, whose anthems are still the delight of all who have any taste for English church music, became organist of Salisbury Cathedral soon after quitting the Royal Chapel, and returned to the latter as one of the gentlemen. He was a favourite of Charles II.; but in one of the royal progresses offended the king by an act of indiscretion, and was for a time suspended from his office. Genius and prudence are not always in alliance; and this very elegant composer lost his life in a street-quarrel in 1687. John Blow, on whom Archbishop Sancroft conferred the degree of Doctor in Music, was one of the boy-composers alluded to by Pepys. He soon obtained appointments in the Royal Chapel as gentleman, master of the children, and composer. He was also organist of Westminster Abbey. His compositions, both for the church and chamber, are very numerous; some few of the former are vigorous, dignified, and original; the rest are harsh, and, though laboured, often incorrect. He published a volume of secular music under the title of *Amphion Anglicus*, in which are a song and a duet that still are heard with pleasure.* Except these, its contents are now forgotten. Blow, however, like his master, had many pupils in the King's Chapel who soon distinguished themselves by their talents, and to those much of the reputation of their teacher must be ascribed.

The works of Henry Purcell form a part of our national wealth: they far surpass everything of the kind that England had before produced, and several of them yet continue unrivalled by any musician of British birth. Indeed, when compared with the contemporaneous productions of Italy, Germany, and France, Dr. Burney does not hesitate to consider Purcell's superior to all—to those of Carissimi, Stradella, Alessandro Scarlatti, Keiser, Lulli, and Rameau.† But the historian might have gone further without risking his critical credit, and have included every composer who preceded our countryman, as well as those of his own time; for, "take him for all in all," he had no equal up to the period of his decease. Much of his sacred music reaches a very high degree of excellence, especially his grand *Te Deum* and *Jubilate*, as well as some anthems printed in Boyce's collection; but his great power is shown in his secular compositions, particularly those for the theatre, which display an originality in design, an energy and tenderness in expression, and a beauty in effect, which are as much the admiration of modern connoisseurs as they were of those at the close of the seventeenth century. Purcell's music, however, was not faultless, but his errors were those of the age in which he lived, and he was probably led into them by submission to custom, the influence of which few have the courage to defy. This great genius was born in Westminster, in 1658. His father was one of the gentlemen of the Chapel Royal, in which school Henry was, as before stated, educated.* At the early age of eighteen he was made organist of Westminster Abbey, and six years after was appointed to the same situation in the King's Chapel. He died in 1695, in his thirty-seventh year, and was interred in the north transept of the Abbey, where a tablet to his memory, with the well-known inscription attributed to Dryden, was placed by the Lady Elizabeth Howard.

Whether arising from a taste for superior harmony, or from an anti-puritan spirit, it is impossible now to determine, but it clearly appears that cathedral music was in high favour with the educated and upper classes at the period of the Restoration. Both Evelyn and Pepys seem to have been constant attendants at Whitehall Chapel—at that time the chapel-royal—which Charles regularly frequented, who certainly gave great encouragement to the composers on the establishment, as well as to those who aspired to what then was an honourable and comparatively profitable appointment. But the king's predilection for French customs was apparent even in his place of worship: he there introduced his band of twenty-four violins, modelled after that of Louis XIV., though there is reason to suppose that, from some cause unexplained, he soon withdrew them.† Evelyn speaks in angry terms of this royal attempt. In his Diary, under date December 21, 1662, he says that at the Chapel-Royal, "instead of the ancient, grave, and solemn wind-music accompanying the organ, was introduced a concert of twenty-four violins between every pause, after the French fantastical light way, better suiting a tavern or playhouse than a church. This was the first time of change; and now we heard no more the cornet which gave life to the organ, that instrument quite left off, in which the English were so skilful."‡ At that time, says Hawkins, "it was very common for persons of rank to resort in the afternoon to St. Paul's, to hear the service, particularly the anthem; and to attend a lady thither was esteemed as much an act of politeness, as it would be now to lead her to the opera."§ The brave Admiral, Edward Montague, first Earl of Sandwich, who so heroically lost his life in the great naval engagement at Solebay, in 1672, was a composer of church

* The song is set to Waller's words, "It is not that I love you less;" and is re-published in the first vol. of the Musical Library. The duet, "Go, perjured man," from Herrick's Hesperides, originated in the following circumstance:—Charles II. admired a duet by Carissimi, and asked Blow if he could imitate it? The young musician modestly answered that he would try; and produced, in the same measure and key, the ingenious composition in question.—See Hawkins, iv. 448.

† Hist. of Music, iii. 510.

* It seems past all doubt that Purcell was indebted to Captain Cook for his musical education; though to Dr. Blow, from whom he received a few lessons, the merit of instructing him has most unfairly been ascribed.

† This band was not wholly composed of *violins*, as the title would lead us to suppose, but had a due proportion of violas and basses. It gave rise to Tom D'Urfey's song, "Four-and-twenty fiddlers all in a row."

‡ Memoirs, i. 356.

§ History, iv. 360, note.

music. Pepys mentions in terms of praise an anthem by this gallant officer, written for the use of the Royal Chapel, in 1663:* and we shall presently show that other noblemen, his contemporaries, were deeply learned in the science of music.

The efforts made to raise the art from its fallen state were not confined to the music of the church. At Oxford an association was formed of many of the heads of houses, fellows, and others, to promote the study and practice of vocal and instrumental harmony in the university: the music-school was refurnished with a new organ, harpsichord, and violins, together with the works, in manuscript of the best composers.† In London the first assembly deserving the name of a concert was of a most remarkable kind, having been projected and established by a person of the lowest class, in a remote part of the town, difficult of access, unfit for the resort of persons of condition, and in a room that scarcely afforded them decent accommodation when they had escaped the dangers of reaching it. "It was in the dwelling of Thomas Britton—one who gained his livelihood by selling about the streets small-coal, which he carried in a sack on his back—that a periodical performance of music in parts took place, to which were invited people of the first consequence. The house was in Aylesbury-street, Clerkenwell; the room of performance was over the coal-shop; and, strange to tell! Tom Britton's concert was the weekly resort of the old, the young, the gay, and the fair, of all ranks, including the highest order of nobility."‡ Music-houses were soon opened in different parts of the metropolis, but chiefly in the east. Among these was Sadler's Wells, which, rebuilt, and in a very different form, still resounds with song.

One of the immediate consequences of the Restoration was the opening of the theatres, where music, in various shapes, always formed a part of the performance. Purcell's admirable compositions, however, did not grace the stage till after the Revolution; but Matthew Lock's music to *Macbeth*, as the tragedy was altered by D'Avenant, was produced in 1674. Of this, considering the state of the orchestras at the time it was written, we can scarcely speak too highly; the irrefragable proof of its intrinsic merit is that, through all the fluctuations of taste during so long a period, it has never lost its power to please, and is as fresh and charming to the present age as to that which witnessed its birth. Lock wrote the music for the public entry of Charles II., to whom he became composer in ordinary, in which capacity he produced a service and some few anthems. He also composed the music to Shadwell's opera, *Psyche*; and his name appears to many songs, &c., in the collections of the day. It is to be lamented that a man of so much genius should have put himself forward as the principal antagonist of a clever and feasible plan, proposed by the Reverend Thomas Salmon, M.A., a good mathematician, and among the original contributors to the publications of the Royal Society, for reducing the clefs to one—an improvement of incalculable value, had it been adopted at the time, but which was too successfully opposed by blind prejudice and narrow-mindedness. Lock commenced life as a Protestant, but became a convert to the Romish communion; was then appointed organist to Catherine of Portugal, consort of Charles; and died a papist in 1677.

On the death of Laniere,* who lived some years after the Restoration, Lock received the appointment of director of the king's music, with a salary of 200*l.*; and in this office he was succeeded by Cambert, a French composer, who produced an English opera, and introduced some improvements in violin music. He was followed by Lewis Grabut, also a French musician, who set Dryden's *Albion and Albanius*, and in the poet's preface is much complimented. This piece, a satire on Lord Shaftesbury, failed, because, Downes tells us, it was brought out on the very day when the Duke of Monmouth landed in the west.† But an inspection of the printed score of the opera is alone sufficient to account for its ill success.‡

Towards the close of Charles's reign whatever was French became unpopular, the music of that nation among other things, and the productions of Italy began to be fashionable. Roger North, in a manuscript *Memoir of Music*, speaks at large of an Italian, Nicola Matteis, "an excellent musician, who performed wonderfully on the violin," and who seems, by his example and publications, to have much improved the practice of that instrument in this country.

Charles II. had some knowledge of music. Sir J. Hawkins tells us that "He understood the notes, and sang—to use the expression of one who had often sung with him—a *plump base*. In a letter to Bennet, afterwards Earl of Arlington, dated Bruges, 1655, he says, Pray get me pricked down as many corrants and sarrabands and other little dances as you can, and bring them with you, for I have got a small fiddler that does not play ill on the fiddle."§ From this we are led to conclude that his taste in music was not of a very refined description. But many of the nobility during his reign were skilful in the art, and some very learned in the science. Among these Sir Francis North, chief justice of the Common Pleas, and subsequently lord-keeper of the great seal, published "A Philosophical Essay of Music, 1677," a work which justly entitles him to be considered as the

* Diary, i. 270. † Hawkins, iv. 437.

‡ Hawkins, iv. 378. At these concerts Dr. Pepusch, and frequently Handel, played the harpsichord; Mr. Needler, accountant-general of the Excise, Hughes the poet, Woolaston the painter, and many other amateurs, were among the performers. Walpole, in his *Anecdotes of Painting*, says that Britton latterly took money from his visitors; but Sir John Hawkins, on the authority of "a very ancient person now living" (in 1776), denies this most unequivocally.

* See p. 566. † Roscius Anglicanus, by Downes.

‡ Pepys says, in his Diary, Oct. 1, 1667, "At Whitehall, in bourded gallery, heard M. Grabu's Song upon Peace; but, God forgive me! I never was so little pleased with a concert of music in my life."—ii. 134.

§ Hawkins's Hist. iv. 359, note.

father of musical philosophy in England. It would appear that his delineation of the harmonical vibrations of strings was adopted by Euler, in his *Tentamen novæ theoriæ Musicæ*. His brother, Roger North, above mentioned, says that he had "an exquisite hand on the lyra and bass-viol, and sang anything at sight: that he turned composer, and from raw beginnings advanced so far as to complete divers concertos of two and three parts," &c.*

Lord Brouncker, the first president of the Royal Society, translated and published, in 1653, Descartes' *Musicæ Compendium*, "with necessary and judicious animadversions thereon;" the latter displaying a thorough knowledge of the subject, geometrically considered, and correcting some of the erroneous views of the French philosopher. The preface to this work, in the form of an address from "The Stationer to the ingenious Reader," is a literary curiosity. The writer's notion of the qualifications of a "complete musician" never has been, and never can be, realized.

Marsh, Bishop of Ferns, and afterwards Archbishop of Armagh, was one of the first to treat the theory of acoustics methodically.† Anthony Wood says that he was well skilled in the practical part of music, and while principal of Alban Hall had weekly concerts in his apartments.‡

The eminent mathematician, John Wallis, D.D., a king's chaplain, and one of the founders of the Royal Society, published, in 1682, an edition of Ptolemy's Harmonics, with notes, and a very learned appendix, in which ancient and modern music are compared, and the near resemblance of the modes and scales is clearly demonstrated. He was also the author of many papers in the Philosophical Transactions on musical subjects. John Birchensha,* Thomas Mace,† Christopher Simpson,‡ and John Playford,§ also published practical treatises on the art, which contributed to its improvement in this country.

The popular English songs, ballads, &c., of this period are certainly not inferior to the contemporary productions of any foreign country, while some few of them possess never-fading beauties;‖ though, from the return of the "Frenchified Charles" up to the Revolution (and indeed long after), the tide of fashion set strong against the productions of British composers. Our national anthem, as it is called, "God save the King," had its birth, there is reason to believe, in the reign of James II.;¶ and the air "Lillibullero," which Bishop Burnet says "the whole army and all the people, both in city and country, were perpetually singing,** is still a favourite with the multitude, though the original words are forgotten, and all political feeling connected with it died away soon after James's abdication.

James II. was too much absorbed in his arbitrary and religious designs to have either leisure or inclination to think of the fine arts; music, therefore, continued stationary during his brief reign, and until the settlement of public affairs after the Revolution restored tranquillity to the public mind.

* Life of the Right Honourable Francis North, &c. [&c., by the Hon. Roger North, vol. i.
† Phil. Trans. 1684, xiv. 471.
‡ Athenæ Oxonienses, ii.

* Templum Musicum, 1664, a translation of Alstedius.
† Music's Monument, 1676.
‡ The Division Violist, 1659, and A Compendium of Practical Music, 1665.
§ A Brief Introduction to the Skill of Music, 1670; and Dr Campion's Art of Descant, enlarged, 1669.
‖ In proof of this we need only refer to "A Collection of National English Airs, edited by W. Chappell," an elegant and excellent work, in 4to, just completed.
¶ The late Duke of Gloucester told Dr Burney that in the king's library were to be found the words of this song, beginning, "God save great *James* our king."
** Burnet's Hist. of His Own Time, iii. 319.—See also Hume, ch. lxxi. The air is supposed to be by Purcell, and appears under his name in Playford's Music's Handmaid, 1678.

CHAPTER VI.

THE HISTORY OF MANNERS AND CUSTOMS.

THERE is not much for us to chronicle in the way of novelty in the household furniture of this period. The famous manufactory of Gobelin tapestry was established in France in 1677, and specimens of it soon appeared on the walls of our palaces and of the mansions of our nobility. Turkey carpets were advertised for sale in 1660; but they were still used for covering tables more than floors; matting of various colours and rushes being more generally employed for the latter purpose.

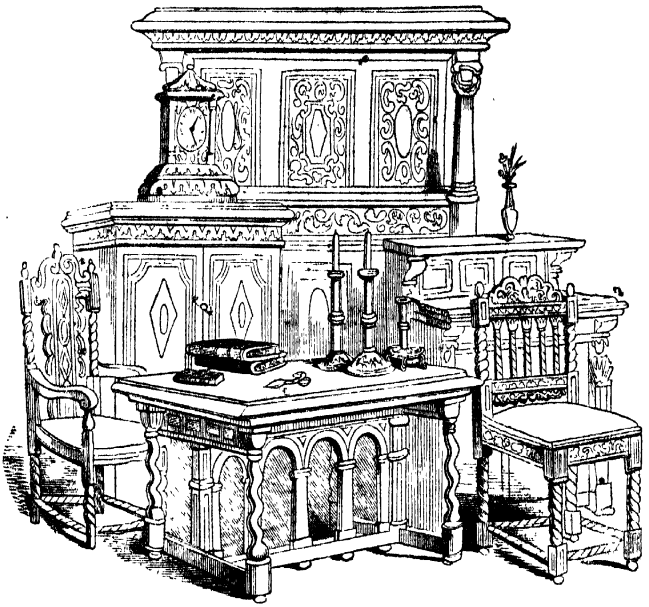
Oilcloth was now known and made in England. In the "Mercurius Politicus" for February 2nd, 1660, is the following advertisement: "Upon Ludgate Hill, at the Sun and Rainbow, dwelleth one Richard Bailey, who maketh oilcloth the German way; and is also very skilful in the art of oiling of linen cloth, taffeta, woollen, &c., so as to make it impenetrable that no wet or weather can enter."

The form of the chairs remained much the same as in the last period; the backs were rather higher, and, as well as the seats, occasionally composed of cane. In Mr. Shaw's work on furniture the artist will find a succession of them. Tables, cabinets, wardrobes, clock-cases, &c., about this time begin to exhibit that beautiful workmanship still known by the name of Marqueterie, from its inventor, a M. Marquet.

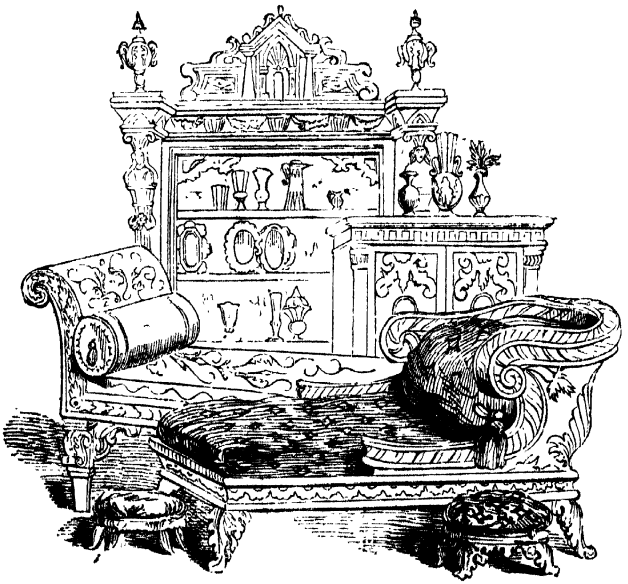
The magnificent carved and gilt furniture commonly called "à la Louis Quatorze," which has never gone wholly out of fashion in England, and during the last few years has become again the

LIBRARY FURNITURE.

The Chair from one presented by Charles II. to Sir C. Ashmole, preserved in the Ashmolean Museum, Oxford; the Table and Book-Case from Sir P. Lely's Portrait of Killigrew; and the rest from specimens in Private Collections.



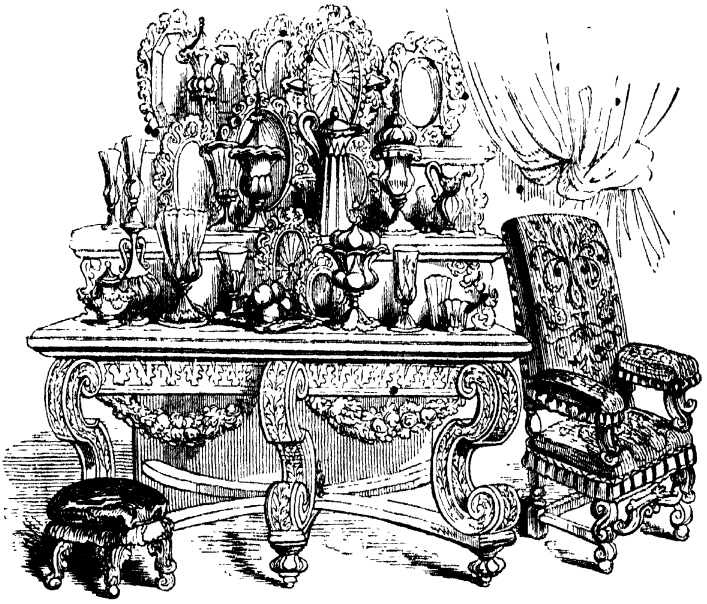
Sitting-Room Furniture. From specimens in Private Collections.



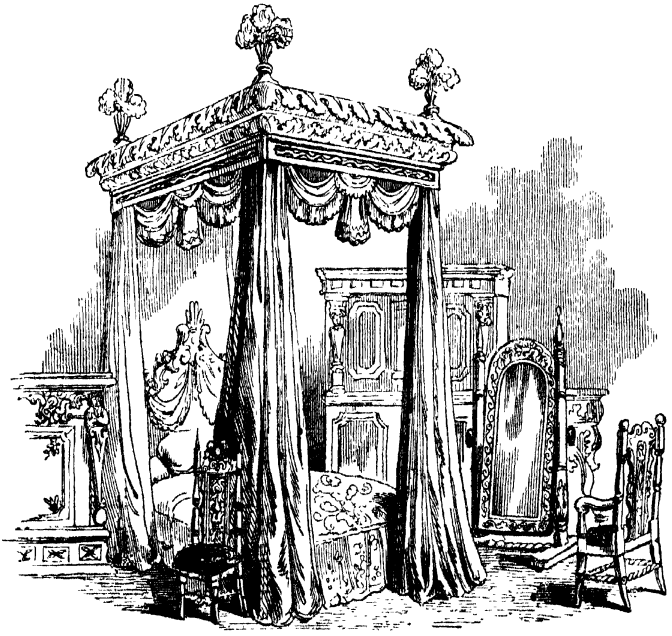
Sofas, Stools, and Cabinets. From specimens in Private Collections, and Pictures by Sir P. Lely.

rage, made its appearance towards the close of the seventeenth century, but did not come into general use till after the accession of Louis XV. in France, and of Queen Anne in England. Our specimen of it will, therefore, be reserved for our next notice of this subject.

The great change that took place in the female costume of the reign of Charles II. was confined



SIDEBOARD, with PLATE, &c. From specimens in Private Collections.



STATE-BED, DRESSING-GLASS, &c. From specimens at Penshurst and in Private Collections.

almost entirely to the dress of the upper classes. Citizens' wives and countrywomen continued to wear the high-crowned hat, the French hood, the laced stomacher, and the yellow starched neckerchief. In the play of "The Blind Lady," printed in 1661, a serving-man says to a lady's maid,

Costume of the Commonalty, temp. Charles II.
Selected from Prints by Hollar and Silvester, 1664.

"You had once better opinions of me, though you now wash every day your best handkerchief in yellow starch." The beauties of the court of Charles II., however, and those whose rank or fortune enabled them to follow the fashion of the day, discarded the strait-laced dresses with the strait-laced manners of their puritanical predecessors; and, although the voluptuous paintings of Sir Peter Lely represent in general rather more of a fanciful costume than the exact dress of the day, bare necks and arms, and full and flowing draperies, and trains of the richest satins and velvets, form the entirely new and characteristic features of the female habits of this licentious period. A work published at this time by a nonconformist divine is entitled "A Just and Seasonable Reprehension of the enormity of Naked Breasts and Shoulders," and contains an indignant censure of the long trains of the ladies, which are spoken of as "a monstrous superfluity of cloth of silk that must be dragged after them."

For the minutiæ of female fashions we cannot do better than quote, in chronological order, some passages from the veracious Diaries of Evelyn and Pepys.

The former remarks, May 11th, 1354, "I now observed how the women began to paint themselves, formerly a most ignominious thing, and used only by prostitutes;" and in 1660 Pepys speaks of "the Princess Henrietta" (sister of Charles II.), "with her hair frizzed up to her ears." Black patches were also worn by ladies as early as this date. Mrs. Pepys wore one "by permission," November 4th, 1660.

Perukes appear to have been adopted first by the ladies; for, under the date of 1662, Pepys records, "By-and-by came La Belle Pierce to see my wife and to bring her a pair of peruques of hair as the fashion now is for ladies to wear, which are pretty, and one of my wife's own hair, or else I should not endure them." In April following we find "petticoats of sarcenet with a broad black lace printed round the bottom and before" mentioned as a new fashion, and one that found favour in the eyes of Mrs. Pepys. On the 30th of May, in the same year, the court was astonished by the monstrous fardingales or "guard-infantas" of the newly-arrived Queen Catherine of Braganza and her ladies, the Portuguese having not yet abandoned those monstrosities. "Her majesty's

Costume of the Nobility and Gentry, temp. Charles II.
Selected from Ogilby's Coronation of Charles II., 1662, and Prints by Silvester, 1664.

cuirass, and sometimes only a large gorget over the buff coat.

The bayonet was invented in this reign, at Bayonne, whence its name. It was sometimes three-edged, sometimes flat, with a wooden hilt like a dagger, and was screwed or merely stuck into the muzzle of the gun. Numbers may be seen disposed in fanciful shapes in the armoury at the Tower, and the guard-rooms at St. James's, Hampton Court, &c. The bandelier was superseded towards the close of Charles's reign by a cartridge-box of tin, strongly recommended by Lord Orrery.

The names of regiments as they still exist in the British army were first given in this reign. The Coldstream Foot Guards date their formation from 1660, when two regiments were added to the one raised about ten years previously by General Monk, at Coldstream, on the borders of Scotland. To these were added the 1st Royal Scots, brought over from France at the Restoration. The Life Guards were raised in 1661; the Blues, called Oxford Blues, from their first commander, Aubrey, Earl of Oxford, in the same year; also the 2nd, or Queen's (foot). The 3rd, or Old Buffs, so called from their accoutrements being formed of buffalo leather, were raised in 1665; the Scotch Fusileers (now 21st Foot), so called from their carrying the *fusil*, a lighter firelock than the musket, in 1678. In this year we learn from Evelyn that grenadiers were first brought into our service: they were so called, he says, "because they were dextrous at flinging hand-grenades, every one having a pouch-full; they had furred caps with coped crowns, like Janizaries, which made them look very fierce; and some had long hoods hanging down behind, as we picture fools; their clothing being likewise piebald, yellow and red." In 1680 the 4th, or the King's Own, were raised.

James II. added to the British cavalry the 1st, or King's regiment of Dragoon Guards, June 6th, 1685; and the 2nd, or Queen's Dragoon Guards, in the same year: to the infantry also, in 1685, the 5th and 7th regiments (the latter called the Royal Fusileers); and in 1688, the 23rd, or Welsh Fusileers.

The peculiarities of demeanour and outward appearance by which the English Puritans of the seventeenth century were distinguished took their rise no doubt, in the main, from the principles they held in religion and morals, which were in a high degree rigid, austere, and enthusiastic, and naturally produced a corresponding severity of manners, and a disregard of, and contempt for, many things which were generally reckoned among the tempering and softening influences, or at least the agreeable decorations, of social life. But part of their sternness or sourness may also be attributed to the spirit of contradiction excited by the prevalence of the opposite temper among their opponents; just as the excessive levity and recklessness of the Cavaliers, on the other hand, was in part provoked by their disgust at the demureness, and, as they deemed it, hypocritical sanctimoniousness of the Puritans and Roundheads. The two parties were separated from each other, in all their ways and habits, by feelings of mutual aversion.

The Cavaliers ruffled in gay clothing, rich lace, and jewellery, and the Puritans could not find garments sufficiently sad in colour and homely in cut. The royalists were almost as much devoted to the dressing of their long hair and the curling of their love-locks, as to the crown which they fought to uphold; and therefore the Puritans shore their hair so close to the skull that their ears stood out in strong relief, while their naked countenances were rendered more grim and ghastly. So particular were the latter party in regard to these ridiculous externals, that they looked upon their brethren who were so unfortunate as to have ruddy cheeks as very doubtful characters; and even the brave and faithful Hutchinson was considered as a lukewarm adherent, because he dressed well and wore long hair.* Upon the same principle of separation from the worldlings, the Puritans affected a slowless of speech that frequently ended in drawling, and a solemnity of tone that often degenerated into a snuffle or nasal twang; while their talk, even upon the most ordinary occasions, was liberally dove-tailed with texts of Scripture. Music and dancing, merry-meetings and festivals, and all sports and games, whether out-door or domestic, were classed with the excesses of drinking healths, brawling, and profane swearing, as unworthy of Christians, and meriting the most unqualified condemnation.

The Puritans, however, were not so ignorant as not to know that men must have social excitement, even though they should only meet to groan; and they endeavoured to extract from religious observances a compensation for their unsparing proscription of all ordinary amusements. The church-bell was their harp and cittern, and psalms were their roundelays; the mustering of the congregation sufficed them for a merry-meeting; and nothing that Shakspeare ever penned was equal, in their eyes, to a sermon of length and pith, that soared to the highest heights, or plunged into the deepest abysms, of theology. This last enjoyment was their feast of fat things; and the Puritan clergy were not slow in feeding their congregations to the full. Besides unriddling those mysteries which reason cannot fathom, and expatiating largely upon those spiritual joys and terrors that never fail to excite an audience, they stimulated the people with political sermons, in which the "good old cause" was glorified, the measures of state canvassed, the news of the past week detailed, and the events of the next anticipated, or even prophesied. The eager congregation hung upon the lips of such a preacher; they projected their heads, and put their hands behind their ears, and bent them forward, that they might not lose a single word: some took down the sermon in short-hand; and at those pas-

* Echard's History of England.—Memoirs of Colonel Hutchinson by his Wife.

sages which were particularly gratifying the audience expressed their delight by a loud buzzing hum.* Sometimes the preacher, when he meant to give a very vigorous sermon, prepared for action in the pulpit by throwing off his cloak, after which he laid about him like a thresher; and this was called "taking pains."† On some occasions, too, the orator would enliven his auditory by what was intended for a stroke of wit: in this case he would select a text that bore some whimsical or unexpected allusion to his subject; and thus the congregation were electrified into a sudden grin. The popular Hugh Peters was the most celebrated of these ecclesiastical buffos, and it is said he was much indebted for his success to his experience as a player before he became a divine.‡

The devotedness of the Puritans to Scripture language was so strong that the names which they selected for their children in baptism were either expressive of a Christian quality, or proper names taken from the Old Testament, while those that in any way savoured of paganism or popery were loathingly rejected. Many of them even held, besides, that the Scriptures were so full and express upon every subject, that everything must be necessarily sinful which was not enjoined there.§ War itself, as well as politics, was attempted to be carried on upon Scripture principles; and men who fought with the musket and cannon were drilled, exhorted, and led on, as if they wielded lamps and pitchers, or pebbles and slings. A curious instance of this veneration for the Old Testament mode of warfare was exhibited in the trial of Colonel Fiennes for his cowardly surrender of Bristol. He declared before the court-martial that he had surrendered the town because it was untenable; but he was told that, in this case, he should have fortified himself in the citadel,—even as did the men of Thebez, who betook themselves to their tower, when their city was taken by Abimelech, the son of Gideon. Who knew, it was added, but that some woman of Bristol, after the example of her of Thebez, might have thrown down a piece of a mill-stone, or a tile, that would have broken Prince Rupert's skull?‖ Heresy in a soldier was also to the full as great a crime in the eyes of the Puritans as cowardice itself: on one occasion an officer, for having speculated too freely on the nature of sin, had his sword broken over his head by sentence of a court-martial.

But the Puritans were not the only fanatics of this period of religious and political excitement. When the crawling and foot-licking age of loyalty succeeded, with the Restoration, there was exhibited by right reverend and most learned prelates a fanaticism less fervid indeed, but far more profane and mischievous, than that of the Commonwealth,—and God, the Church, and the King, became their Trinity, while it was hard to tell which person of the three was the most devoutly worshipped. Then, too, the duties of non-resistance and passive obedience were inculcated as the golden rule of Christian practice; while opposition to monarchy was represented as a crime in which, if the sinner died, his salvation was hopeless. In the same way, Charles and his brother were fanatics, who vibrated to the very last between their confessors and their mistresses; and those gay and guilty courtiers were fanatics, who, even amidst their excesses, would sometimes fast and pray, and be visited by superstitious impulses more ridiculous than the worst that have been fabled of Cromwell himself.

The unfortunate peculiarities of manner by which the Puritans were distinguished obscured the noble moral qualities they unquestionably possessed; and the majority of the nation soon became heartily tired of the gloom and constraint of the Commonwealth. The reaction of feeling, therefore, with which the restoration of the monarchy was welcomed was an absolute national frenzy. When Charles arrived bonfires were kindled in such multitudes in the metropolis, that fourteen blazed between St. Dunstan's and Temple Bar, and thirty-one could be seen at once at the Strand Bridge. The populace set up their old May-poles; rang the church-bells; paraded rumps in derision, which afterwards they providently roasted and ate; drank the king's health upon their knees in the streets; and broke the windows of Praise-God Barebones. Determined, also, that their military saviours should not go unrewarded, they made the soldiers of Monk happy after the popular fashion, by plying them with strong liquors, so that they were drunk every day.* The reign of the saints was at an end: they stole into corners, too happy to escape notice, amidst the general confusion.

In this temper of the public mind the Restoration brought with it a tide not only of levity but of licentiousness,—an inundation of all the debauchery of the French court, in which Charles and his followers had chiefly spent their exile. The strangest scenes were exhibited in the Duchess of Portsmouth's dressing-room, where Evelyn saw this worthless Cleopatra in her loose morning-garment, as she had newly got out of bed, while his majesty and the court gallants were standing about her. In some other points Charles's domestic habits were also very singular. His especial favourites were little spaniels, of a breed that still retains his name: to these he was so much attached, that he not only suffered them to follow him everywhere, but even to litter and nurse their brood in his bed-chamber; on account of which the room, and indeed the whole court, was filthy and offensive.† Court language was in no better taste. Charles, in quarrelling with Lady Castlemaine, called her a *jade*, and she, in return,

* Letter of Samuel Butler, in Somers's Tracts, vol. iv. p. 582.
† Character of England, Somers's Tracts, vol. vii.
‡ On one occasion, being robbed on the highway, not only of his purse but his garment, by the notorious Captain Hind, Peters took for the text of his next sermon the passage, "I have put off my coat; how shall I put it on?"
§ Echard.
‖ State Trials, vol. iv. p. 274.

* Pepys's Diary. † Evelyn.

called him a *fool*;—and the first English phrase which the queen learned, and which she applied to her husband, was, "You lie!" * The levity of the court is strikingly exemplified in the anecdote told by Pepys, that on the evening of that day of national disgrace, when the Dutch fleet had blocked up the mouth of the Thames and burned the English shipping, Charles was supping with Lady Castlemaine at the Duchess of Monmouth's, where the company diverted themselves with—hunting a moth!† Matters were not mended when the king repaired to the council: he could not even *affect* a decent show of interest in public affairs, and, instead of attending to the business in hand, he would play with his favourite dog.‡

Sanctioned and encouraged by the royal example, the upper classes now resumed with double ardour various immoral practices which Puritanism had held in check. Swearing, which during the Commonwealth had been punished by a fine,§ and profligate conversation, were now so prevalent, that a young nobleman or man of family was accounted "no gentleman, nor person of any honour, that had not, in two hours' sitting, invented some new modish oath, or found out the late intrigue between the Lord B. and the Lady P.—laughed at the fopperies of priests—and made lampoons and drolleries on the sacred Scriptures themselves."‖ The lives of Buckingham, Rochester, and Sedley show how fearlessly all common decency could be set at nought; while their writings evince how talent was employed, among the highest ranks, in bedizening the carrion carcase and rouging the yellow cheek of the foul goddess they had set up. Pride of birth had hitherto been a characteristic of the English aristocracy, which made them solicitous for stainless and becoming alliances; but, now, royal and noble concubines and worthless actresses became the patronesses, and even the wives, of the highest nobility. Gaming also, in the absence of nobler excitements, became a fashionable frenzy, so that a noble house was incomplete without a basset-table; and, in the turning of a die or a card, such sums disappeared as nothing but the leveling of whole forests could supply.¶ In this way, Lord Caernarvon's definition may be said to have been practically adopted by many great landed proprietors:—"Wood—an excrescence of the earth, provided by God for the payment of debts." The court ladies, as might be expected, were not proof against the examples of a profligate king and equally dissolute nobility; and they became so equivocal in character that few cared to venture the selection of a wife from among them.** Some of their frolics, too, were as coarse and as wild as those of the other sex. A choice specimen in this way was the exploit of Mrs. Jenyngs, a maid of honour, afterwards Duchess of Tyrconnel. She dressed herself like an orange-wench, and cried oranges about the streets. On occasions of public rejoicing ladies and gentlemen threw fireworks at the crowd, or at one another, and burnt each other in sport: they also smutted each other's faces with candle-grease and soot, "till most of them were like devils." Gentlemen, too, dressed themselves like ladies, and ladies disguised themselves like gentlemen, clapping periwigs upon their heads.*

A spirit of licentiousness is generally combined with cruelty and recklessness of life; and the rage for duelling during the reign of Charles II. had increased beyond all former precedent, so that fatal encounters were of daily occurrence from the worst of causes or for no cause at all. An atrocious instance was that of the duel fought between the Duke of Buckingham and the Earl of Shrewsbury: the duke, after having wronged the earl in "the nicest point," encountered and slew his injured antagonist, the countess standing by the while in the disguise of a page, and holding the horse of her paramour; after whose victory she welcomed with open arms the blood-stained murderer of her husband. Another specimen of a different character is detailed by that prince of gossips, the lively Pepys, in a passage so dramatic, and so illustrative of the manners of the age, as to deserve being quoted at length. "Here Creed did tell us," he says, "the story of the duel last night, in Covent Garden, between Sir H. Bellasses and Tom Porter. It is worth remembering the silliness of the quarrel, and is a kind of emblem of the general complexion of this whole kingdom at present. They two dined yesterday at Sir Robert Carr's, where, it seems, people do drink high, all that come. It happened that these two, the greatest friends in the world, were talking together; and Sir H. Bellasses talked a little louder than ordinary to Tom Porter, giving of him some advice. Some of the company standing by said, What, are they quarrelling, that they talk so high? Sir H. Bellasses, hearing it, said, No, says he, I would have you know I never quarrel, but I strike; and take that as a rule of mine! How, says Tom Porter, strike? I would I could see the man in England that durst give me a blow! With that, Sir H. Bellasses did give him a box of the ear; and so they were going to fight there, but were hindered. And by-and-by Tom Porter went out, and, meeting Dryden the poet, told him of the business, and that he was resolved to fight Sir H. Bellasses presently; for he knew that, if he did not, they should be friends to-morrow, and then the blow would rest upon him, which he would prevent, and desired Dryden to let him have his boy to bring him notice which way Sir H. Bellasses goes. By-and-by he is informed that Sir H. Bellasses's coach was coming: so Tom Porter went down out of the coffee-house, where he stayed for the tidings, and stopped the coach, and bade Sir H. Bellasses come out,

* Pepys. † Idem. ‡ Idem.

§ "He swears at the rate of two thousand pounds a year if the Rump act were still in being," is the eulogium upon a pretty fellow in Dryden's Wild Gallant.

‖ Lord Somers's Tracts, vol. viii.

¶ The zero of gambling-heat was displayed at this period by the Duke of St. Albans, who, although more than eighty years old, and completely blind, still continued to frequent the gaming-table, having a man beside him, to tell him the name of each card.—Evelyn.

** Pepys's Diary.

* Pepys's Diary.

Why, says H. Bellasses, you will not hurt me coming out, will you? No, says Tom Porter. So, out he went, and both drew: and H. Bellasses having drawn, and flung away his scabbard, Tom Porter asked him whether he was ready. The other answering him he was, they fell to fight, some of their acquaintance by. They wounded one another, and H. Bellasses so much, that it is feared he will die: and finding himself severely wounded, he called to Tom Porter, and kissed him, and bade him shift for himself; for, says he, Tom, thou hast hurt me; but I will make shift to stand upon my legs till thou mayest withdraw, and the world will not take notice of you, for I would not have thee troubled for what thou hast done. And, so, whether he did fly or not I cannot tell; but Tom Porter showed H. Bellasses that he was wounded too; and they are both ill, but H. Bellasses to fear of life." The result of this encounter was, that Bellasses died ten days afterwards.

Politics had now become in England an important element in the common business of life; and here, too, we find the same spirit and fashions which were predominant everywhere else. The debates of parliament were grown to be so protracted, that many of the members adjourned to refresh themselves at taverns, from which they returned half-drunk to finish the discussion.* Coffee-houses were the favourite resort of those who wished either to gather or retail the political news of the day. Political clubs were also abundant, where the middle classes attended, and took a share in the discussions, to the great wonderment and wrath of the aristocracy. "Yea," says a Cavalier writer, alluding to these clubs, "they have of late made our citizens statesmen too, whose business lies quite another way, one would think; every little ale-draper now can tell what the privy council intend to do a month hence, and what the king ought to do. . . . Very fine, by my troth!"† The most noted institution of this kind during the reign of Charles II. was that consisting of the friends of the Earl of Shaftesbury, called the King's Head Club, the members of which met at the King's Head tavern over against the Inner Temple gate; and, that they might not fall foul of each other in the frequent street scuffles of the period, each wore a green ribbon on his hat, from which the club was sometimes called the Green Ribbon Club. As the founders were eager to make proselytes, they freely admitted all strangers, and especially young gentlemen of property newly come to town; and the chief topics they discussed were, the horrors of slavery and popery, and the best means of defending the country from these calamities. This their guardianship over pure religion, however, was not of that lugubrious kind which the Puritans had formerly affected; for the house was double-balconied in the front, "for the clubsters to issue forth *in fresco*, with hats and no perukes, pipes in their mouths, merry faces, and diluted throats, for the entertainment of the canaglia below."‡ The great Protestant aim of these Shaftesbury politicians was, the exclusion of the Duke of York from the succession; and, to enlighten the populace upon the subject of popery in general, they were wont to make huge bonfires, in which the Pope and the King of France were burnt in effigy. In these popular ovations the puppets were paraded through the streets by tumultuary multitudes, and amidst shouts and vociferous clamours that might have woke the dead; after which, they were solemnly committed to the flames, amidst volleys of squibs and fireworks.†

But it was while Oates and his fellow-witnesses frightened the isle from its propriety with their revelations of plots and conspiracies that the anti-popish horror attained its height. Men walked the streets as if they moved under the paroxysm of a nightmare; they turned a corner as cautiously as if they expected to stumble headlong upon the famous army of Compostella pilgrims. All those, too, who thought themselves of sufficient consequence to be marked by the church of Rome for assassination—and such persons were not few—at length bravely determined not to sit down to be quietly strangled, and have their own swords thrust through their bodies, like Sir Edmondbury Godfrey; and the expedient they adopted was worthy of their valour and the occasion. "There was much recommendation of silk armour, and the prudence of being provided with it against the time that Protestants were to be massacred. And, accordingly, there were abundance of those silken back, breast, and head pots made and sold, that were pretended to be pistol-proof; in which any man dressed up was as safe as in an house, for it was impossible any one could go to strike him for laughing; so ridiculous was the figure, as they say, of hogs in armour. . . . . This was armour of defence; but our sparks were not altogether so tame to carry their provision no farther; for, truly, they intended to be assailants upon fair occasion, and had for that end recommended also to them a certain pocket weapon, which for its design and efficacy had the honour to be called a protestant flail. It was for street and crowd work; and the engine, lurking perdue in a coat pocket, might readily sally out to execution; and so, by clearing a great hall, or piazza, or so, carry an election by a choice way of polling called *knocking down*. The handle resembled a farrier's blood-stick, and the fall was joined to the end by a strong nervous ligature, that in its swing fell just short of the hand, and was made of *lignum vitæ*, or rather, as the poet termed it, *mortis*."‡

Quarrels between foreigners of different nations also sometimes enlivened the streets of London. The most remarkable of these disputes was one in 1661, between the French and Spanish ambassadors, upon the ticklish question of precedence. A

* Pepys's Diary.
† The present great Interest both of King and People: a Cavalier Tract published in London in 1679.

* North's Examen, p. 572 † Ibid.
‡ North's Examen, pp. 572-3.

regular conflict took place in Cheapside between the followers of both, which was carried on so fiercely that all the military, and many of the train-bands, had to be ordered out on the occasion. In anticipation of the affray the Spaniards had cunningly lined their coach-harness with chains of iron, so that it could not be cut asunder; they had also mounted an armed guard upon each horse, and upon every coach, and by these contrivances they gained the victory, although their adversaries were four to one. A good deal of bloodshed was the consequence, and the crowd huzza'd at the discomfiture of the French.* When ambassadors thus belaboured each other it was not to be expected that their sacred persons would be always respected by the populace; and accordingly, in 1683, when the national heat against the United Provinces was at the height, the London mob attacked the Dutch ambassador's carriage, and discharged into it a volley of stones, squibs, and firebrands, by which his lady was dangerously wounded.†

The 'prentices, too, were still as turbulent as ever, and ready to brawl against all authorities, to show their love of liberty and pure religion. On one occasion, some of their number, having cudgelled their masters, were set in the pillory; upon which the rest assembled, tore down the pillory, and rescued their companions. The pillory was again set up, and the culprits exposed in it, upon which the fraternity once more demolished it, in reckless defiance of all the power of the law.‡ Then there were furious street encounters between the butchers and the weavers, in which the former were distinguished by their blue or green aprons, and the latter by their sleeves. Even the bear-gardens were not without their feuds and factions. At these places of public amusement, sword-fighting as well as bear-baiting was exhibited; and the spectators sometimes quarrelled so fiercely upon the merits of their favourite gladiators, that a single combat would swell into a general pell-mell encounter.§

A numerous set of characters that still remain to be noticed chiefly consisted of the younger sons of good families, the heirs of wealthy citizens, and raw young squires from the country; men who lived only for to-day, and knew no happiness or comfort out of London. Most of them, full of the fashionable horror at the remembrance of the days of the Rump, identified liberty of political sentiment with rank rebellion, and confounded monarchy with a sanction for every excess; swearing by the new order of things, and brawling against innovation, without understanding anything about the matter. These were the "dear hearts," the "heroics," the "honest men,"‖ who, in the time of the civil war, would have joined the Babe-eaters or swelled the ranks of Goring's troopers; but, in this piping time of peace, they showed their loyalty more cheaply by huzzaing for the king, drinking for the king, and breaking the king's peace to prove their love to the king. As *refinement* was now as common a cant word as loyalty, others set up for wits or geniuses; and, to establish this character, they damned plays, patronised actors, haunted the coffee-houses to which the choicest authors resorted,* and repeated the last good saying of Rochester, Sedley, or Dryden. Others, more audacious still, sometimes composed verses on their own account, which they carried about like an infection, and inflicted upon all who had ears to hear. But the most boisterous class were the Scowerers, the legitimate successors of the Roaring Boys and Bonaventors of the former age. These gentlemen scoured the streets during the night in bands, stormed taverns, broke windows, wiped out milk-scores, wrenched off door-knockers, daubed and defaced the gilt signs, routed the apple merchants, fish-mongers, and butter-women, with whose commodities they bestrewed the market-place, attacked and knocked down all chance passengers, or even gave battle to some body of rival scowerers, and generally ended by a conflict with the watch, in which the rioters, after their heads and swords were broken, were carried to the watch-house, and, in the morning, before a magistrate, who, if the offenders were of wealth or worship, dismissed them with a gentle admonishment, that only recruited them for the campaign of the following night.†

But gallantry was the grand predominant agent, that, like a chemical spirit, extracted all the folly and flagitiousness of the age, and placed them before the eye in full and strong individuality. Not to love, was not to be; and, therefore, all were lovers, from the half-fledged stripling fresh from the teacher's rod to the hoary veteran whose dim eyes could scarcely discern the charms with which his heart was smitten,—from the impoverished swain whose last sixpence was bent into a To-and-from-my-love‡ to him who could buy a heart with coronets, crown jewels, and pensions. Foppery in dress was the natural result of this overweening desire to please, and gallants endeavoured to make themselves irresistible by the newest cut of a French suit, or an enormous fleece of periwig. Foppery in speech was also as natural as foppery in dress; and it was now so much the fashion to interlard conversation with French phrases, that it was "as ill-breeding to speak good English as to write good English, good sense, or a good hand."§ But the charm of charms was, for a lover to possess the reputation of a wit; and, if he could pen a few smooth verses on the attractions of his

* Pepys's Diary. † Echard, ii. p. 697.
‡ Pepys's Diary. § Idem.
‖ These titles are common in the plays of Dryden, Behn, and Otway, as well as the tales and tracts of the period.

* Will's coffee-house was already the most distinguished of these places.
† Shadwell's Comedy of the Scowerers.
‡ A common love-token of the period.

———like sixpence crook'd,
With 'to-and-from-my-love,' it look'd.
HUDIBRAS.

§ Wycherly's Gentleman Dancing Master. This affectation of blending English with French phrases in conversation (with which even Dryden was infected) is ridiculed in the Rehearsal, where the two kings of Brentford are made to speak French to show their politeness.

mistress, the success of his suit was sure to answer his utmost wishes. Many, who sought the reputation, without the trouble, of gallantry, had their pockets stuffed with billets-doux, addressed to them, which they had forged for the nonce; and these they paraded before company with as much pride as Caligula, when he led Roman slaves in his triumphal procession, disguised like German warriors. Those who sought random love-adventures repaired to the theatre, where they might accost a vizor in the pit without fearing to put it to the blush; or they could ascend to the gallery, which was the chosen place for such intrigues, and where every masked she-adventurer might pass for a countess, or a goddess in a cloud. Even the penetralia of the theatre were not sacred from intrusion; and it was the fashion for gallants to haunt the stage behind the scenes, and invade the tiring-rooms of the actresses. The other resorts for such adventures were, the masquerades, which were now convenient places of assignation; Spring Garden, which enjoyed a double portion of its former bad repute; or the New Exchange, which, since Paul's Walk was no more, was become the fashionable covered lounge, and where the little millinery shops, that were profusely sprinkled about the piazzas, were kept by beautiful young women.* When love, however, was made in a more formal and open fashion, the lover sallied forth in the evening at the head of a band of fiddlers, and serenaded under the window of his mistress with some choice sonnet. When courtship ended in matrimony, the wedding made the whole street ring with crowding, fiddling, and dancing; and the loud flourish of fiddles was the first sound by which the happy pair was awoke on the following morning. The chief fashionable matrimonial markets in the metropolis were Hyde Park and Mulberry Garden; at the last of which places, especially, lovers nourished their mutual affection and plighted their troth over collations of cakes and syllabubs.†

Notwithstanding all this frivolity and profligacy, however, of the higher classes, the bulk of the community still retained much of the good old English spirit. Independently of the Puritans, whose stern, self-denying manners have been already described, there were many royalists who still exhibited the best traits of the period of "Good Queen Bess," and regarded with contempt the *Frankism* and frivolity that had now become so fashionable. Persons of this class adhered to the primitive hours of their forefathers in rising, transacting business, and going to rest; and in diet they stoutly stood by English fare, notwithstanding the French cookery that had now become prevalent. Before they repaired to the more weighty duties of the day, they adjourned to some alehouse or tavern, and took their *morning*, which consisted of a cup of ale or wine; and when business was over they had their favourite club or coffee-house to which they repaired to discuss the affairs of religion, politics, or literature. The temperate beverages of tea, coffee, and chocolate, which were introduced into England during this period, soon came into such general use that even already they were beginning to supersede those fiery or heavy liquors that had hitherto accompanied every meal; and we now read of the social tea-table in the domestic history of the people.* The English at this period also seem to have been a more musical people than ever they were afterwards; almost every person of education could sing by the scale, and play upon some instrument; and, accordingly, social parties of music were common, where the violin, the flute, and the spinnet found no lack of skilful performers. Cheerful parties by water were also usual; and the company, after sailing as far as Greenwich would ascend the hill, and enjoy themselves with games at cards upon the grass, after which they returned at evening, singing all the way up the river.† These were days when the banks of the Thames were as melodious as the shores of the Adriatic. Even on the merriest occasions, too, of junketting and holiday-keeping, there prevailed among these sober classes a dread of late hours that sufficed to close up the festival at ten o'clock at night; and Pepys describes, with laughable simplicity, the consternation of some ladies belonging to a noble family who were detained upon one of these occasions till midnight, when they found the gates of their mansion closed, and the inmates gone to sleep.

While such remains of the old simplicity of living were still to be found in the metropolis in spite of evil example, they were still more plentiful in the country, where the court contagion was as yet unfelt. The baronial table was still heart of oak, and laden with the old festive hospitality; and the huge sirloins and mighty plum-puddings that smoked upon it seemed to laugh to scorn the innovations of French cooks that had become so fashionable in London. The guests were waited upon by a throng of blue-coated servants, who still preserved the ancient "yea forsooth" simplicity of manner; and the walls of the hall were still garnished with a forest of stags' horns and other relics of the chase, in preference to more fashionable ornaments. The country squires also gave annual feasts to their tenants, and, by other acts of kindness, made the tie between landlord and tenant a sort of family relationship; while the farmers, in similar fashion, gave jolly harvest-homes, sheep-shearings, and the other old set feasts to their labourers and dependents. Such pleasing pictures of rural life are plentifully interspersed in the plays of the period, but are only introduced upon the stage to be ridiculed. We shall find them again, however, in a still more attractive

* Etheridge's Sir Fopling Flutter.—Wycherly's Country Wife.

† Wycherly's Love in a Wood; or St. James's Park.—Sedley's Mulberry Garden.

* Tea, as we have stated in a former Chapter, was at first sold in London only in a liquid state. It appears, from Dryden's Wild Gallant, to have been relished as a morning draught by those who had exceeded in drinking the previous night.

† Pepys's Diary.

fashion under the days of "good Queen Anne."—As abhorrence of the drama had been one of the chief distinctions of Puritanism, a habit of play-going became a badge of loyalty after the Restoration. The theatres, therefore, were re-opened, and their benches crowded more eagerly than ever. Moveable scenery is said to have been first introduced upon the English stage a few years before the Restoration, by Sir William Davenant; and after that event it was produced at the Theatre Royal in Drury Lane.* This and other novelties at first startled the proprietors of theatres, by the expense they occasioned; but when they found that such lively additions to the play drew full houses, and yielded large profits, they launched fully into the speculation, and rivalled each other in the splendour and richness of stage decorations. As the whole power of mechanical ingenuity was thus brought to bear upon theatrical representations, a love of rich scenery and surprising transformations became predominant with the public, in consequence of which the opera, which had been introduced by Davenant before the Restoration, was revived; and its gorgeous materials at first threw into the shade the more sober productions of the regular drama; so that Shadwell and Settle, who wrote for this operatic taste, were for a short time more popular than Dryden himself.† Music and dancing were soon as much in requisition as splendid scene-painting, and the most celebrated foreign singers and dancers were hired by the London theatres, at an immense expense.‡ In other less important points a similar change had taken place. The stage, instead of being "half in glimmer and half in gloom," as before the Civil War, was lit up by a blaze of wax candles; the orchestra was furnished with some nine or ten fiddles; and greater attention was paid not only to rich but appropriate costume for the characters that were represented.§ But among all the additions now made to the attractions of the theatre, none equalled the introduction of women upon the stage as actresses.‖ Hitherto the female characters had been performed by boys; but now taste was gratified by seeing female feelings judiciously represented by the tender sex, and depravity was pampered by the amorous speeches and Sybarite attitudes of *bonâ fide* women. As if even this had not been enough, too, several plays (and these of the lewdest description) were sometimes exhibited by female performers only.¶ The complaint was loud and general during this age, that the actresses only added to the general depravity; and the host of royal and noble concubines that was supplied from their ranks attests the truth of the accusation.** In consequence of the crowds that now resorted to the theatres, actors were no longer the humble showmen and needy dependents of aristocratic caprice. They waxed rich, and became proud: they felt themselves necessary to an age that was devoted to amusement, and began to divide the town with their trumpery quarrels and factions. The license of the stage also in political matters occasionally went beyond the patience of the court, and bitter side-remarks were frequently vented through the medium of a play against the conduct of those in power. To prevent these excesses, the theatres were sometimes shut up, and the actors themselves committed to prison, to learn a little wholesome moderation.*

From the liberality with which the public taste was regaled, both in the variety of plays, and the exciting manner in which they were represented, the audiences soon became so fastidious, that many a piece was damned which scarcely deserved that fate. But it was not mere taste that formed the criterion of judging and condemning. Personal pique and political prejudice were too often allowed to interfere; and such influential wits as Buckingham and Rochester could frequently confer popularity upon the dullest, as well as bring disgrace upon the best-written piece.† It was not always, however, that a dramatic poet was in the humour of succumbing to such a tyrannous process; and, while a critic was whizzing a catcall in Drury Lane, he might be stopped by a hostile invitation of the author to take a walk into Covent Garden. On this account, a beau is directed, in the preface to the Reformation, a play acted at the Duke's Theatre, in 1673, only to abuse a new play when he knows that the author is no fighter. Sometimes the influence of a dramatic writer was so strong, that he could pack the house with a numerous jury in his favour, in which case the right to condemn was by no means the safest of privileges. When the United Kingdoms was brought upon the stage, its author, the Honourable Edward Howard, had filled the house with a strong phalanx of supporters, to ensure success: the malicious Buckingham headed a rival party for the purpose of condemning the play: but, scarcely had the work of hissing commenced, when all the Howards rose in an uproar; the duke himself was compelled to retreat, and, as his enemies waylaid him at the door, he only escaped a severe cudgelling, or something still worse, by stealing off in the confusion ‡

As the public theatre now absorbed the chief taste and talent of the country, the court pageants did not keep pace with dramatic representations. Although they had, indeed, inevitably improved, with the improvement of shows in general, they still, in some measure, smacked of the rudeness of the old times. This will appear by the following account of a royal procession from the Tower to Whitehall, in 1660, by Pepys—a description which rivals that of the coronation by Beau Tibbs, in Goldsmith's Citizen of the World. "It is im-

* Wright's Historia Histrionica, Lond 1699.—See also Collier's History of the Stage, iii. 365—376.

† Roscius Anglicanus, Lond. 1711.—Scott's Life of Dryden.

‡ Roscius Anglicanus.

§ Pepys. When Queen Elizabeth was introduced upon the stage the costume was carefully copied from her statues and pictures.

‖ It is difficult to ascertain the precise date of this innovation; but Pepys (a regular play-goer) first saw women upon the stage in the year 1660.

¶ Wright's Historia Histrionica.—Pepys.

** Echard, vol. iii.—Pepys.

* Pepys. † Scott's Life of Dryden. ‡ Key to the Rehearsal.

possible," he says, "to relate the glory of this day expressed in the clothes of them that rid, and their horses, and horsecloths. The Knights of the Bath was a brave sight of itself, and their esquires. Remarkable were the two men that represent the two Dukes of Normandy and Aquitaine. The bishops came next after barons, which is the higher place; which makes me think that the next parliament they will be called to the House of Lords. My Lord Monk rode bare after the king, and led in his hand a spare horse, as being Master of the Horse. The king in a most rich embroidered suit and cloak, looked most noble. Wadlow, the vintner, at the Devil in Fleet-street, did lead a fine company of soldiers, all young comely men in white doublets. Then followed the vice-chamberlain, Sir G. Carteret, a company of men all like Turks; but I know not yet what they are for. The streets all gravelled, and the houses hung with carpets before them, made brave show; and the ladies out of the windows. So glorious was the show with gold and silver, that we were not able to look at it, our eyes at last being so much overcome." Here the pageant-dukes of Normandy and Aquitaine, and the company of Turks, remind us of the dragon and unicorn, and the Faith, Hope, and Charity of the old masques and processions. To this scene we may add the description of a state supper in the Banqueting House, Whitehall, given by the sovereign to the companions of the Order of the Garter, on the evening of the anniversary of St. George. "The king," says Evelyn, who describes the scene, "sat on an elevated throne, at the upper end at a table alone; the knights at a table on the right hand, reaching all the length of the room; over against them, a cupboard of rich gilded plate; at the lower end, the music; on the balusters above, wind-music, trumpets, and kettle-drums. The king was served by the lords and pensioners, who brought up the dishes. About the middle of the dinner, the knights drank the king's health, then the king their's, when the trumpets and music played and sounded, the guns going off at the Tower. At the banquet came in the queen, and stood by the king's left hand, but did not sit." All this was noble and imposing—but the spirit of coarse revelry soon broke out. "Then was the banqueting stuff flung about the room profusely. In truth, the crowd was so great, that though I stayed all the supper the day before, I now stayed no longer than this sport began, for fear of disorder." The same want of taste that made a scramble for the banqueting stuff converted the king and these noble Knights of the Garter into coxcombs; so that on one occasion, according to Pepys, they wore their official robes all day, and then rode about with them in the park in the evening. The chief palace amusements were masques and dancing, in the last of which the poor queen seemed to find abundant solace for the neglect of her husband, and for which she was severely blamed by the splenetic pamphleteers of the day.

One grave piece of English court mumming has not yet been noticed, although it commenced in the days of Edward the Confessor, and continued almost to our own times. This was the royal practice of touching for the evil or scrofula,—a divine gift of healing supposed to be inherent in the legitimate kings of England, and in them only. When the set day arrived for the performance of this miracle, the king was seated in state in the banqueting-house, and the patients were led up to the throne by the physician. The king then stroked their faces or cheeks, with both hands, as they knelt, while a chaplain, standing by in full canonicals, repeated over each that passage of Scripture, "He put his hands upon them, and healed them." When they had all been touched or stroked in this manner, another chaplain, kneeling, and having angel-pieces of gold strung on white ribbons on his arm, delivered them one by one to his majesty, who put them upon the necks of the touched as they passed before him, while the first chaplain repeated the passage, "That is the true light which came into the world." As the reading of a Gospel commenced the service, an Epistle concluded it, with the prayers for the sick a little altered from the Liturgy, and the blessing; after which the lord chamberlain and controller of the household brought a basin, ewer, and towel, for the king to wash his hands.* The mercurial Charles II. was wont to laugh heartily, even in church, when an anthem was sung out of tune, or a court vice preached at;† how he was able to preserve the needful gravity of countenance during this absurd ceremony is not easy to understand. The popular belief in its efficacy was as strong during his reign as it had ever been during the darkest ages. A disastrous proof of this was afforded on one occasion when the crowd of people with their diseased children was so great at the court surgeon's door, applying for tickets to be admitted to Whitehall, that six or seven persons were pressed to death in the confusion.‡

Other shows and exhibitions, which are only tolerated by the mobs of the nineteenth century, were at this time most acceptable even to the highest ranks. Of these the puppet-shows were most conspicuous, where, besides the adventures of Punch, the spectators were regaled with the pathetic drama of Patient Grizzel, or some edifying incident from Scripture.§ Monkeys were clothed in appropriate costume, and taught to perform in little pantomimes, as well as to dance, and play diverting tricks upon the tight-rope.‖ Then there were plays composed by bankrupt authors, and exhibited by fourth-rate or discarded actors, in temporary booths at the city fairs: to this complexion poor Elkanah Settle, once the civic poet laureate, came at last. After having triumphed for a time as the successful court rival of Dryden, he finally sunk into a dramatist for Smithfield, and performed the part of a dragon in one of his own pieces.¶

* Evelyn's Diary. † Pepys's Diary. ‡ Evelyn's Diary.
§ Pepys. ‖ Idem. ¶ Scott, Life of Dryden.

Men who exhibited feats of strength or dexterity, and jugglers of every description, were now plentiful in London, and the mention of a few of their feats will indicate the character of the public taste. There was one Florian Marchand, who, drinking only fountain water, refunded it from his mouth in the form of all kinds of wine and sweet waters. There was a Turk, a rope-dancer, who walked bare-footed up a rope that was almost perpendicular, by merely taking hold of it with his toes: he also danced blind-fold on the high (tight) rope, with a boy about twelve years old tied to his feet, about six or seven yards below, dangling as he danced, and with whom he moved as if the boy's weight had been but a feather. Such athletic feats as a man raising a cannon of about four hundred pounds weight with the hair of his head, seem to have been common. It was a golden age for such performers, when chairs and chariots thronged to their places of exhibition. These shows were concentrated into one huge mass of amusement at such fairs as St. Margaret's at Southwark, and St. Bartholomew's in Smithfield. An Italian Scaramouch had sometimes the honour to perform before his majesty at Whitehall; but, shameful to tell, the courtiers had to pay at the door for admission. These various performers exhibited privately as well as publicly; and sometimes when a gentleman gave a dinner to his friends, a juggler or a fire-eater was hired to entertain the company.*

Although the old active amusements and athletic sports of the country were necessarily becoming less popular, from the change of manners, yet even among the aristocracy certain rough exercises were still in vogue, that form a strong contrast to the effeminacy of the nobles in other respects. Thus, swimming had become a favourite amusement, and prodigious feats in the way of wager and competition were performed in this department by Rochester and his companions. Foot-racing was also a courtly amusement, which Charles II., himself a first-rate pedestrian, greatly patronised; and Pepys, among other facts of the kind, mentions the exploit of two young noblemen who, upon a wager, ran down and killed a stout buck in St. James's Park in presence of the king. Tennis, as a court game, was so keenly pursued by Charles II., that, having a steel-yard, in which he weighed himself after the sport was over, on one occasion he found that he had lost four pounds and a half in weight at a single bout.† Skating also was a newly introduced, or rather, perhaps, a revived amusement in England at this time, and was performed "after the manner of the Hollanders."‡ One principal place for this practice, as at present, was the canal in St. James's Park. There were also certain athletic exercises, chiefly of a military character, that seemed to have formed a regular part of a fashionable education. These consisted of running at the ring, throwing a javelin at the figure of a Moor's head, firing pistols at a mark, and taking up a gauntlet upon the point of a sword; all which exercises were performed on horseback, and at full speed.* The truly English sport of boat-racing and yacht-racing was now extensively practised; and, as well as horse-racing at Newmarket, greatly occupied the time and money of the courtiers.† Bowls also continued to be a favourite game with ladies as well as gentlemen.‡ Bear-baiting and bull-baiting, which had been so rigidly put down during the Commonwealth, were resumed at the Restoration. Pepys observes, however, that these sports were gradually becoming less fashionable among the higher classes; and if such accidents as one recorded by Evelyn were of frequent occurrence, it was full time that they should be so. A mastiff, he informs us, was tossed sheer over the barriers into a lady's lap who sat at a considerable distance from the arena. One infamous sport of this period was that of baiting horses with dogs,—a piece of ruffianism that disgraced the darkest periods of Anglo-Saxon barbarity.§ Evelyn describes an event of this kind, where a gallant steed was devoted to death for the popular amusement, under the false pretence that it had killed a man,—the real purpose being to get money by the exhibition. The horse beat off every assailant, and at last had to be stabbed to death with swords.

The in-door sports of the wealthier classes, besides card-playing, consisted of billiards, chess, backgammon, cribbage, and ninepins. Upon occasions of social merry-meeting, the company would often divert themselves with such homely games as blindman's buff and handycap. Besides banquets and convivial meetings, masques and private theatricals frequently enlivened the mansions of the wealthy.‖ Sometimes, too, a piece of furniture was contrived to afford a rational pleasure by its elegance and ingenuity, or excite mirth by some sudden practical joke. We are told of a specimen of the first kind, which was a portable cabinet containing a well-executed painting of the great church of Haarlem, in Holland, and which was viewed through a small hole at one corner.¶ This seems to have been a miniature diorama. Another article of furniture, belonging to Sir W. Penn, was a seat called King Harry's chair, upon which, when a stranger sat down, he was suddenly clasped round the middle by two iron arms, and held fast, to the great mirth of the on-lookers.**

Many of the old holidays were still observed according to the old English fashion. On Valentine's day gentlemen sent such presents as gloves, silk stockings, garters, or even splendid jewellery, to their fair valentines, whether married or single. On the morning of the 1st of May, young ladies, and even grave matrons, repaired to the fields to gather May-dew, with which to beautify their complexions: milk-maids danced in the streets, with their pails wreathed with garlands, and a

* Evelyn's Diary. † Pepys. ‡ Evelyn.

* Evelyn's Diary.

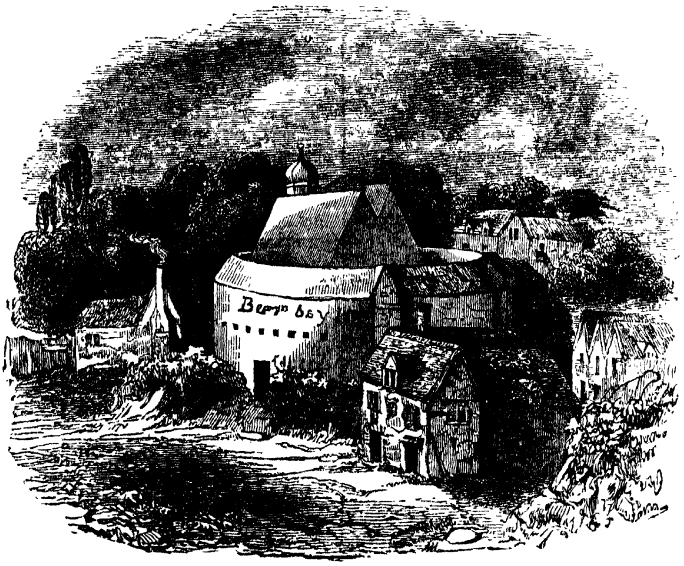
† Evelyn. We learn from Eckard, that, by this time, the English race-horses were greatly prized in foreign countries.

‡ Pepys. § See ante, vol. i. p. 654

‖ Pepys. ¶ Evelyn. ** Pepys.

fiddler going before them. New-year's day was also observed as a season of presenting gifts from inferiors to their patrons. On this occasion the nobles did homage to the king by an offering in money: that of an earl was usually twenty pieces of gold in a purse.* In this way, also, the nobility were enriched by their clients; and Pepys informs us that some courtiers had their whole fortune in this custom. It is pleasing to observe that the intellectual accommodation of circulating libraries had already commenced, for the benefit of those who could relish something better than the vulgar amusements of the period. At the end of the play of the Thracian Wonder, printed in 1661, and sold by Francis Kirkman, at the sign of John Fletcher's Head, without Temple Bar, is the following intimation:—"If any gentlemen please to repair to my house aforesaid, they may be furnished with all manner of English or French histories, romances, or poetry; which are to be sold, *or read for reasonable considerations.*"

* Pepys.



Bear Garden, Southwark. From Visscher's "London."

CHAPTER VII.

HISTORY OF THE CONDITION OF THE PEOPLE.

CONSIDERABLE amount of information with regard to the condition of the most numerous classes of the English population in the latter part of the seventeenth century is supplied by various contemporary publications, which were drawn forth principally by the still increasing pressure, though in a somewhat new way, of the old national evil of pauperism, or the greater attention that now began to be paid to that as well as to other subjects connected with the new science of political economy. The most important of these publications have been reviewed by Sir Frederick Eden, in his work on the State of the Poor; and, with the assistance of his pages, we shall proceed to extract and arrange the most material facts preserved in them that come under our present head.

The earliest written, though not the earliest published, of the tracts in question, is one which is attributed to the pen of the eminent judge, Sir Matthew Hale. It is entitled "A Discourse touching Provision for the Poor," and did not appear till 1683, but was in all probability written in 1659 or early in 1660, certainly before 1662. Its references, therefore, are to the state of things at the very commencement of the present period, or rather at the close of the last. One assumption upon which the author proceeds in his calculations, as upon a supposition that would be universally admitted, is rather remarkable—namely, that the family of a working man, consisting of himself, his wife, and four children, could not be supported "in meat, drink, clothing, and house-rent," under ten shillings a week. "And so much," he adds, "they might probably get if employed," if two of the children as well as their mother were able to contribute something by their work to the family income. The value of money a hundred and eighty years ago was undoubtedly much greater than it now is; and yet the wages of agricultural and even of some descriptions of mechanical labour do not at the present moment exceed, if they reach, this amount. From a subsequent statement, however, it should seem that, in manufactures at least, this sum of ten shillings a week could only then be raised by the united industry of all the four working members of the family. He had, the author says, ascertained, by actual trial, what were the expenses of making "a common coarse medley cloth of Gloucestershire wool," of thirty-two yards in length; from which it appeared that the cost of production was altogether 11*l.* 15*s.*; namely, for ninety pounds of wool at 1*s.* a pound, 4*l.* 10*s.*; for cards and oil, 1*l.*; and for the wages of three weavers and spoolers, two breakers, six spinners, one fuller and burler, one sheerman, and one paster and picker, fourteen persons in all, 6*l.* 5*s.* He calculates, further, that sixteen such pieces might be made in a year by this number of workmen; consequently the wages earned by them in the year would amount to 97*l.* But this is not quite 7*l.* for each; so that, to make up the 10*s.* a week, or 26*l.* a-year, previously assumed to be required for the maintenance of the working man and his family, his wife and his two elder children would in this case have to be included among the fourteen persons employed, as well as himself. To reconcile the two statements, therefore, we must suppose that every labourer having so many as four children, without the two elder being yet able to earn anything, would at this time have to receive more or less assistance from the rates, or at least would be considered as standing in need of such assistance; for, indeed, Hale, or whoever was the author of the present tract, complains that, after all the legislation that had taken place on the subject, the provision made for the poor in many parts of the country was still miserably inadequate. "Let any man," he says, "look over most of the populous parishes in England: indeed, there are rates made for the relief of the impotent poor, and, it may be, the same relief is also given in a narrow measure to some others that have great families, and upon this they live miserably, and at best from hand to mouth, and if they cannot get work to make out their livelihood they and their children set up a trade of begging at best." This writer's views with regard to the practicability of finding profitable employment for all the poor do not lead him to foresee any inconvenience from an over-plentiful provision for them. He is sanguine enough to think that pauperism, properly so called, might be almost extirpated, and that, if the parish would in all cases merely supply the requisite stock or capital, every pauper in it might be transformed into a labourer earning full support

for himself by his own hands. All the burden to be borne by the parish, he calculates, after the first contribution, which might be equivalent to the amount of four years' rates, would be the expenses of management, which could not amount to much. "There be many poor and honest men," he observes, "who, for a small salary, and a room or two to work and lodge in, in the workhouse, would be fit enough to undertake the employment of a master; and yet he would have no great trust upon him; for the stock would be lodged in the hands of the overseers, and they to deliver it out, and take weekly or monthly accounts; which overseers may be substantial men, and at no great trouble; and eligible either by the justices of peace, or parishioners, yearly, or once in three years; and their trouble would be no greater than the trouble of overseers of the poor or churchwardens in any parish." The prospect of any profit upon the capital thus invested by parishes is not represented as very tempting. The piece of woollen cloth, which it cost 11*l.* 15*s.* to make, was then selling at no more than 12*l.*; and if sixteen such pieces were to be produced in the year, so as to afford full employment to the fourteen workmen, the capital required to keep the loom going would be 100*l.* This would be a return of only four per cent., which would scarcely be enough to defray the cost of management. If trade were brisker, however, he says, the cloth might bring 13*l.* the piece, or even more. He states, incidentally, that the manufacture of serges, kerseys, and baizes was at this time confined to Devonshire, Norfolk, and the town of Colchester; and he speaks of the manufacture of various kinds of linen cloth as being already carried on in some degree in Lancashire.

In 1662, under pretence of providing for the better relief of the poor, an act was passed which may be said to have at once reduced the great body of the labouring population of England to their ancient condition of *ascripti glebæ*, or fixtures each to the soil of some one particular parish. This was the famous statute of the 13 and 14 Car. II. c. 12,* the foundation of the modern law of settlement. The preamble of the act testifies to the fact of pauperism continuing to make head against all the previous attempts at restraining it. "The necessity, number, and continual increase of the poor," it is asserted, "not only within the cities of London and Westminster, with the liberties of each of them, but also through the whole kingdom of England and dominion of Wales, is very great and exceeding burdensome, being occasioned by reason of some defects in the law concerning the settling of the poor, and for want of a due provision of the regulations of relief and employment in such parishes or places where they are legally settled, which doth enforce many to turn incorrigible rogues, and others to perish for want, together with the neglect of the faithful execution of such laws and statutes as have formerly been made for the apprehending of rogues and vagabonds, and for the good of the poor." For remedy of these evils it was now enacted, in substance, that it should be lawful for any two justices of the peace, upon complaint made by the churchwardens and overseers of the poor, within forty days after the arrival of any new comer in the parish, to remove him by force to the parish where he was last legally settled, either as a native, householder, sojourner, apprentice, or servant, unless he either rented a tenement of 10*l.* a-year, or could give such security against becoming burdensome to the parish where he was living as the two justices should deem sufficient. By a subsequent act—the 1 Jac. II. c. 17—it was provided, in order to prevent the evasion of the new law by the party contriving to effect a clandestine residence for the forty days, that that term, necessary to give him a legal settlement, should only be counted from the time of his delivering a notice in writing of the place of his abode and the number of his family (when he had any) to one of the churchwardens or overseers. So long as this law lasted—which it did till the year 1795,* it was rendered almost impossible for a poor man to transfer himself from one parish to another; for that space of above a hundred and thirty years a man's parish was, in the generality of cases, almost literally his prison. It seems impossible to refuse assent to what Adam Smith, writing while it was still in force, has said of this most oppressive law;—"To remove a man who has committed no misdemeanour from the parish where he chooses to reside, is an evident violation of natural liberty and justice. The common people of England, however, so jealous of their liberty, but, like the common people of most other countries, never rightly understanding wherein it consists, have now for more than a century together suffered themselves to be exposed to this oppression without a remedy. Though men of reflection, too, have sometimes complained of the law of settlement as a public grievance, yet it has never been the object of any general popular clamour, such as that against general warrants—an abusive practice undoubtedly, but such a one as was not likely to occasion any general oppression. There is scarce a poor man of England of forty years of age, I will venture to say, who has not in some part of his life felt himself most cruelly oppressed by this ill-contrived law of settlement."† To this may be added the remark of Sir Frederick Eden on the main enactment of the statute of 1662, that "this single clause of a short act of parliament has occasioned more doubts and difficulties in Westminster Hall, and has perhaps been more profitable to the profession of the law, than any other point in English jurisprudence."‡ Another galling part of the law was, that, while so severely circumscribing the liberty of the native poor, it

* Entitled, in the Record Commission edition of the statutes, the 14 Car. II. c. 12.

* The power of removing persons not actually chargeable was taken away by the 35 Geo. III. c. 101.

† Wealth of Nations, book i. chap. 10.

‡ State of the Poor, i. 177.

ft strangers from Scotland and Ireland unmo-
sted; a Scotchman or an Irishman might set
mself down in any part of England he pleased,
move about at his convenience from one parish
another, and no overseer or justice of the peace
uld, under this act, interfere with him.* On
e other hand, indeed, such strangers had no
gal claim upon parish support, in case of desti-
tion; but probably few of them would have will-
gly purchased that right at the cost of the pecu-
r advantages which they enjoyed without it. It
to be remembered, too, that by the undisturbed
edom in which they were left they could ob-
in a settlement for their children, born in Eng-
nd, their servants and apprentices, if not for
emselves, in any parish they pleased. Besides,
ey might in general confidently rely upon the
mmon humanity, if not the law, of the country
eventing them from absolutely perishing of
ant.

The act of 1662, while it thus authorized the
moval of persons only likely or asserted to be
kely to become chargeable, considerably altered
e old law as to the ways by which settlements
ight be obtained. Till now, a man's settlement
as either the parish in which he had been born,
that in which he had resided as an impotent
auper for three years, or, as a vagabond, for one
ear. The statute of the 13th and 14th of
harles II., taken along with that of the 1st of
ames II., gave a man a settlement in a parish by
residence, unobjected to by the churchwardens,
f only forty days after publication of notice in
riting; and also by renting a tenement of the
nnual value of 10*l.* And subsequent statutes
assed in the reign of William and Mary, in com-
letion of the same system, established the follow-
ig additional ways of acquiring the same right:—
amely, the being charged to the public taxes and
aying them; the executing an annual office in the
arish, and serving in it a year; the serving an
pprenticeship in the parish; the being lawfully
ired into any parish for a year and continuing in
e same service a twelvemonth. But the rule is,
at in all cases the last acquired settlement takes
way any settlement previously acquired.

The act of 1662, it thus appears, commences a
ew era in the history of the poor-laws. "It will
e seen," observes a late writer, "that at this stage
e struggle of the poor-laws against vagrancy as
national evil ceased, and the efforts of the legis-
ature were henceforth directed against the some-
hat contrary habits generated by a state of per-
anent and settled pauperism. The general im-
rovements in the habits, intelligence, and wealth
f the people had, doubtless, had the chief effect
n reducing the former evil, although it is clear
hat a considerable effect was constantly operated
y the poor-laws towards reducing the poorer part
of the population to a settled condition, which
eventually terminated in a state of things in which
the labourer resisted a change of place as the last
extremity of evil, thinking the loss of his settle-
ment ill compensated by the certainty of immedi-
ately bettering his condition, in as far as his con-
dition depended on his own industry. The cause
at the bottom of each of these evils was obviously
the same; that is, the desire which men have to
live in ease; which object was at one time most
easily obtained by vagabondage, at another by ac-
quiring a fixed settlement in a parish."* But,
while there is some truth in this view, in so far as
it distinguishes between the character of the early
and of the more recent legislation in regard to the
poor, it is to be remembered that the change of
place which the labourer is asserted to resist as
the last extremity of evil is in reality nothing else
than his removal back again to a parish which he
had left in violation of the law, or at least in the
hope of being able to make good a transference
against which the law sets its face; so that he
may be more truly said to resist confinement to one
place than a change of place. The acts of 1662
and 1685 were undoubtedly passed with the main
object of preventing and checking, not permanent
and actually settled pauperism (a matter which
none of their provisions affects to touch), but loco-
motive and intrusive pauperism—the attempts of
stranger paupers to make their way into parishes
to which they did not properly belong. When a
man who has broken prison struggles against
being carried back into confinement by the con-
stable who has found him standing on the king's
highway, he may, indeed, be quaintly said to re-
sist a change of place as the last extremity of evil;
but he would himself probably declare that the
liberty of change of place was what at that parti-
cular time he above all things desired.

Some glimpses at the state of the pauper popu-
lation a few years after the new law of settlement
came into operation are afforded by an inquiry
"Concerning the Relief and Employment of the
Poor," which forms one of the chapters of Sir
Josiah Child's New Discourse of Trade, written in
1665, and published in 1668. Sir Josiah de-
scribes the condition of the poor at this time as
sad and wretched in the extreme; and the details
he gives seem to show that a great part of their
misery was the consequence of the late act. In
illustration of the combined cruelty and inefficacy
of "the shifting off, sending, or whipping back,
the poor wanderers to the place of their birth or
last abode," which was then continually going on
in all parts of the kingdom, he gives the following
instance:—"A poor idle person, that will not
work, or that nobody will employ in the country,
comes up to London, to set up the trade of beg-
ging; such a person, probably, may beg up and
down the streets seven years, it may be seven-and-
twenty, before anybody asketh why she doth so;

* It is only within the last twenty years that, by the act 59 Geo. III. c. 12, natives of Scotland, Ireland, the Isles of Man, Jersey, and the other Channel islands, have been made removeable with their families from any parish in which they are actually chargeable to the place of their birth.

* Macculloch's Statistical Account of the British Empire, part v. chap. 5 (furnished by George Coode, Esq.).

and, if at length she hath the ill-hap in some parish to meet with a more vigilant beadle than one in twenty of them are, all he does is but to lead her the length of five or six houses into another parish, and then concludes, as his masters the parishioners do, that he hath done the part of a most diligent officer. But suppose he should yet go farther, to the end of his line, which is the end of the law, and the perfect execution of his office,—that is, suppose he should carry this poor wretch to a justice of the peace, and he should order the delinquent to be whipt, and sent from parish to parish to the place of her birth or last abode, which not one justice of twenty, through pity or other cause, will do: even this is a great charge upon the country, and yet the business of the nation itself wholly undone; for no sooner doth the delinquent arrive at the place assigned, but, for shame or idleness, she presently deserts it, and wanders directly back, or some other way, hoping for better fortune; whilst the parish to which she is sent, knowing her a lazy, and perhaps a worse qualified person, is as willing to be rid of her as she is to be gone from thence." This author has a plan of his own for affording profitable employment to the poor of every parish in the kingdom—the favourite idea of all the economical speculators of that day—in which he proposes that the government of parishes in all matters relative to the poor should be put into the hands of a body of persons to be incorporated by act of parliament under the title of Fathers of the Poor, each of whom, it is oddly added, should wear some honourable medal, "*after the manner of the Familiars of the Inquisition in Spain.*"

The earliest information that has been found with regard to the amount of the poor-rates is a statement in a pamphlet published in 1673, entitled "The Grand Concern of England explained in several Proposals offered to the consideration of the Parliament," &c.* This author estimates the sum then expended on the relief of the poor at nearly 840,000*l.* a-year. Another writer of about the same time, who will presently be noticed, estimates the poor-rate at upwards of 700,000*l.*† But probably the account most to be relied upon is that given by Davenant, in his Essay upon Ways and Means (first published in 1695), the particulars of which, he says, "were collected with great labour and expense by Mr. Arthur Moore, a very knowing person." It presents an "estimate of the poor-rates, upon each county, by a reasonable medium of several years, made towards the latter end of King Charles II.'s reign;" and makes the total amount for all England and Wales 665,362*l.* The highest assessments in the account are, for Devonshire 34,764*l.*; Essex 37,348*l.*; Lincolnshire 31,500*l.*; Norfolk 46,200*l.*; Somerset 30,263*l.*; all Wales (estimated according to the proportion the principality bore to the rest of the kingdom in other taxes, the particulars not having been obtained) 33,753*l.*; and Middlesex, including the cities of London and Westminster, 56,380*l.* The assessment of Surrey, including the borough of Southwark, is set down at only 15,600*l.*; that of Kent at 29,875*l.*; that of York at 26,150*l.* Among the smallest assessments are those of Cheshire, 5,796*l.*; of Lancashire, 7,200*l.*; and of Westmoreland, 1,890*l.** The money, at this comparatively early stage of the poor-rates, was by no means universally considered to be beneficially expended in a public point of view. It "is employed," says the author of "the Grand Concern of England, "only to maintain idle persons; doth great hurt rather than good; makes a world of poor more than otherwise there would be; prevents industry and laboriousness; men and women growing so idle and proud that they will not work, but lie upon the parish wherein they dwell for maintainance; applying themselves to nothing but begging or pilfering, and breeding up their children accordingly; never putting them upon anything that may render them useful in their generations, or beneficial either to themselves or the kingdom." A strange notion of the author of this pamphlet is, that the distress of the labouring classes had been chiefly occasioned by the diminution that had taken place in the number of saddle-horses in consequence of the introduction of stage-coaches. One of his proposals is, "that the multitude of stage-coaches and caravans now travelling upon the roads may all, or most of them, be suppressed; especially those within forty, fifty, or sixty miles of London; where they are no way necessary; and that a due regulation be made of such as shall be thought fit to be continued." His argument in support of this crotchet, if it has no other merit, supplies us with some curious information respecting the conveyances and accommodations for travelling which the English public now enjoyed. The stage-coaches, he states, enabled any Londoner, whenever he had occasion, to step to any place where his business lay "for two, three, or four shillings, if within twenty miles of London, and so proportionately into any part of England." In these circumstances, exclaims our patriotic author, "will any man keep a horse for himself, and another for his man, all the year, for to ride one or two journeys—*unless some noble soul that scorns and abhors being confined to so ignoble, base, and sordid a way of travelling as these coaches oblige him unto*, and who prefers a public good before his own ease and advantage?" The number of coach-horses, he goes on to observe, under the new system, is much less than that of the saddle-horses, that used to be kept: "for formerly every man that had occasion to travel many journeys yearly, or to ride up and down, kept horses for himself and servants, and seldom rid without one or two men; but now, since every man can have a passage into every place he is to travel unto, or to some place

* Printed in the Harleian Miscellany, viii. 524.

† England's Improvement by Sea and Land, &c., by Andrew Yarranton. 1677.

* Whitworth's edition of Davenant's Works, i. 39 &c.

within a few miles of that place he designs to go into, they have left keeping of horses, and travel without servants; and York, Chester, and Exeter stage-coaches, each of them with forty horses a piece, carry eighteen passengers a week from London to each of these places, and in like manner as many in return from these places to London; which come, in the whole, to 1872 in the year." Now, even admitting the passengers brought back from these places to be the same persons that were carried from London thither, still, he maintains, were it not for the coaches, at least five hundred horses would be required to perform the work. "Take," he continues, "the short stages within twenty or thirty miles of London; each coach with four horses carries six passengers a day..... Then reckon your coaches within ten miles of London, that go backward and forward every day, and they carry double the number every year; and so proportionably your shorter stages within three, four, or five miles of London. There are stage-coaches that go to almost every town within twenty or twenty-five miles of London, wherein passengers are carried at so low rates, that most persons in and about London, and in Middlesex, Essex, Kent, and Surrey, gentlemen, merchants, and other traders, that have occasion to ride, do make use of them,—some to keep fairs and markets, others to visit friends, and to go to and from their country-houses, or about other business,—who, before these coaches did set up, kept a horse or two of their own, but now have given over keeping the same." It thus appears that more than a century and a half ago the inhabitants of the metropolis were already tolerably well provided with the means of transference to places in the country within twenty or thirty miles around them. Regular travelling by stage-coach to more distant parts would seem to have been as yet confined to the three great lines of road leading to Exeter, Chester, and York. The fare to any one of these towns, it is stated, was 40*s.* in summer, and 45*s.* in winter; "besides," continues the account, "in the journey they change coachmen four times; and there are few passengers but give twelve pence to each coachman at the end of his stage;....and at least three shillings comes to each passenger's share for coachmen's drink on the road."

In 1677 appeared Andrew Yarranton's work entitled "England's Improvement by Sea and Land: To outdo the Dutch without fighting, to pay debts without money, to set at work all the poor of England with the growth of our own lands; To prevent unnecessary suits in law, with the benefit of a voluntary register; Directions where vast quantities of timber are to be had for the building of ships, with the advantage of making the great rivers of England navigable: Rules to prevent fires in London and other great cities; with directions how the several companies of handicraftsmen in London may always have cheap bread and drink." Of himself and of the circumstances that led him to write his book Yarranton gives the following account:—"I was an apprentice to a linen-draper, and so I knew something of linen; and, finding the poor unemployed, I, with my wife, did promote the making of much fine linen with good success. And being employed, and my charges borne, by twelve gentlemen of England, to bring into England a manufacture out of Saxony and Bohemia made of iron and tin, there I did see what I here set down; and in Holland and Flanders I tried and observed their way and manner of trade in the linen manufacture." Yarranton estimates the number of the unemployed or destitute poor at a hundred thousand, each of whom he calculates costs the public fourpence a day for food, while, if they were employed, they might earn eightpence a day each; but he forgets that many paupers, aged and infirm persons and young children, were of course incapable of doing any work. His calculation of a hundred thousand paupers, each costing fourpence a day, would make the entire yearly outlay upon the poor 608,333*l.* 6*s.* 8*d.*, a sum not very much under what appears to have been the actual amount of the rate. The project for supporting the poor upon which this writer places his chief dependence is to employ them in the linen and iron manufactures. The best districts in which to establish the former he considers to be the counties of Warwick, Leicester, Northampton, and Oxford.—"First," he argues, "their land is excellent good to produce flax. Secondly, they are inland counties, and have no staple manufacture at present fixed with them; whereby their poor are idle, and want employment. Thirdly, they are counties the best furnished at all times with corn and flesh of any counties in England, and at cheapest rates. Fourthly, they are in the heart of England; and the trade, being once well settled in these counties, will influence their neighbouring counties in the same manufacture in sending their flax and threads with ease and cheapness down the rivers Thames, Avon, Trent, and Soar; all which navigable rivers come into these counties. And I affirm it is not possible to set up this trade in any part of England with success but in these places, because in most parts of England there are fixed manufactures already that do in great measure set the poor at work. In the West of England clothing of all sorts, as in Gloucester, Worcester, Shropshire, Staffordshire, and a small part of Warwickshire; in Derby, Nottingham, and Yorkshire the iron and woollen manufacture; in Suffolk, Norfolk, and Essex the woollen manufacture; in Kent, Sussex, and Surrey some cloth, iron, and materials for shipping. Then, the counties to raise provisions, and to vend them at London to feed that great mouth, are Cambridge, Huntingdon, Buckingham, Hertford, Middlesex, and Berks." Seven or eight years before, he says, it had been proposed to set up the linen-manufacture in Ipswich and the neighbourhood, and he was consulted on the subject; but, he adds, "after I had

rid about the town as far as Cattaway Bridge, and observed the influence that the Colchester trade had there, as also the stuff and say trade, whereby the poor were comfortably supplied, I then found it was impossible to go on with success, and gave my reasons; upon which all was laid aside, and my reasons approved of." Of the iron manufacture, as it then existed, he gives a full and minute account, which is so interesting that we will extract the greater part of it:—"First," says he, "I will begin in Monmouthshire, and go through the Forest of Dean, and there take notice what infinite quantities of sow iron is there made, with bar iron and wire. And consider the infinite number of men, horses, and carriages which are to supply these works, and also digging of iron stone, providing of cinders, carrying to the works, making it into sows and bars, cutting of wood and converting it into charcoal. Consider, also, in these parts the woods are not worth the cutting and bringing home by the owners to burn in their houses; and it is because in all these places there are pit coals very cheap. Consider also the multitude of cattle and people thereabouts employed, that make the land dear; and, what with the benefit made of the woods, and the people making the land dear, it is not inferior for riches to any place in England. And if these advantages were not there, it would be little less than a howling wilderness. . . . . Moreover, there is yet a most great benefit to the kingdom in general by the sow iron made of the iron stone and Roman cinders in the Forest of Dean; for that metal is of a most gentle, pliable, and soft nature, easily and quickly to be wrought into manufacture over what any other iron is, and it is the best in the known world; and the greatest part of this sow iron is sent up Severn to the forges, into Worcestershire, Shropshire, Staffordshire, Warwickshire, and Cheshire, and there it's made into bar iron; and, because of its kind and gentle nature to work, it is now, at Stourbridge, Dudley, Wolverhampton, Sedgeley, Walsall, and Burmingham, and thereabouts, wrought and manufactured into all small commodities, and diffused all England over, and thereby a great trade made of it; and, when manufactured, sent into most parts of the world. And I can very easily make it appear that, in the Forest of Dean and thereabouts, and about the materials that come from thence, there are employed, and have their subsistence therefrom, no less than sixty thousand persons. . . . . And now in Worcestershire, Shropshire, Staffordshire, Warwickshire, and Derbyshire there are great and numerous quantities of iron works; and there much iron is made of metal or iron stone of another nature, quite different from that of the Forest of Dean. This iron is a short, soft iron, commonly called cold-shore iron, of which all the nails are made, and infinite other commodities; in which work are employed many more persons, if not double to what are employed in the Forest of Dean. And in all those counties the gentlemen and others have moneys for their woods at all times when they want it, which is to them a great benefit and advantage; and the lands in most of these places are double the rate that they would be at if there were no iron-works there. And in all these counties now named there is an infinite of pit coals, and the pit coals being near the iron, and the iron stone growing with the coals, there is manufactured very cheap, and sent all England over, and to most parts of the world. And if the iron-works were not there, the woods of all these counties to the owners thereof would not be worth the cutting and carrying home, because of the cheapness of the coals and duration thereof."

The last of these publications that we shall notice is a tract entitled "Proposals for the Employing of the Poor, especially in and about London," by Mr. Thomas Firmin, a London merchant, which appeared in 1678. It is written in the form of a letter to a friend, who is understood to have been Dr. (afterwards Archbishop) Tillotson. Firmin was a person of distinguished public spirit and philanthropic zeal; and, although a Socinian, or Arian at least, in religion, and strongly attached to his opinions, Tillotson, some sermons by whom in defence of the Trinity he was the first to answer, was not the only intimate acquaintance he had among the heads of the established church; he died in 1697, at the age of ninety-six, and was attended, we are told, in his last illness by his friend Dr. Edward Fowler, then Bishop of Gloucester. Burnet represents Firmin as having been the most active propagator in his day of the peculiar theological creed he had embraced: "He studied," says this historian, "to promote his opinions, after the Revolution, with much heat; many books were printed against the Trinity, which he dispersed over the nation, distributing them freely to all who would accept of them."* He afterwards tells us that "Mr. Firmin's death put a stop to the printing and spreading of Socinian books."† "He was," he admits, however, "in great esteem for promoting many charitable designs; for looking after the poor of the city and setting them to work; for raising great sums for schools and hospitals, and [illegible]ged, for charities of all sorts, private and pu[illegible] he had such credit with the richest citizen[illegible] he had the command of great wealth as o[illegible] there was occasion for it; and he laid out his own time chiefly in advancing all such designs. These things gained him a great reputation."‡ The plan for employing the poor which his pamphlet describes, and which he had reduced to practice in the parish of Aldersgate, London, is said to have been originally set on foot by the Rev. Thomas Gouge.§ It consisted in buying up hemp and flax, and giving it out, ready dressed, to be spun in their own houses by such poor people as either could spin or were willing to learn. For this purpose Firmin, at his own expense, erected a building in Aldersgate, to which

* Own Time, ii. 212. † Ibid. 214. ‡ Ibid. 212.
§ Archbishop Tillotson's Funeral Sermon on Gouge.

he directed all the poor who came to him to go and receive flax, and when they had spun it to carry it back and receive their money for it; "which I found," he says, "to be very much for the help and relief of many poor; some of them being able to earn threepence and some fourpence a day, working only at such times as they could spare from their other necessary occasions; who, being to work in their own houses, and when they could with most convenience attend it, many of them became so much pleased with it, that so much money given them for doing nothing would not have done them half so much good as that which they got by their own labour in this employment." As may be supposed, a spinning business thus conducted did not turn out a profitable speculation; on an expenditure of about 4000*l.*, for the year 1677, the loss had been about 200*l.*; and Firmin acknowledges that it would have been greater but for the kindness of several persons who took off some of the cloth he had manufactured at cost price:—in particular, the East India and Guinea Companies had, for his encouragement, ordered from him their Allabas cloths and coarse canvass for their pepper-bags, which they used to have from abroad. "However," says the benevolent projector, "this doth greatly satisfy me, that every penny that hath been lost by it, either by myself or by those friends who have helped to bear it, hath been many times gained to the poor and to the public. Neither hath the loss been so great as to affright any man that is able, and hath a good mind, from undertaking the like." To provide against the worst, he tells us, in case he should not be able to go on with the spinning of flax, he had made a good progress in the manufacture of woollens also; but it is, nevertheless, the making of linens that he considers to be best suited for the employment of the poor. "There is no commodity I know of," he says, "of the like value, that can be set up with less stock; three parts of four, even of that cloth which comes not to above two shillings an ell, will be paid for work to the spinner and weaver; and many times a woman will spin a pound of flax, that cost but six pence or seven pence, to that fineness that she will [illegible] twelve pence or fourteen pence for her pa[illegible] which will make an ell of cloth worth three shi[illegible] at which rate five parts of six will be paid for labour; nay, sometimes I have seen a pound of flax, not worth above 1*s.* 6*d.* at most, spun to that fineness that the pound of thread made of it hath been worth eight or ten shillings; and in other (he means foreign) parts I have seen a pound of flax, not much higher in value, spun to that fineness that it hath been worth three or four pounds sterling." Afterwards he says,—"When I first began to employ the poor in spinning, the best direction I could receive was to pay for spinning the same price that the flax and hemp stood me in, or what those sorts were generally sold for; but this I soon found to be in a very unequal way, forasmuch as some people would spin a much finer thread than others, and better deserve eightpence for spinning a pound of flax that cost but sixpence than another fourpence; so that after a little time I brought all the poor people to spin 600 yards for a penny, were the thread finer or coarser; . . . and since then, with much ado, finding the loss to be great, I have brought them to 50 yards more, which yet is much less than is spun in other places." He goes on to state the cost of the raw material, and of dressing and weaving:—"For Riga hemp at this day I pay 20*s.* a hundred, which is very low; for Quinborough about 22*s.*, which is cheap; for Muscovia flax about 44*s.* a hundred, for Quinborough about 40*s.* a hundred, for Holladay about 36*s.*, for Paternoster flax about 30*s.* (all which prices are very high to what they are at some times); for English flax about 5½*d.* a pound undressed. . . . . For beating of hemp I pay 4*s.* 8*d.* a cwt.; for dressing hemp, long and short, 11*d.* a dozen pound; for dressing flax I give 3*d.* a stone, accounting eight pound to the stone. For weaving cloth I pay the several prices following:—for yarn spun to 6*d.* and 7*d.* a pound, for every ell of cloth half ell wide, 2½*d.*; for that which is three quarters and a half wide, 3½*d.*; for that which is yard wide, 4*d.*; for that which is ell wide, 5*d.* For yarn spun to 9*d.* and 10*d.* a pound I pay ½*d.* more for every half quarter of an ell, rising as before in that of 7*d.* or 8*d.*, and the like in that which is still finer; for coarse cloth, yard and half quarter wide, I pay 3*d.* an ell; and for sacking about 3*d.* a yard."

Another scheme of Firmin's was, the establishment in parishes of institutions such as in our own day have been called schools of industry, for teaching the children of the poor to work at various businesses. "I myself," he says, "have at this time some children working to me, not above seven or eight years old, who are able to earn 2*d.* a day, and some that are but a little older, 2*s.* a week; and I doubt not to bring any child about that age to do the like; and still as they grow up and become proficients, even in this poor trade of spinning, they will be able to get more and spin better than older people. Neither would I have these schools confined only to spinning, but to take in knitting, and making of lace or plain work, or any other work which the children shall be thought most fit for; and this is that which (as I am informed) is practised in other countries with so great advantage, that there are few poor children who have attained the age of seven or eight years that are any charge to the parish or burden to their poor parents; and Mr. Chamberlain (in his book entitled The Present State of England, p. 137) hath observed, that in the city of Norwich it hath been of late years computed and found that, yearly, children from six to ten years of age have gained 12,000*l.* more than what they have spent, and that chiefly by knitting fine Jersey stockings." The meaning of this last statement probably is, not that the children had earned so

much in wages, but that such had been the value of their labour to their employers.

Almost our only information respecting the wages of labour in the present period, as in the last, is derived from the rates as arbitrarily settled by the magistrates. According to a table of rates fixed by the justices for the county of Essex in 1661, common labourers, fellers and makers up of wood, ditchers, hedgers, and threshers, were to have per day 8*d.* with food, or 1*s.* 2*d.* without, from the middle of March to the middle of September, and 6*d.* with, or 1*s.* without food, for the other half of the year. A man haymaker was to have 8*d.* with, or 1*s.* without food; a woman haymaker 5*d.* with, or 10*d.* without food (which seems to be allowing 5*d.* for the day's maintenance of a woman, while only 4*d.* is allowed for that of a man); a weeder of corn 4*d.* with, or 9*d.* without food; a mower of corn or grass 10*d.* with, or 1*s.* 6*d.* without food; a fallower 6*d.* with, or 1*s.* 3*d.* without food; a man reaper 1*s.* with, or 1*s.* 10*d.* without food; a woman reaper 8*d.* with, or 1*s.* 2*d.* without food. These rates may be compared with those that were in force during the greater part of the last period.* They are, however, much higher than those established at a quarter-sessions held at Bury St. Edmonds, we presume for the county of Suffolk, in 1682.† By these, besides meat and drink, a man haymaker was to have only 5*d.* a day; a woman haymaker 3*d.*; a man reaper in harvest 10*d.*; a woman reaper 6*d.*; a common labourer, not in harvest, 6*d.* in summer, and 5*d.* in winter; and women "and such persons, weeders," 3*d.* Without meat and drink the wages were to be doubled. The yearly wages of a bailiff in husbandry were at the same time fixed at 6*l.*; of a chief husbandman or carter at 5*l.*; of a second hind or husbandman, or common servant, above eighteen years of age, at 3*l.* 10*s.*; if under eighteen, at 2*l.* 10*s.*; of a dairymaid or cook at 2*l.* 10*s.* In 1685, at the close of the reign of Charles II., the Warwickshire justices directed that throughout that county a bailiff of husbandry should have, by the year, 4*l.*; a chief hind, or the best ploughman and carter, 5*l.* 15*s.*; a shepherd 5*l.*; an inferior servant-man 2*l.* 10*s.*; "the woman servant that is able to manage a household," 1*l.* 15*s.*; a second woman servant 1*l.* 6*s.* 8*d.*; a dairymaid or wash-maid, 1*l.* 16*s.*; and that the daily wages of artificers and labourers should be,—of a free-mason, a master brick mason, a master carpenter, his servant or journeyman if above eighteen, a ploughwright and cartwright, a master bricklayer, a tiler, plasterer, and shingler, a master thatcher, a mower, and a man reaper, 6*d.*; of a mason's servant or apprentice, if above eighteen, a carpenter's servant or apprentice under eighteen, a master plasterer, a thatcher's servant, a feller of wood, thresher, or common labourer, not in time of harvest, a man haymaker, and a woman reaper, 4*d.*; of a plasterer's servant or apprentice, if above twelve, and a reaper in corn-harvest, 3*d.*; of a woman haymaker, and a weeder of corn, 2*d.*; all with meat and drink. Without food, they were to have exactly double these sums, all except the free-mason, who, if the account be correct, was in that case to have 1*s.* 4*d.* Richard Dunning, in a tract published this same year, entitled "A Plain and Easy Method, showing how the office of Overseer of the Poor may be managed whereby it may be 9000*l.* per annum advantage to the County of Devon without abating the weekly relief of any Poor," calculates that a Devonshire agricultural day labourer could earn 5*d.* a day all the year round, besides his diet, worth as much more; and that women in that county could earn their diet, worth 1*s.* 6*d.* a week, and 6*d.* a week wages.

The notices of prices that have been collected are very few. It is said, but upon uncertain authority, that the mean price of mutton from 1660 to 1690 was 1*s.* 4*d.* the stone of 8 lbs. The price of wool, as usual, fluctuated greatly; in 1671 it was 1*s.* the lb.; in 1677, 5*d.* the lb.; in 1680, from 12*s.* to 13*s.* the tod; in 1681, from 18*s.* to 19*s.* the tod. Wheat was considerably steadier than in the preceding period, and also considerably lower upon the whole: in 1661 it was 3*l.* 10*s.*, and in 1662, 3*l.* 14*s.*; but, afterwards, with the exception of a small number of years, it was seldom above 2*l.* 5*s.* or 2*l.* 6*s.* In 1674 it was 3*l.* 8*s.* 8*d.*, and in 1675, 3*l.* 4*s.* 8*d.*; but in 1676 it was only 1*l.* 18*s.*; in 1686, 1*l.* 14*s.*; and in 1687, 1*l.* 5*s.* 2*d.* Its average price for the twenty years from 1666 to 1685 was 2*l.* 6*s.* 3¾*d.*

* See ante, pp. 658, 659.

† Cullum's Hawsted, p. 215.

END OF VOLUME THE THIRD.

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